

Sir JOHN THOMPSON. That would be a very serious extension of the franchise given to Prince Edward Island, and a departure from the principle of the Act. What I recommend is a section that would deal with the decision of the revising barrister, which had the effect of frustrating the intention of Parliament on that subject; but I did not expect to go so far as to give to the Island the provincial franchise when we had not recognised it in other Provinces.

Mr. DAVIES (P.E.I.) That has been done. On the first revision held under this statute, every person who was entitled to vote in the Island under the provincial franchise on 1st July, 1885, was entitled to be placed upon the electoral list. It was all right for the first revision. That principle was conceded.

Sir JOHN THOMPSON. What I understand is that the revising officer has given a decision which frustrated that even.

Mr. DAVIES (P.E.I.) No; I never heard of any such decision. Every person who came forward to have his name placed on the list, if he proved before the returning officer he was entitled to vote on that day, he put his name right on. The difficulty arises that when the next revision takes place all those who became of age on the 20th day of July, or any day subsequent from 1885 to 1889, would be debarred from voting, while those who came of age previous to that would be entitled to vote. If you leave the Act as it is now, you would be creating most invidious distinctions in the Province, which cannot be the intention of the hon. gentleman. The intention of the Act was to give everybody there who was entitled to vote under the Island franchise on that date, the right of being put on the new electoral list. Now, as we are revising the Act, from year to year, that principle must be extended, or, otherwise, the hon. gentleman will see what a curious anomaly it will be. All the franchise voters will be entitled to vote who came of age before this arbitrary date, but if they came of age the following day they would not. If the hon. gentleman carries out the suggestion he made, he would be conferring the franchise on men who did not possess it under the local franchise, and he would withhold it from those who do so possess it.

Sir JOHN THOMPSON. I understand the fact to be this: that on the 20th July, 1885, under the original Franchise Act, all those who were under the law of the Province entitled to vote, were entitled to be put on the list. I am informed it was held by the revising officer in Prince Edward Island, that it was not only necessary a voter should be subject to the poll tax, but that he should have paid it on the 20th July. None of them, or very few, had paid the poll tax, which had been levied only a short time before and was not collected. My information is that the intention of Parliament, as regards that class of persons, had been frustrated. The extension of that right, however, would involve a great anomaly between Prince Edward Island and the rest of the Dominion. The first principle of the Act was that there should be uniformity of franchise, and it is true that in Prince Edward Island there was an anomaly, but it was an anomaly in favor of a liberal extension to a class of persons who at that time had a right to vote in the Province. It was not the intention to recognise persons who afterwards occupied a similar position and should likewise have the right to vote under the law of the Province. That would be against the principle of the Bill. The object aimed at was that rights then accrued were not to be disturbed, but, as I understand the discussion in 1885, it was not the intention that the right should continue to others who would grow up to be in the position of poll tax payers. The hon. gentleman thinks I am misinformed as to the decision which was given by the revising officer, but we can

Mr. DAVIES (P.E.I.)

discuss that at a later stage, it being, I presume, not necessary that any amendment should be given notice of.

Mr. DAVIES (P.E.I.) I was a very close attendant at the revision court, and this is the first ever I heard of that decision being given. The revising officer simply decided, as he could not help deciding—for the language was plain, that everybody who, at the arbitrary date, was entitled to vote under the Island franchise, ought to have his name on the list—that the intention of the Act was carried out. The point was, that great numbers became of age subsequent to the arbitrary date, and they wanted to go on the list. The revising officer said: "I am powerless in that matter; Parliament has fixed an arbitrary date; and, unless you are entitled to vote at that time by the Island franchise, you cannot get on the list." My object is to extend that principle to those who came of age subsequent to 1885, and I believe, that if the hon. the Minister considers for a moment what a curious anomaly will otherwise exist, he will see my amendment is in the right direction.

Mr. SPROULE. You may say the same of the ordinary assessment roll, before it has been finally revised by the judge.

Mr. DAVIES (P.E.I.) I may explain in a few words that what I wish, and what I think is the principle of the Act, is to give to the young men who came of age since 1885 the same rights that the young men who came of age before 1885 possess. I presume that the Minister will go into committee on this Bill again.

Sir JOHN THOMPSON. Yes.

On section 11,

Mr. BURDETT. I trust I may be pardoned for making a suggestion to the Minister of Justice with regard to the witnesses' fees. I understand that as the law is proposed to be changed, that any person by declaration "of information and belief" can put on any number of names. That possibly may be wrong or it may be right; there are arguments both for and against it; but the point I wish to raise is this: that where a person puts a number of names on the list, either on his own knowledge or on information and belief, and those names are attacked, the parties attacked ought to have notices served on them to come to court, and give their evidence, and the revising officer ought then to have power to say whether they should have witness fees, and if so, how much, and by whom they should be paid. For instance, if a man chooses to make a declaration, which is substantially untrue, and in consequence gets a number of faggot votes put on the list, he ought to be compelled to pay the cost of having those votes removed. And I submit that any person whose name is put on the list, ought to be compelled, at least if he is living within the riding, to come before the court; and the revising barrister, on deciding on the validity of his vote, should then say whether he is entitled to witness fees or not, just as all persons are obliged, in Ontario, to go before a Justice of the Peace, under the Summary Convictions Act, and give evidence, and the question of fees is in the discretion of the Justice. That would remove any complaints that might be made of persons illegally asking to have names put on the list. The present system works great hardships. I can give instances in which a great many names have been put on the list by men who cared very little how much expense and trouble they occasioned to others, and large sums had to be paid to get those names off the list. I hope the hon. Minister will insert a clause to compel parties to go to the court to give evidence to sustain their votes; and if the revising officer thinks that the person who asks a name to be put on is a man of straw, let him insist upon a de-