

the well known constitutional principle of provincial voters' lists.

The truth is that the Liberal Administration contained able men; it contained probably the ablest men that were ever gathered in a Canadian Government. They knew they had the right and they knew how to exercise that right which the law gave them. Sir Allen Aylesworth, the greatest lawyer, next to Edward Blake who has ever sat in this House, explained that law on the floor of Parliament. He said: "We have that right and we are going to exercise it." Why? He said that while on general grounds we might adopt the provincial franchise yet in this special case if Parliament thought it best not to adopt the provincial franchise it was perfectly within its right. Since that date I take it that the matter has been settled. I do not think the question can arise again. It would have remained settled as far as I am concerned but for the statement of my hon. friend (Mr. King) in regard to provincial lists and the statements I have seen in the Liberal press to the effect that the country would expect that we should follow the provincial lists and the provincial franchise in this new Bill.

I am free to say that the Liberal Government's Act of 1908 was a disappointment to many of us. I know it was a disappointment to myself in one respect. I believe that one of the first essentials of an election law is that it shall provide modern, up to date lists and that is what the Act of the Liberal Government did not at all do. I became a candidate for this House late in the fall of 1899 and I set to work on the lists in the rural municipalities and worked many weary weeks and many weary months in order that the names of all those who had a vote might be on the list. It was a different matter in the cities because you could register up to thirty days before the election. That is a principle that I, personally would like to apply to the whole country, to all municipalities, whether rural or urban. I knew there was a provision in the Act of 1898 which said that lists which were revised and in the hands of the Clerk of the Crown in Chancery sixty days before nomination day should be the lists for election. These lists for my constituency were finally revised and in the hands of the Clerk of the Crown in Chancery on the 15th August and the election was on the 3rd, or 6th November—I forget which. After all my work, after I had gone to the township courts of revision and to the judges courts of

[Mr. Guthrie.]

revision, what was my surprise when I received from the clerk of the Crown in Chancery, twenty, or it might have been forty copies of the lists of the year previous. I posted down to Ottawa and saw the Government about it. They said: "Why, your lists are all right, the lists for the counties of Waterloo and Halton are not finally revised for 1900, consequently you will have to take the old lists of 1899." the lists for the election of 1898 were probably eighteen or twenty months old. They were just about the same age in 1904 and were not quite so bad in 1908. The one fault I had to find with the Act of 1898 was that neither in its operation nor result did it give us an up to date list, a last moment list before the elections.

That is one aim that we have had before us in the preparation of this Bill. That is one of the most important things about a franchise Act. Every representative from the province of Ontario knows this fact in regard to our elections: that there are a large number of our people disqualified in respect of every election and they are among the very best people we have in the country. Take country schoolmasters; they change about every two or three years; we bring on an election in the Fall or at another time of the year, teachers' contracts have expired, they have gone to the next county and they have no vote in that county. That also applies to ministers and principally to those of the Methodist church in which the itinerant system prevails. A man becomes disqualified because while his name is on the old list he has moved away and he cannot get on the new list, there is no opportunity given to him to vote. These are things on account of which I always took exception to the old Act of 1898. The object of the present Bill is to give to the public an up to date, last minute Franchise Act, in so far as that is possible. Having regard to the conditions which exist in Canada, having regard to the practical unanimity which there is in the various provinces on the question of the franchise, realising that the whole trend of modern opinion, the whole trend of development in this country and in every other country during the past forty or fifty years has been toward a loosening and a lessening of all property conditions in regard to the franchise, to make the franchise something which pertains to the person and not something pertaining to property; that the whole tendency of modern thought is to make the right to the franchise a right in personam and not a right in rem, the tendency of modern ideas being to treat the franchise as a human thing and not a