

Franchise Act of 1891, section 5, provides that 'for the purposes of any Dominion election held within the limits of a province, except as hereinafter otherwise provided, the qualifications necessary to entitle any person to vote thereat shall be those established by the laws of that province,' provides for polling subdivisions, &c., and enumerates a number of other matters over which the province has control. The effect of section six of this Bill is to continue the law which we have at the present time in the Territories. While I see great difficulty in the way of placing in the Bill a section that would get over the objections which I am about to mention, it seems to me that if these matters were to be dealt with within the next year or two by the provincial legislatures, the powers should not be taken away from them to rectify any defects in the present law. The matter was brought up in the House last session by the hon. member who then represented Montmorency, and who introduced a Bill (No. 117) to get rid of some of those defects. The then Minister of the Interior (Mr. Sifton) replied to him, saying, as reported on page 3993 of 'Hansard':

I have not had the opportunity to give the matter the consideration, in consultation with the members of the Northwest Territories, that I would like to have given, in order to ascertain how the law has worked. I would not like to express a positive opinion against the proposal of my hon. friend, nor would I, without looking into the matter, express an opinion in favour of it. I move the adjournment of the debate.

That apparently ended the discussion on the Bill, and no Bill was passed. The objections urged to the law as it existed, and as it exists to-day, in the Northwest Territories by the hon. gentleman who brought the matter up were: That the enumerators appointed to make up the list have power to issue certain certificates; then, after they post up their list, which, under the law, they must do eight days before the election, there is nothing to compel them to remain in any particular part of the subdivision. Sometimes it is impossible to find them. Some polling subdivisions there are as large as some Ontario constituencies; there are no voters' lists in the country, and the enumerator goes around about a month before the election and makes up a written list. The law provides that he shall post it in two conspicuous places in the polling subdivision eight days before the election. The result is that not five per cent of the electors in some of these polling subdivisions see the list. If those who do see it desire to have any names struck off or put on, there is no place where the enumerator can be found. That is an objection which has existed for some time. For that reason, last session, there being no member from the Northwest on the opposition side of the House, this Bill was placed in the hands of

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the hon. member for Montmorency, and it did not become law.

Mr. LAMONT. May I ask my hon. friend if there is any voter deprived of his vote by the objections which he has raised? Is it not a fact that a voter can go and poll his vote whether his name is on the list or not?

Mr. M. S. McCARTHY. Yes; but there are a great many electors who object to going and voting when their name is not on the list. But perhaps the objection I am going to state will answer the hon. gentleman. As he states, even if a man's name is not on the list, he can still vote by going to the polling booth and taking a certain oath, as set out in chapter 59 of the statutes of Canada of 1895. That oath is as follows:

You do swear you are of the male sex and a British subject, that you are not an Indian, that you are of the full age of 21 years, and have resided in the Northwest Territories at least twelve months, and in this electoral district for three months immediately preceding the issue of the writ of election.

He is not required to swear that he resides in the polling subdivision. There are conflicting sections in the Act, and it is generally conceded that the man who does come to the polling subdivision in which he does not live can demand a ballot and vote in the division in which he does not live. That has been conceded in a great many ridings; and if we should come down to this parliament and desire to have that Act amended our amendment would probably meet with the fate of the Bill which was introduced by the former member for Montmorency (Mr. Casgrain) last year. The amendment he proposed simply dealt with one of the objections and in introducing it he said:

The object of this Bill is simply to amend the 48th section of the Northwest Territories Act so as to make it as nearly as possible similar to the sections of the General Act. The proposed Bill says:

Every enumerator shall attach to each of the two copies of the voters' lists which are by section 30 of this Act required to be posted up by him within each polling division, a written notice which shall be signed by him and shall designate a place and time where and when electors may conveniently find him during at least two consecutive hours on every day, except Sunday, of the eight days next before the polling day, for the purpose of applying to him for such certificates.

That to my mind would not meet all the difficulties because the areas in the polling subdivisions there are so large that a great majority of the electors have no opportunity of seeing the lists at all. The law says they shall be placed in two conspicuous places, but what may be conspicuous to the enumerators are not always conspicuous to the electors in that polling subdivision. That seems to me therefore a matter which the local legislatures can best deal with. For that reason I would not like the section