

Technical and Bibliographic Notes / Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming are checked below.

- Coloured covers / Couverture de couleur
- Covers damaged / Couverture endommagée
- Covers restored and/or laminated / Couverture restaurée et/ou pelliculée
- Cover title missing / Le titre de couverture manque
- Coloured maps / Cartes géographiques en couleur
- Coloured ink (i.e. other than blue or black) / Encre de couleur (i.e. autre que bleue ou noire)
- Coloured plates and/or illustrations / Planches et/ou illustrations en couleur
- Bound with other material / Relié avec d'autres documents
- Only edition available / Seule édition disponible
- Tight binding may cause shadows or distortion along interior margin / La reliure serrée peut causer de l'ombre ou de la distorsion le long de la marge intérieure.
- Blank leaves added during restorations may appear within the text. Whenever possible, these have been omitted from filming / Il se peut que certaines pages blanches ajoutées lors d'une restauration apparaissent dans le texte, mais, lorsque cela était possible, ces pages n'ont pas été filmées.
- Additional comments / Commentaires supplémentaires: **Cover title page is bound in as last page in book but filmed as first page on fiche.**

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

- Coloured pages / Pages de couleur
- Pages damaged / Pages endommagées
- Pages restored and/or laminated / Pages restaurées et/ou pelliculées
- Pages discoloured, stained or foxed / Pages décolorées, tachetées ou piquées
- Pages detached / Pages détachées
- Showthrough / Transparence
- Quality of print varies / Qualité inégale de l'impression
- Includes supplementary material / Comprend du matériel supplémentaire
- Pages wholly or partially obscured by errata slips, tissues, etc., have been refilmed to ensure the best possible image / Les pages totalement ou partiellement obscurcies par un feuillet d'errata, une pelure, etc., ont été filmées à nouveau de façon à obtenir la meilleure image possible.
- Opposing pages with varying colouration or discolourations are filmed twice to ensure the best possible image / Les pages s'opposant ayant des colorations variables ou des décolorations sont filmées deux fois afin d'obtenir la meilleure image possible.

This item is filmed at the reduction ratio checked below /
Ce document est filmé au taux de réduction indiqué ci-dessous.

10x		14x		18x		22x		26x		30x
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12x		16x		20x		24x		28x		32x

No. 16.

3rd Session, 8th Parliament, 61 Victoria, 1898

BILL

An Act to repeal the Electoral Franchise
Act, and to further amend the Dominion
Elections Act.

First reading, February 10, 1898.

Mr. FITZPATRICK.

OTTAWA

Printed by S. E. DAWSON

Printer to the Queen's most Excellent Majesty
1898

An Act to repeal the Electoral Franchise Act, and to further amend the Dominion Elections Act.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Franchise Act, 1898.* Short title.
- 5 2. This Act shall not apply to the North-West Territories. Application.
3. In this Act, unless the context otherwise requires,— Interpretation.
- (a.) The expression “electoral district” means any place or territorial area in Canada entitled to return a member to serve in the House of Commons; “Electoral district.”
- 10 (b.) The expression “Dominion election” or “election,” means an election of a member to serve in the House of Commons; “Dominion election.” “Election.”
- (c.) The expression “provincial election” means an election of a member to serve in the Legislative Assembly, or House of Assembly or General Assembly of a province of Canada; “Provincial election.”
- 15 (d.) The expression “voters’ list,” or “list of voters,” includes, when provincial lists are referred to, any poll-book or official list of persons entitled to vote at a provincial election; “Voters’ list.” “List of voters.”
- 20 (e.) The expression “polling division” includes, when used in reference to provincial elections, any polling subdivision, polling district or sub-district or other territorial area for which there is a separate voters’ list. “Polling division.”
4. *The Electoral Franchise Act*, being chapter five of the Revised Statutes, and all Acts amending it, are hereby repealed. R.S.C., c. 5, and amending Acts, repealed
5. For the purposes of any Dominion election held within the limits of a province, except as hereinafter otherwise provided,— Provisions as to elections.
- 30 (a.) The qualifications necessary to entitle any person to vote thereat shall be those established by the laws of that province as necessary to entitle such person to vote in the same part of the province at a provincial election; Provincial franchises adopted.
- (b.) The polling divisions shall be those established by or under the laws of that province for the purposes of provincial elections within the territory comprised in the electoral district for which such election is held; Provincial polling division adopted.
- 35

Provincial voters' lists adopted.

(c.) The voters' lists shall be those prepared for the several polling divisions so established and which on the day next preceding the day fixed for the nomination of candidates for such Dominion election were in force or were last in force under the laws of that province for the purposes of provincial elections; 5

When under provincial law there are no polling divisions, but polling places are fixed.

(d.) Where, for any part of a province, polling divisions are not established by or under the laws of the province, but by or under such laws places are fixed where polls shall be opened and held at provincial elections and lists of the voters entitled to vote at such places at such elections have been prepared and are or have been in force, polls shall be opened and held at Dominion elections in that part of the province at the same places, and the voters' lists so prepared and which are or were last in force shall be the voters' lists for the purposes of such Dominion elections; 10 15

Duty of returning officer as to polling divisions.

(e.) It shall be the duty of the returning officer appointed by the Governor in Council to constitute polling divisions, and to appoint and fix polling places and polling stations in all cases where, under the laws of the province it is the duty of the returning officer at provincial elections to do so, and he shall to that end have the same powers as are vested by such laws in such returning officer. 20

Returning officer to obtain voters' lists, etc.

6. Forthwith after the receipt of the writ for a Dominion election the returning officer shall obtain from the officers who are the legal custodians thereof, or of duly certified duplicates, or copies thereof, such provincial voters' lists or such certified copies thereof or extracts therefrom, and such certified copies of by-laws, orders, proclamations or other documents or proceedings defining the several provincial polling divisions situate either wholly or partially within the territory comprised in the electoral district for which such election is to be held as are necessary, or as he deems necessary, to the performance of his duties as returning officer; and every such officer who omits or refuses to furnish within a reasonable time any such voters' list or copy thereof, or extract therefrom, or any such copy of a by-law, or order, or proclamation or other document or proceeding demanded by the returning officer shall incur a penalty not exceeding two thousand dollars and not less than two hundred dollars. 25 30 35 40

Penalty for not furnishing them.

Case of polling division not wholly within one electoral district.

7. Where any provincial polling division, as constituted at the time of the receipt by the returning officer of the writ for an election, lies only partly within the electoral district for which such election is to be held, the part thereof within such electoral district shall, for the purpose of that election, form a separate polling division, or it may be attached by the returning officer to an adjoining polling division; and the returning officer shall as soon as possible after the receipt of the writ prepare a separate voters' list containing the names of the persons entitled to have their names placed on the list for such part of such polling division. 45 50

If provincial lists are more than one year old.

8. Where under the laws of a province the voters' lists for any provincial electoral district or division are prepared not at regular intervals, but at such times as are fixed by the

Lieutenant Governor in Council or some other provincial or local authority or only from time to time for the purpose of a general or other election in immediate contemplation, the last preceding voters' lists so prepared shall be used
 5 for the purpose of any Dominion election in the territory comprised in such provincial electoral district or division or any part thereof if such lists have been prepared not more than one year before the date of the writ for such Dominion election; otherwise, new voters' lists shall be prepared, and for the
 10 purpose of preparing and giving effect to such voters' lists the Governor in Council may appoint all necessary officers and confer upon them all necessary powers, and in the preparation and revision and bringing into force of such new voters' lists the provisions of the laws of the province regulating the pre-
 15 paration and revision and bringing into force of the provincial voters' lists in such cases shall, as far as possible, be observed and followed.

New lists to be prepared.

9. The expression "polling district" in *The Dominion Elections Act*, chapter 8 of the Revised Statutes, shall have
 20 the same meaning as the expression "polling division" has in this Act.

Interpretation of R.S.C., c. 8.

10. In the said Act the expressions "list of voters," "voters' list," "elector," and "voter" shall have the same meaning as the same expressions have in this Act.

The same.

25 11. Paragraph (e) of section 7 of the said Act is hereby amended by striking out the words "or revising officers."

Section 7 amended.

12. Section 13 of the said Act, as amended by section 1 of chapter 19 of the statutes of 1891, is hereby repealed.

Section 13 amended.

30 13. Subsection 2 of section 20 of the said Act is hereby repealed.

Section 20 amended.

14. Paragraph (b) of section 30 of the said Act is hereby repealed and the following substituted therefor:—

Section 30 amended.

35 "(b.) Furnish each deputy returning officer with a copy of the list of voters in the polling district for which he is appointed, if there is any such list."

15. Section 41 of the said Act is hereby repealed.

Section 41 repealed.

16. Section 42 of the said Act is hereby amended by striking out the words "revising officers" in paragraph (a) of subsection 2.

Section 42 amended.

40 17. Subsection 1 of section 45 of the said Act is hereby repealed and the following substituted therefor:—

Section 45 amended.

45 "45. Not more than one elector for each compartment shall, at any one time, enter the room where the poll is held, and each elector upon so entering shall declare his name, surname and addition, which shall be entered or recorded by the poll clerk in the poll-book provided for that purpose, which shall be kept in the form R in the first schedule to this Act; and if the same are found on the list of voters for the polling dis-

Regulations for voting and conduct of electors and deputy returning officer.

strict of such polling station, or if he is found entitled to vote, he shall receive from the deputy returning officer a ballot paper, on the back of which such deputy returning officer has previously put his initials, so placed that when the ballot is folded they can be seen without opening it; and on the counterfoil to which he has placed a number corresponding to that placed opposite the voter's name in the poll-book." 5

Oath, answers, etc., by elector.

18. Subsection 2 of the said section 45 of the said Act, as amended by section 7 of chapter 11 of the statutes of 1888, is hereby repealed and in lieu thereof it is hereby enacted that an elector, if required by the deputy returning officer, the poll-clerk, one of the candidates, or an agent of a candidate, or by any elector present shall, before receiving his ballot paper, answer such questions or produce such evidence as to his qualifications to vote, or take such oath of qualification as by the law of the province he may in the like case at a provincial election be required to answer, produce or take, such changes being made in the form of oath as are necessary to make it applicable to the election being held, which oath the deputy returning officer and poll-clerk are each of them hereby authorized to administer. 10 15 20

Section 50 repealed.

19. Section 50 of the said Act is hereby repealed.

Section 51 repealed.

Entry of names of electors voting.

20. Section 51 of the said Act is hereby repealed, and in lieu thereof it is hereby enacted that the poll clerk shall enter in the poll book, opposite the name of each elector voting, the word "*Voted*," as soon as his ballot paper has been deposited in the ballot box, and he shall enter in the same book the word "*Sworn*" or "*Affirmed*" opposite the name of each elector to whom the oath of qualification has been administered, and the words "*Refused to be sworn*," or "*Refused to affirm*," or "*Refused to answer questions put to him*," or "*Refused to produce evidence of qualification*," opposite the name of each elector who has refused to take the oath or to affirm, or has refused to answer questions or produce evidence of qualification which he has been lawfully required to answer or produce. 25 20 35

Voter refusing to be sworn or to answer questions.

21. Section 52 of the said Act is hereby repealed, and in lieu thereof it is hereby enacted that no voter who has refused to take the oath or affirmation, or to answer questions or produce evidence as to qualification as aforesaid, when requested to do so, shall receive a ballot paper or be admitted to vote. 40

Section 54, application extended.

22. Section 54 of the said Act shall be applicable also to electors entitled to vote otherwise than by being named on the list of voters.

Section 56 amended.

23. Subsection 3 of section 56 of the said Act is hereby repealed. 45

Section 64 amended.

24. Subsection 1 of section 64 of the said Act is hereby amended by striking out all the words from "*or*" in line fourteen to "*be*" in line twenty-eight.

2. Subsection 2 of the said section 64 is hereby repealed.

3. Subsection 4 of the said section 64 is hereby amended by striking out all the words from "including" in line eight to "appeals" in line thirteen.

4. Subsection 6 of the said section 64 is hereby amended by striking out all the words from "and" in line three to "thereat" in line twenty-four.

25. Form S in the first schedule to the said Act, as amended by section 11 of chapter 11 of the statutes of 1888, by section 16 of chapter 19 of the statutes of 1891, and by section 22 of chapter 14 of the statutes of 1894, is hereby repealed. Form S
repealed.

26. Form X in the said schedule is hereby repealed.

Form X
repealed.