

Subsection 5.—The Dominion Franchise.¹

It was provided by the B.N.A. Act, 1867, that, until otherwise directed by Parliament, elections to the House of Commons should be governed by the electoral laws of the several provinces. The qualifications of electors throughout the Dominion consequently remained the same for both Dominion and provincial elections until, in 1885, Parliament legislated on the subject by passing the Electoral Franchise Act (1885, c. 40). That Act defined a uniform qualification for voters throughout Canada for Dominion purposes, the basis of this new franchise being the ownership or occupation of land of a specified value, although the sons of owners, and particularly farmers' sons, were given the right to vote on special conditions; each province, of course, continued separately to define the qualifications of voters at provincial elections. This Dominion franchise remained in force for thirteen years, but between 1898 and 1920, under the Franchise Act of the former year (1898, c. 14), the provincial franchises were again made applicable at Dominion elections, except that on the constitution of the provinces of Alberta and Saskatchewan it was provided that manhood suffrage, which had already been adopted for the Northwest Territories under an Act to amend the N.W.T. Act (1895, c. 16), should continue in force for Dominion purposes independently of any action that might be taken by the newly elected Legislatures of these two provinces (R.S.C. 1906, c. 6, ss. 31-65). In the other provinces the rules as to the qualification of voters varied from time to time. In Manitoba manhood suffrage had been adopted in 1888 (1888, c. 2) and the franchise was extended to women on the same terms as to men in 1916 (1916, c. 36). Alberta and Saskatchewan, on their establishment as provinces, continued the previously existing manhood suffrage and both extended the franchise to women on the same terms as to men in 1916 (Alta. 1916, c. 5; Sask. 1916, c. 37). British Columbia adopted manhood suffrage in 1904 (1903-1904, c. 7), Ontario in 1907 (7 Ed. VII, c. 5), and New Brunswick in 1916 (6 Geo. V, c. 16); in British Columbia (1917, c. 23) and in Ontario (7 Geo. V, c. 5), the franchise was extended equally to women in 1917, and in New Brunswick this was done in 1919 (9 Geo. V, c. 63). In Quebec and Prince Edward Island the provincial franchises throughout the period in question were not so wide; in neither were women admitted to vote and certain property or other special qualifications were required in each. A property qualification was also required in Nova Scotia until 1920 (10-11 Geo. V, c. 49), but between 1918 and 1920 men and women had voted on equal terms (9 Geo. V, c. 3). The adoption of the provincial franchise laws for Dominion purposes was temporarily modified by the War Times Elections Act (1917, c. 39), which admitted certain near female relatives of serving soldiers and sailors to vote at Dominion elections, and three years later, on the adoption of a new Dominion Elections Act (1920, c. 46), the provincial franchises were again wholly abandoned and a new electoral qualification was established for Dominion elections throughout Canada. Subject to a modification of the usual rule as to changes of nationality, which was amended in 1921 (1921, c. 29, s. 3) and repealed in 1922 (1922, c. 20, s. 1), the right to vote was conferred by the new Act upon all British subjects, male and female, of 21 years and upwards, who had resided in Canada for a year, and for two months in the electoral district in which they desired to vote, this last restriction having been removed two years later (1922, c. 20), so far as it applied to general elections. The only adult British subjects who now are denied the right to vote are convicted prisoners, paupers in institutions, certain

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