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D.O.

35.
1/23

G 717/1

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9578/76.

CLOSED UNTIL 1996

INDIANS (ASIATICS) IN CANADA

Enfranchisement of Indians domiciled in B. Columbia

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Mrs. Wright.	2/10	R110.	11.1.	M. Macleod	20
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R110.	29/11	Miss Mortimore	29/9		
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		R110	18/10		

(1757) Wt. 45120/254 10m. 2/43 C.N.Ld. 748

MR. LEFEAUX.

BILL

[1945.

No. 35.]

An Act to amend the "Provincial Elections Act."

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

Short title. **1.** This Act may be cited as the "Provincial Elections Act Amendment Act, 1945."

Amends s. 2. **2.** Section 2 of the "Provincial Elections Act," being chapter 16 of the Statutes of 1939, is amended by striking out the word "Hindu" and the interpretation thereof.

Amends s. 5. **3.** Said chapter 16 is further amended by striking out the word "Hindu" in the first line of clause (*a*) of section 5.

VICTORIA, B.C.:
Printed by CHARLES F. BANFIELD, Printer to the King's Most Excellent Majesty.
1945.

Dominions Office,
2, Park Street, W.1.

13 July, 1945.

C.717/1.

Dear Garner,

There has been correspondence about the question of conferring the Dominion, Provincial and Municipal Franchise on Indians domiciled in British Columbia, ending with Mr. Malcolm MacDonald's letter of the 12th October, 1944 to Machtig.

19.6.45. I now enclose a copy of a letter which we have received from the India Office. Perhaps you could let me have two copies of the Proceedings of the British Columbia Legislative Assembly covering the debates mentioned.

Yours sincerely,

(Sgd.) S. MacLEOD

J.J.S. GARNER, ESQ.

Further action.

Printing.

Indians domiciled in British Columbia, ending with MacDonald's letter (12) of the 12th October, 1944 to

Wt. 37149/383 20m. 10/44 C.N.Ld 748

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5717/1

C.D.
R - 4 JUL 1945
D I

D. Mr. Matthews 4/7
Mr. Macleod

Mr.

Mr.

Mr. Clutterbuck.

Mr. C. W. Dixon.

Depy. U.S. of S.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

DRAFT.

J. J. S. Garner, Esq.
Ottawa.

Copy of 14

Dear Garner,

There has been correspondence about the question of conferring the Dominion, Provincial and Municipal Franchise on Indians domiciled in British Columbia, ending with Mr. MacDonald's letter of the 12th October, 1944 to

(12)

Further action.

Printing.

Machtig.

20 mm

Lendere a copy of a letter which we have received from the India Office. Perhaps you could let me have two copies of the Proceedings of the British Columbia legislative Assembly covering the debate mentioned ~~in March, 1944 and March, 1945~~.

Yrs sincerely

(Sgd.) S. MacLEOD

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14

H.C.

G.117/1

21

INDIA OFFICE,
WHITEHALL,
S.W.1. 21

19th June 1945.

RECEIVED
21 JUN 1945
DOMS. OFFICE

Dear Wiseman,

I write to ask if you will be so good as to obtain for us through the High Commissioner two copies each of the Proceedings of the British Columbia Legislative Assembly covering debates on franchise reform in March 1944 and March 1945.

According to our information, an attempt was made in March, 1944 to have clauses included in a Franchise Reform Bill to enable Indians in British Columbia to have the franchise. On the 9th March when the

/Bill

R.A. Wiseman, Esq., C.M.G.,
Dominions Office,
2, Park Street,
W.1.

Yours sincerely,

E. S. A. BAYNES
for R. A. WISEMAN.

J.P. GIBSON, ESQ.

12

22nd July about the enfranchisement of British Columbia Indians in British Columbia, I enclose a copy of the letter from the High Commissioner for H.C. in Canada, from which you will see that the question has been discussed informally with members of the Department of External Affairs.

Yrs sincerely

E. S. A. BAYNES
for R. A. WISEMAN.

Printing.

*(27258D) Wt 36804/H559 100M 11/43 H J R & L Gp 51

g2 22

Bill came up for its second reading it was opposed by the Minister of Labour both on technical grounds and on principle, and failed to get a second reading.

Again, in 1945, on the 27th March, an amendment to the Election Act was moved with a view to removing the franchise disability, but it was defeated by 20 votes to 18.

We should like to have copies of the Proceedings in which these debates occurred - one for this Office and one for the Government of India.

Yours sincerely,

R. N. Gilchrist.

(Sgd.) S. MacLEOD

g3 23

Dominions Office,
2, Park Street,
W.1.

717/1. CONFIDENTIAL. 24th October, 1944.

Dear Gibson,

With reference to your letter, Pol.5605/44 of the 22nd July about the enfranchisement of British Indians in British Columbia, I enclose a copy of a letter from the United Kingdom High Commissioner in Canada, from which you will see that the question has been discussed informally with members of the Department of External Affairs, not, I am afraid, with any great success.

Yours sincerely,

R. S. A. BAYNES
for R. A. WISEMAN.

J.P. GIBSON, ESQ.

Printing.

(27258D) W1 36804/H550 100M 11/43 H J R & L Gp 51

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20 mm
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Wtes

92

Bill came up for its second reading it we
of Labour both on technical grounds and
get a second reading.

Again, in 1945, on the 27th March
Act was moved with a view to removing
it was defeated by 20 votes to 18.

We should like to have copies c
debates occurred - one for this Off
India.

Yours

(Sgd.) D. MacLEOD

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[13947]

24

970] Wt. 40252/250 35m. 12/42 C.N.Ld. 748

O.

Mr. Machtig 20/10.
Mr. Macleod. 20/10
Mr. ~~Watson~~
Mr.
Mr. C. W. Dixon.
Mr. Liesching.
Mr. Stephenson.
Permt. U.S. of S.
Parly. U.S. of S.
Secretary of State.

DRAFT.

J. P. Gibson, Esq.
India Office.

Further action.

Printing.

*(27288D) Wt 36804/H559 100M 11/43 H J R & L Gp 51

g 717/1.

For Mr Wiseman's sig

Confidential

C.D.
A21
D23

27 Oct. 1944.

Dear Gibson,

With reference

(9) To your letter, Pol. 5605/44 of
the 22nd July about the
enfranchisement of British
Indians in British Columbia,
I enclose a copy of the letter
from the H.C. in Canada,
from which you will see
that the question has
been discussed informally with
members of the Department of
External affairs.

Yours ever

for R. A. WISEMAN.

Reed. 16/10

25

OFFICE OF THE HIGH COMMISSIONER
FOR THE UNITED KINGDOM,
Earnscliffe,
OTTAWA

546A/13

12th October, 1944.

Dear Eric,

(10) You will remember writing to me on August 5th about the question of conferring the Dominion, Provincial and Municipal Franchise on Indians domiciled in British Columbia. You asked for an estimate from me of the present position and prospects.

Shortly after receiving your letter I raised the matter briefly in a talk which I had with Mr. Mackenzie King. As usual, he expressed complete personal agreement with the proposal that the Indians should be enfranchised. But he pointed out again that this question was involved with the other issues of enfranchising the Chinese and the Japanese. At that time the policy regarding the future of Canadian citizens of Japanese birth had not been settled. The recent Government statement (1) on file 578/76 reported in my despatch No. 486 of the 21st August, 1944, has settled that in principle. But the question of giving the vote not only to these Japanese but also to the Chinese still rouses heated controversy in British Columbia. It would not be possible to settle the issue favourably to the Indians unless at the same time it was settled favourably to at least the Chinese. Owing to opposition in the Province, the Provincial Government is not disposed to adopt a favourable policy, and for both constitutional and political reasons it is not possible for Mackenzie King and his colleagues to dictate a policy to them. The political problem is particularly delicate because the Premier and most of the Cabinet in British Columbia are Liberals. Mr. Mackenzie King would naturally be extremely reluctant to alienate them

/or to

Sir Eric Machtig, K.C.B., K.C.M.G., O.B.E.,
Dominions Office,
London, S.W.1.

18 OCT 1944
DOMS. OFFICE

*(2728SD) Wt 36804/H559 100M 11/43 H J R & L Gp 51

or to alienate voters from them, especially when a critical Federal General Election is impending.

The views held in the Province of British Columbia about according the franchise to Orientals are undoubtedly violently hostile. But there is some hope that opinion throughout the rest of Canada is becoming more liberal. In particular, there is a general desire that in the future fairer treatment shall be accorded to the Chinese. You will remember, in this connection, the statements made by Mr. Mackenzie King on Chinese immigration and the abolition of extra territoriality which were reported in my despatch No. 244 of the 20th April, 1944, though nothing has yet been said about according the franchise to the Chinese in British Columbia. Another significant straw in the wind was the liberal revolt over the proposal earlier this year to amend the Election Act in such a way as to disqualify, at a Dominion Election, all persons of the Japanese race. This was reported in my despatch No. 507 of the 1st September and in our monthly report for June to July.

Mr. Mackenzie King fully appreciates the unfortunate effect of the disfranchisement of the Indians on public opinion in India. He and his advisers in Ottawa are in favour of making a change for both the Indians and the Chinese when they can achieve it. But it is no use putting up the proposal at present, simply to have it turned down by the electors of the Province.

I have since had an opportunity of discussing the matter once more with Mr. Robertson and Mr. Wrong of the Department of External Affairs. They took exactly the same line. I suggested to Mr. Bozman (the head of the Information and Broadcasting Department of the Indian Government, who visited Ottawa lastweek) that he should discuss the problem quite frankly with the appropriate experts in the Department of External Affairs. He did this with Mr. Wrong and Mr. Angus who is the chief expert in the matter. Mr. Wrong reported the discussion to me.

It was evident that Mr. Bozman's informal raising of the matter had helped. Mr. Wrong and

/Mr. Angus

*(27258D) Wt 36804/H559 100M 11/43 H J R & L Gp 51

27

Mr. Angus were impressed by his argument that the enfranchising of the 1500 or so Indians concerned in British Columbia would have an effect in India out of all proportion to the size of the actual problem in the Province. But the real difficulty, as you know, and as I have repeated above, is not any lack of goodwill on the part of the Federal authorities, but hostility on the part of some politicians and apparently most voters in the Province. I gather that Mr. Angus told Mr. Bozman that there was no chance of anything being done before an Election and that he thought there was little prospect of the change being made unless and until a C.C.F. government came into power in the Province. Whether even the C.C.F. would feel able to make the change depended on the circumstances at the time.

The only other possible favourable factor is the growing sentiment outside the Province, reported above, in support of treating the Chinese and Indians - who have upheld the cause of the United Nations so well in the war - as human beings equal in status with representatives of the white races. The difficulties will probably be eased if a distinction can be made between the Chinese and Indians on the one side and the Japanese on the other.

Mr. Bozman himself will be able to send back or take back to India a fair appraisal of the situation and prospects. As I say, his talk did good in making the already converted even more converted than they were before.

Yours ever

Malcolm MacDonald

eb

[13970] Wt. 40252/250 35m. 12/42 C.N.Ld. 748

D. O.

Mr

S 717/1.

11

28

Dominions Office,
2, Park Street, W.1.

24 August, 1944.

28

Dear Gibson,

In reply to your letter Pol.5605/44 of the 22nd July to Dixon about British Columbia, I am writing to confirm that, so far as we are concerned, matters remain as stated in Dixon's letter of the 7th March. We have, however, now asked the United Kingdom High Commissioner to let us know the position and we will send on to you such information as reaches us about it.

Yours sincerely,

ESA. Baynes.

J.P. GIBSON, ESQ.

Printing.

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24 Aug: 1944

Gibson,

In reply To

letter, Pol. 5605/44 of the
Dixon about British Columbia
by, I am writing To confirm
far as we are concerned,
matters remain
Dixon's
stated in letter of the
eh. We have however,
The U.K. High
Letter know the
has
position and we will send on
to be able To make
any information reaches
us about it
any enquiries.

Yours sincerely
ESA Baynes

2

1. INDIA OFFICE .... 24/9/43.

The C'dian Govt's reply to (2) on ?. 408/1 is at (4) on that file. The gist of this is that the Govt. "is of the opinion that the present is not an opportune time to discuss the enfranchisement of the franchise on East Indians domiciled in British Columbia." On this see Sir Eric Machtig's minute on 2.9.42, in which it was proposed that Mr. Garner shd. consult the U.K.H.Cm. in C'da before a final reply was given to the D.O. Then the matter appears to have stopped. It is to be considered whether the course previously suggested shd. now be proceeded with.

V.M.D. 2/10

When the late S. of S. Discussed this with Mr. MacDonald when in Ottawa last. Govt (of wh. we have no record here) I suggest that we telegraph to in Govt. to find out wh. Mr. MacDonald has done anything further.

J.M. 4/10/43

We had better speak to Mr. MacDonald when he is next here and ascertain whether he thinks that there would be any advantage in pursuing the matter with the Canadian Government at the present time. If he does, it would be best to take it up with Mr. Mackenzie King if he visits this country during the next few months. If

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Mr MacDonald advises against any further action, we should inform the I.O. accordingly, sending them a copy of (4) in G 408/1 and explaining why we did not send it to them earlier.

C.W.D. 4/10/43

Mr Dixon

Sir E. Machtig

Mr Attlee did not speak to me about this. He may have referred to it in one of his talks with Mr Mackenzie King. Mr King spoke to me about it in one of our casual conversations many months ago. He disagrees with the British Columbia attitude, but cannot urge them against their will. So I doubt whether any progress is possible at present.

However, there is no harm in raising the matter again. I could do this informally with Mr Robertson in the first place. If I could be given an aide-memoire before I return to Canada,

J.K.S. 9/11/43

C.W.D. 9/11/43 at once

eb

INDIA OFFIC

[13947]

[13970] Wt. 40252/250 35m. 12/42 C.N.Ld. 748

O.

Mr.

Mr.

Mr. C. W. Dixon.

Mr. Liesching.

Mr. Stephenson.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

DRAFT.

J. P. Gibson, Esq.

India Office.

Further action.

Printing.

S 717/1.

Miss Martinovic 16/8.

Mr. Wiseman 16/8

C. D. 16 AUG 1944 D 21

Fo M' ~~Sto. Dixon~~ Wiseman

29

24 Aug: 1944

Dear Gibson,

In reply To

Your letter, Pol. 5605/44 of The Divan about British Chunks

(9). 22nd July, I am write To confirm so far as we are concerned, That ~~Protection to Persons~~ matters Dixon's as stated in ~~our~~ letter of The

(8). 7th March. We have however, now asked The U.K. High Commissioner ~~whether he~~ to let us know the position and we will send on to you ~~has been able to make~~ any information ~~that reaches~~ we about it ~~any enquiries.~~

Yours sincerely

ESA Baynes

G.717/1.

Dominions Office,
Downing Street, S.W.1.

5th August, 1944.

Dear MacDonald,

You may remember that, when you were here last autumn, we discussed with you the question of conferring the Dominion, Provincial and Municipal Franchise on Indians domiciled in British Columbia. We gave you an Aide Memoire dated October 1943 and you said that you would discuss the matter informally with Robertson after your return, though you were not optimistic as to the possibility of any action being taken in the near future.

We have heard from the India Office that the Government of India have telegraphed asking how the matter now stands. Could you therefore let us know the position and what reply you think desirable to make to the Government of India?

I should mention that legislation was passed in India last year (chiefly as a result of the position in the Union of South Africa) empowering the Government of India to discriminate against persons belonging to any particular part of the Empire in any matter on which that part of the Empire discriminates by law against Indians. The Government of India could not, in fact, we understand, apply this to the franchise without an amendment of the Government of India Act, 1935, and there is therefore little practical risk of any action being taken in India as a result of the British Columbia position. It may, however, be worth while

The Right Honourable Malcolm MacDonald, M.P.

Printing.

to the Government of India.

I should mention that legislation was passed

31

while mentioning these facts to Robertson as an indication of the feeling in India and the possibilities of trouble if no action is taken to remedy the grievances felt there on such matters.

Yours sincerely,

(Sgd) P. G. Machtig.

[13970] Wt. 40252/250 35m. 12/42 C.N.Ld. 748

D. O. G. 717/1

Mr. Wiseman 23/2/44 & 27/7

Mr.

Mr.

X Mr. C. W. Dixon. 4/8/44

~~Mr. Liesching.~~

Mr. Stephenson.

X Permt. U.S. of S. 5/8/44

Parly. U.S. of S.

Secretary of State.

DRAFT.

THE RIGHT HONOURABLE
MALCOLM MACDONALD, M.P.

For Sir Eric Machtig to sign.

Dominions Office,
Downing Street.
5 August, 1944.

Dear Malcolm,

You may remember that, when you were here last autumn, we discussed with you the question of conferring the Dominion, Provincial and Municipal Franchise on Indians domiciled in British Columbia. We gave you an Aide Memoire dated October 1943 and you said that you would discuss informally with Robertson after your return, though you were not optimistic as to the possibility of any action being taken in the near future.

We have heard from the India Office that the Government of India have telegraphed asking how the matter now stands. Could you ~~and we should~~ therefore let us know the position and what you think ~~it would be~~ desirable to make reply to the Government of India.

I should mention that legislation was passed

Further action.

Recirculate for acknowledgment of 9.

Printing.

C

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passed in India last year (chiefly as a result of the position in the Union of South Africa) empowering the Government of India to discriminate against persons belonging to any particular part of the Empire in any matter on which that part of the Empire discriminates by law against Indians. The Government of India could not in fact, we understand, apply this to the franchise without an amendment of the Government of India Act, 1935, and there is therefore little practical risk of any action being taken in India as a result of the British Columbia position. It ~~would~~ may, however, be worth while ~~this~~ mentioning these facts to Robertson as an indication of the feeling in India and the possibilities of trouble if no action is taken to remedy the grievances felt there on such matters.

Yours sincerely,

33

INDIA OFFICE,
WHITEHALL,
S.W.1.

Pol.5605/44 4 July. 22 July, 1944.

Dear Dixon,

The Government of India have telegraphed to us about the enfranchisement of British Indians in British Columbia and ask how the matter now stands. Is the position still much as stated in your letter of the 7th March to Gilchrist? If so, would you think it worth while to ask the United Kingdom High Commissioner whether he has yet been able to carry the matter any further?

(8)

Yours sincerely,

J.P. Gibson

C.W. Dixon, Esq., C.M.G., O.B.E.,
Dominions Office.

It seems clear that the reply must be on the lines that no progress has been reported. It might, however, be going rather too far to say that nothing seems likely to happen until after the end of the war. Could you not put this rather more vaguely on the lines that it is doubtful whether there will be any developments in the immediate future?

Yours sincerely,

(Sgd.) C.W. DIXON.

R.N. Gilchrist, Esq., C.I.E.

FURTHER ACTION

I.12

Date

~~16.11.43.~~

[12488B] Wt. 45490/202 10m. 2/42 C.N.Ld. 748

"BC. Sikhs wire Wavell
"India Hates Empire System"
"Sikhs ask aid of Madame Chiang in India Problem."

•(27258D) Wt 36804/H559 100M 11/43 H J R & L Gp 51

INDIA OFFIC

mentioning these facts to Robertson as an indication of the feeling in India and the possibilities of trouble if no action is taken to remedy the grievances felt there on such matters.

Yours sincerely,

DRAFT AND RECORD COPY

C. D.
R 8 MAR 1944
D

Dominions Office,
Downing Street,
S.W. 1.

7th March, 1944.

DRAFT

Dixon 7/3/44.

R.

MR.

ENCLOSURES

FURTHER ACTION

Dear Gilchrist,

In reply to your letter of the 7th March, POL.5176/44, we have heard nothing more from Mr. Malcolm MacDonald about the question of franchise for British Indians in British Columbia. In the circumstances, it seems clear that the reply must be on the lines that no progress has been reported. It might, however, be going rather too far to say that nothing seems likely to happen until after the end of the war. Could you not put this rather more vaguely on the lines that it is doubtful whether there will be any developments in the immediate future?

Yours sincerely,

(Sgd.) C.W. DIXON.

R.N. Gilchrist, Esq., C.I.E.

[12488B] Wt. 45490/202 10m. 2/42 C.N.Ld. 748

"BC. Sikhs wire Viceroy"
"India Hates Empire System"
"Sikhs ask aid of Madame Chiang in India Problem."

I.12

Date

16.11.43.

DRAFT AND RECORD COPY

INDIA OFFICE,
WHITEHALL,
S.W.1.
7th March, 1944.

Pol.3175/44

RECEIVED
28 JUL 1944

Immediate.

Dear Dixon,

With reference to the correspondence connected with your letter of the 19th October, 1943, No.G.717/1, to Gibson, regarding the franchise for British Indians in British Columbia, I enclose copy of a telegram from the Government of India, dated 3rd March, from which you will see that a question is due to be answered in the Assembly on 14th March.

C.W.Dixon, Esq., C.M.G., O.B.E.,
Dominions Office,
S.W.1.

/If

Reference India Office [illegible]
17th April 1942 and this Department's letter [illegible]
number 6th September 1943 regarding enfranchisement
of Indians in British Columbia. Kindly telegraph
latest position as a question on the subject coming
up in Central Assembly on the 14th March.

I.12

Date
16.11.43.

"BC. Sikhs wire Wavell"
"India Hates Empire System"
"Sikhs ask aid of Madame Chiang in India Problem."

DRAFT AND RECORD COPY

37

If there has been no further development in the situation since y
wrote, the reply to India may be on the lines that no progress has been
reported, and that nothing seems likely to happen till after the end of
the war. Will you please say whether you agree?

Yours sincerely,

R.W. Reilly

F
3175
1944

INWARD TELEGRAM 7758.

Allotted to Political Department.

WORD CODE TELEGRAM

From Government of India, Department of Indians Overseas.

To Secretary of State for India.

Dated New Delhi, 19.00 hours, 3rd March 1944.

Received 19.00 hours, 3rd March 1944.

IMPORTANT.
No. F 72-3/43-O.S.

Reference India Office letter No. Pol.3142/42 17th April 1942 and this Department's letter even number 6th September 1943 regarding enfranchissement of Indians in British Columbia. Kindly telegraph latest position as a question on the subject coming up in Central Assembly on the 14th March.

"BC. Sikhs wire waver..."
"India Hates Empire System"
"Sikhs ask aid of Madame Chiang in India Problem."

15/43.

Date
16.11.43.

POSTAL & TELEGRAPH CENSORSHIP

COPY. GMT. 19.11.43.

P.C. 72.

POSTAL & TELEGRAPH CENSORSHIP
UNITED KINGDOM

TYPE OF MAIL TERMINAL.
Air.

Submission No.: LON/SE/203715/43.

Date:

Taken off S.S. at (port)

Reg. No.

on (date)

FROM: MAJOR A.M. THOMPSON
603/1040 GEORGIA ST. W.
VANCOUVER
B.C.

Date of letter (or postmark) 29.10.43.

To: THE RIGHT HONOURABLE THE EARL OF MARCHWOOD
HOUSE OF LORDS
WESTMINSTER
ENGLAND.

Language: ENGLISH.

ORIGINAL LETTER:
Typed and Released.

SUBMITTED TO:
Copy and Comment to IND.
" " " " I.P.I.
" " " " S.E.
" " " " DOM.

Seen by: Naval Adviser | Air Adviser | M.I.12

Operating Unit	Section	Examiner	D.A.C.	Date
SELON.	FL.5.	5154	E.C. for M.E.H.	~~16.11.43.~~

The writer suggest methods of which criticism in the Canadian Western States of British rule in India could be met. He speaks of the growth and power in Canada of the SIKH youth movement.

He encloses a number of Press cuttings under the following headings to illustrate his point:-

"East Indians ask support from Stalin"
"BC. Sikhs wire Wavell"
"India Hates Empire System"
"Sikhs ask aid of Madame Chiang in India Problem."

INDIA OFFIC

2
62

49

3.
58

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6.

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COPY. GMT. 19.11.43.

P.C. 72. **POSTAL & TELEGRAPH CENSORSHIP**
UNITED KINGDOM

TYPE OF MAIL TERMINAL.
Air.

Submission No.: LON/SE/203715/43.
Date:

Reg. No. *Taken off S.S. at (port)* *on (date)*

FROM: MAJOR A.M. THOMPSON
603/1040 GEORGIA ST. W.
VANCOUVER
B.C.

To: THE RIGHT HONOURABLE THE EARL OF MARCHWOOD
HOUSE OF LORDS
WESTMINSTER
ENGLAND.

Date of letter 29.10.43.
~~(or postmark)~~

Language: ENGLISH.

ORIGINAL LETTER: .

Typed and
Released.

SUBMITTED TO:

Copy and Comment to IND.
" " " " I.P.I.
" " " " S.E.
" " " " DOM.

Seen by: Naval Adviser | Air Adviser | M.I.12

Operating Unit	Section	Examiner	D.A.C.	Date
~~SELON.~~	FL.5.	5154	E.C. for M.E.H.	~~16.11.43.~~

The writer suggest methods of which criticism in the Canadian Western States of British rule in India could be met. He speaks of the growth and power in Canada of the SIKH youth movement.

He encloses a number of Press cuttings under the following headings to illustrate his point:-

"East Indians ask support from Stalin"
"BC. Sikhs wire Wavell"
"India Hates Empire System"
"Sikhs ask aid of Madame Chiang in India Problem."

*(27258D) Wt 36804/H559 100M 11/43 H J R & L Gp 51

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pursuing the matter with the Canadian Government
the present time. If he does, it would be best
to take it up with Mr Mackenzie King if he visits
this country during the next few months. If

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I will do so, and then report the results. 5
But I repeat that I am not optimistic,
owing to Provincial feeling. W.M.
11.10.'43

'it will be best to write
S.O. to I.O. as in draft herewith. Then
recirculate for preparation of an aide-memoire
for Mr Mac Donald. The note attached
to G 408/1, with a little alteration of the
last paragraph, would be suitable.
CWD
12/10/43

Secretary of State

I agree (the draft
letter to the India Office,
together with Mr MacDonald's
minute, are, I think,
self-explanatory)

Sgd 13/10/43

Agree. C. 16.10.43.

2. To. & O. — Mr J P Gibson — S/of enel — 19/10/43

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Mr. Maxfield

Recirculated vide Mr. Dixon's min.
of 12/10 above.

W.P.III. 20/10

Mr. Dixon.

Mr. Aide Memoire for
Mr Malcolm MacDonald
herewith.

Sgd 21/x/43

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Miss Grant

Will you please give
Mr. MacDonald copies of this
aide-memoire on some suitable
occasion before he leaves?

CWD
22/10/43

Mr. Dixon

Two copies of the ~~Memo~~ aide-
memoire handed to Mr MacDonald
to-day along with other official
papers which he was taking to
Canada with him. EPS.

Put by CWD 9/11/43 at once 9/11/43

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To

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For Ministries only. Recommendation for Disposal of Letter and Reason

For Censorship Internal Action.

Return to Sender

Released

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COPY. - 2 - LON/SE/203715/43.

Oct. 29/43.

603 The Ritz

Vancouver B.C.

The Pacific Cost Of India.

Altho the majority of the people in the Western States are indifferent, it is generally accepted that British Rule in India is Buresucratic and harsh towards Advocates for its 'Freedom'.

From time to time well informed Articles appear in the Press and some very excellent speeches are recorded but, there is a small but very articulate number who regard these as a challenge and promptly try to kill any effect they may have had by casting doubts on their veracity and source of origin.

The Root and Cure for these conditions lies with the Faculties of practically every University North of Mexico. Many of their Professors are badly informed, others ignorant and still more suffer from an inferiority complex that finds relief in attacking British Institution

The most dangerous factor in moulding public opinion is the organized Sikh youth which has grown in strength very much of late. The major portion of them are usually Graduates of some University, colorful rather pleasing and mix well with the C C F and Labour gatherings. They support War Loan and other public appeals and in Vancouver from a Canadian point of view much more desirable citizens than those of a Jewish or Levantine origin. As Provost Marshal of Singapore I had a number of this type pass through my hands, they were detained

/under

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- 3 - LON/SE/20371 5/43.

under Martial Law in the Military Detention Barracks at Tanglin. They were permitted to see no visitors or Lawyers, Stern or repressive measures only served to stiffen and give them a sense of martyrdom but when handled in a friendly fashion, in which humour, hard facts, a little flattery coupled with a grave warning of the troubles they were drifting into, almost without exception converted them into the line or thought and belief we wanted.

A.M.Thompson, Major.
Late Provost Marshal Singapore.

The enclosed press cuttings give perhaps, a better idea of what I mean to convey. The measures to improve matters lay with those responsible for Education and a more persistent publicity effort on the various Professors of English, Economics and others whose livelihood depends on their success with their various faculties.

A.M.T.

India Office,
Whitehall, S.W.1.

Pol.7271/43. 5th November, 1943.

Dear Dixon,

Meny thanks for your letter of the 19th October (G.717/1) regarding the Canadian attitude towards the enfranchisement of Indians domiciled in British Columbia. The continued unwillingness of the Canadian and British Columbian Governments to tackle this issue is very disappointing, but we note that the High Commissioner has undertaken to raise the matter informally on his return and we agree that nothing need be said to the Government of India until the results of his approach are known.

Perhaps you would be good enough to remind Mr. MacDonald of the matter if you do not hear from him within a reasonable time?

Yours sincerely,

J.P.Gibson

C.W.Dixon, Esq., C.M.G.,O.B.E.,
Dominions Office.

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Commonwealth it was desirable that the rights of such Indians to citizenship should be recognized. It will be recalled that the Right Honourable V.S.Srinivasa Sastri, P.C., who represented India at

10m. 8/43 C.N.Ld. 748

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13.4.42.
15.8.42.

Aide-Memoire regarding the question of confering Dominion, Provincial and Municipal Franchise on Indians domiciled in British Columbia.

A copy is annexed of correspondence with the Canadian Government on this subject. In their despatch of the 15th August 1942, the Canadian Government expressed their regret that they do not see their way to meet the request made by the Government of India that the franchise should now be conferred on East Indians domiciled in British Columbia.

This question has a long history, and the representations from the Government of India, on which Mr. Attlee's despatch of the 13th April 1942 was founded, include the following record of the earlier representations.

"The Government of India have in the past made several attempts to secure the removal of this discrimination and have also raised the question, sometimes formally and at others informally, at successive Imperial Conferences. A resolution which was adopted at the Imperial Conference of 1921 and agreed to by the representatives of all the Dominions except those of South Africa, while affirming that each community of the British Commonwealth should enjoy complete control of the composition of its own population by means of restriction on immigration from any of the other communities, recognized that there was an incongruity between the position of India as an equal member of the British Empire and the existing disabilities upon British Indians lawfully domiciled in some other parts of the Empire. The Conference expressed the opinion that in the interests of the solidarity of the British Commonwealth it was desirable that the rights of such Indians to citizenship should be recognized. It will be recalled that the Right Honourable V.S.Srinivasa Sastri, P.C., who represented India at

10m. 8/43 C.N.Ld. 748

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13.4.42.

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at the Imperial Conference of 1921, visited Canada in August 1922 to secure the practical application of the resolution mentioned above. Mr. Sastri, however, found that there was a very strong current of opinion in British Columbia against the grant of provincial and municipal franchise to Asiatics, as the economic rivalry between the white and non-white races (particularly the Japanese and Chinese) was more acute in that Province than in any other part of the Dominion. The Dominion Government, as pointed out by their representatives at the Imperial Conference of 1923, were also averse to taking any action which might have a semblance of dictating to the Provincial Governments. The position, therefore, of the Indians in British Columbia today remains whatit was before 1921".

Before the Secretary of State's despatch of the 13th April 1942 was written, the question was discussed with the United Kingdom High Commissioner on his visit to this country in April 1942. He then thought that it would be an opportune time to put the Government of India's representations to Canada, following as it did Mr. Mackenzie King's messages about Sir Stafford Cripps' mission to India. Mr. MacDonald also thought that the procedure of a direct despatch to Canada was the right one, and he concurred in the draft of the despatch ultimately sent to Canada on the 13th April.

It was thought that, before transmitting to the India Office the Canadian Government's reply of the 15th August, it should be ascertained whether the view expressed therein represented the final decision of the Canadian Government on the subject, and, as Mr. Attlee was about to visit Canada, he took with him an aide-memoire on the subject in case it was possible to raise the question while there. The United Kingdom High Commissioner states that Mr. Attlee did not in fact mention the matter to him, although he may have referred to it in one of his talks with Mr. Mackenzie King. In informal conversation some

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months ago, Mr. Mackenzie King expressed to Mr.MacDonald his disagreement with the attitude of the Government of British Columbia, but told the High Commissioner that that Government cannot be urged against their will. The United Kingdom High Commissioner doubts whether any real progress is possible at the present time but, as the India Office has again raised the matter, he will consider a further informal approach to the Canadian Government.

DOMINIONS OFFICE,

October 1943.

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DOMINIONS OFFICE,
DOWNING STREET.

13th April, 1942.

Sir,

I have the honour to state that the Government of India have inquired whether His Majesty's Government in Canada would be prepared to take action with a view to the conferment of the Dominion, Provincial and Municipal franchise on Indians domiciled in British Columbia.

2. It will be recalled that, after the statement made by the Prime Minister of Canada at the Imperial Conference in 1923, the Government of India inquired in 1925 what was the position with regard to the suggested revision of the Dominion Franchise Law, but that when the Dominion of Canada Elections Act came under revision by Parliament in the same year, the Committee on Privileges at Elections, after careful consideration, came to the conclusion that no changes in the existing law could be made, and that the position of Indians in British Columbia could not therefore be modified.

3. The Government of India now point out that about 1,300 out of the 1,500 Indians resident in Canada are domiciled in British Columbia and that they do not enjoy franchise rights while in other Provinces of Canada Indian residents are not subjected to any legal or political disability. Indians in British Columbia are, by virtue of section 5 of the British Columbia Provincial Elections Act, disqualified from voting at elections and debarred from having their names inserted in any list of voters. The Government of India further state that by the operation of section 30 (1) (g) of the Dominion Elections Act, which lays down that "persons who by the laws of any Province in Canada are disqualified from voting for a member of the Legislative Assembly of such Province in respect of race, shall not be qualified to vote", they are also denied the federal franchise. They consider

THE SECRETARY OF STATE
FOR EXTERNAL AFFAIRS,

CANADA.

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Grant of provincial and municipal

10m. 8/43 C.N.Ld. 748

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consider that the lack of franchise rights constitutes a grievance among Indians in British Columbia and is regarded as a humiliation in India.

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4. The Government of India observe that, since the outbreak of the present war, public feeling in India against the discrimination to which Indians in other parts of the British Commonwealth are exposed has been increasingly evident. They are also of the view that, bearing in mind the paramount need for Commonwealth solidarity and the general recognition of the valuable contribution made by India towards the common war effort, another effort should now be made to obtain the enfranchisement of Indians living in British Columbia. The Indian population of the Province is in itself very small and it appears that there is no danger of any appreciable increase in the future, as the immigration of Indians into Canada for permanent settlement has now virtually ceased. The Indians in British Columbia are, moreover, practically all engaged as farmers, stock-raisers, gardeners and farm labourers and as unskilled workers, and should not, in the opinion of the Government of India, present any serious economic menace to the white population. Nor in their view could the grant of franchise to the Indians give rise to any complications with similar Japanese and Chinese claims, as Indians can, by reason of their common allegiance to the Crown, claim preference over persons of alien origin. Moreover, the Government of India Act, 1935, has now enfranchised persons of lower economic status in India so that it can no longer be said that Indians of similar status do not enjoy the privilege to vote in their own country.

5. His Majesty's Government in the United Kingdom would be grateful if the question could be considered in the light of the above representations and they would be glad to receive an expression of the views of His Majesty's Government in Canada.

I have, etc.

(Sgd) C.R. ATTLEE.

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Copy. CA

AIR MAIL.

No. 69.

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DEPARTMENT OF EXTERNAL AFFAIRS,

OTTAWA.

August 15th, 1942.

Sir,

I have the honour to refer to your note No. 42 of April 13th, 1942, transmitting an inquiry from the Government of India as to whether His Majesty's Government in Canada would be prepared to take action with a view to the conferment of the Dominion, Provincial and Municipal franchise on Indians domiciled in British Columbia. This inquiry has received careful consideration and has been transmitted to the Government of the Province of British Columbia which is primarily concerned, since the conferment of the Provincial franchise by that Government would automatically confer the Dominion franchise for elections within the Province and the Municipal franchise within the Province. The Government of British Columbia has now replied that, after a very thorough review of the subject, it is of the opinion that the present is not an opportune time to discuss the conferment of the franchise on East Indians domiciled in British Columbia.

2. In the final paragraph of your note you asked for an expression of the views of His Majesty's Government in Canada. His Majesty's Government in Canada regret that any sense of humiliation should be felt in India concerning the policy followed in British Columbia with regard to the franchise. It may help in an understanding of the complexities of the situation to point out that it is a misapprehension on the part of the Government of India that the grant of the franchise to East Indians in British Columbia could not give rise to any complications with similar Japanese and Chinese claims, since Indians can, by reason of their common allegiance to the Crown, claim preference over persons of alien origin. Neither the Government of Canada nor the Government of British Columbia could

THE SECRETARY OF STATE
FOR DOMINION AFFAIRS,
UNITED KINGDOM.

10m. 8/43 C.N.Ld. 748

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could be expected to take the view that persons of Japanese or Chinese race, born in Canada, do not owe the same allegiance to the Crown as East Indians, and it would be extremely difficult to take this view with regard to persons of Chinese or Japanese race who have been naturalised in Canada. In view of these circumstances, the grant of the franchise to East Indians would inevitably be the occasion for a demand for the franchise by Canadians of Chinese race and would be considered as a tacit promise of the franchise to Canadians of Japanese race after the conclusion of hostilities with Japan. In these circumstances His Majesty's Government in Canada hopes that the difficulties of the situation will be appreciated by the Government of India and that a full understanding of the position in British Columbia at a time when Canada is at war with Japan will help to mitigate the sense of humiliation which is not unnaturally felt by East Indians.

I have, etc.

(Sgd) N.A. Robertson.

for the Secretary of State for External Affairs.

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DOMINIONS OFFICE,

October 1943.

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DOMINIONS OFFICE,
DOWNING STREET.

13th April, 1942.

Sir,

I have the honour to state that the Government of India have inquired whether His Majesty's Government in Canada would be prepared to take action with a view to the conferment of the Dominion, Provincial and Municipal franchise on Indians domiciled in British Columbia.

2. It will be recalled that, after the statement made by the Prime Minister of Canada at the Imperial Conference in 1923, the Government of India inquired in 1925 what was the position with regard to the suggested revision of the Dominion Franchise Law, but that when the Dominion of Canada Elections Act came under revision by Parliament in the same year, the Committee on Privileges at Elections, after careful consideration, came to the conclusion that no changes in the existing law could be made, and that the position of Indians in British Columbia could not therefore be modified.

3. The Government of India now point out that about 1,300 out of the 1,500 Indians resident in Canada are domiciled in British Columbia and that they do not enjoy franchise rights while in other Provinces of Canada Indian residents are not subjected to any legal or political disability. Indians in British Columbia are, by virtue of section 5 of the British Columbia Provincial Elections Act, disqualified from voting at elections and debarred from having their names inserted in any list of voters. The Government of India further state that by the operation of section 30 (1) (g) of the Dominion Elections Act, which lays down that "persons who by the laws of any Province in Canada are disqualified from voting for a member of the Legislative Assembly of such Province in respect of race, shall not be qualified to vote", they are also denied the federal franchise. They

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FOR EXTERNAL AFFAIRS,

CANADA.

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B.U. in 3 months if nothing in
at once RW
10/11/43.

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3. Aide-Memoire — Nov 1943

4. Mr McDonald ~ w/c (3) ~ 9/11/43.
(Handed to him personally)

5. S.O ~ Pol 4271/43 ~ S/O ~ 5.11.43

B.U. again in 3 mos.
Nov. 11/4 11/2/44

6. Natal ~ Sel Censorship —— 23-11-43.

Pol. 1.

Correspondent tells of the Sikh Youth & suggests that with the help of the B/Educ: these young people could be well-trained.

? Putlay. SMH. 30/XI. Dec 30/11

Remind - up minute of 11/11/43
11/2

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RW
23/2/44.

See draft herewith.

It will be best to await the discussion which is to take place between the S. of S. and Mr Amery as to the question of Indian franchise in the Union of S. Africa before saying anything more to Mr Mac Donald.

Going up in a fortnight's record 24/2/44 at once 9/3

Remind

7. 1.O. (Mr Gilchrist) S.O. 7.3.44

8 To 1.O. (Mr Gilchrist) S.O. 7.3.44

9 India Office — S/O — 22.7.44

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(Sgd) C.R. ATTLEE.

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[351B] Wt. 9610/218 10m. 5/42 C.N.Ld. 748

G. 717/1.

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Copy.

AIR MAIL.

DEPARTMENT OF EXTERNAL AFFAIRS,

No. 69.

OTTAWA.

August 15th, 1942.

Sir,

I have the honour to refer to your note No.42 of April 13th, 1942, transmitting an inquiry from the Government of India as to whether His Majesty's Government in Canada would be prepared to take action with a view to the conferment of the Dominion, Provincial and Municipal franchise on Indians domiciled in British Columbia. This inquiry has received careful consideration and has been transmitted to the Government of the Province of British Columbia which is primarily concerned, since the conferment of the Provincial franchise by that Government would automatically confer the Dominion franchise for elections within the Province and the Municipal franchise within the Province. The Government of British Columbia has now replied that, after a very thorough review of the subject, it is of the opinion that the present is not an opportune time to discuss the conferment of the franchise on East Indians domiciled in British Columbia.

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THE SECRETARY OF STATE
FOR DOMINION AFFAIRS,
UNITED KINGDOM.

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(Sgd) N.A. Robertson.

for the Secretary of State for
External Affairs.

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[31B] Wt. 9610/218 10m. 5/42 C.N.Ld. 748

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D. O. Miss Mortimore 21/10/43.
Mr. MacLeod 21/X
Mr.
Mr.
X Mr. C. W. Dixon. 22/10/43
Mr. Liesching. at once
Mr. Stephenson.
Permt. U.S. of S.
Parly. U.S. of S.
Secretary of State.

DRAFT.

15.8.42.
13.4.42.
(copied)

Aide Memoire of Secretary of State for External Affairs

~~Note as to conferment of~~ Dominion, Provincial and Municipal franchise on Indians domiciled in British Columbia.

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This question has a long history, and the representations from the Government

grant of provincial and municipal franchise to Asiatics as the economic rivalry between the white and non-white races (particularly the Japanese and Chinese) was more acute in that province than in any other part of the Dominion. The Dominion Government, as pointed out by

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could be expected to take the view that persons of Japanese or Chinese race, born in Canada, do not owe the same allegiance to the Crown as East Indians, and it would be extremely difficult to take this view with regard to persons of Chinese or Japanese race who have been naturalised in Canada. In view of these circumstances, the grant of the franchise to East Indians would inevitably be the occasion for a demand for the franchise by Canadians of Chinese race and would be considered as a tacit promise of the franchise to Canadians of Japanese race after the conclusion of hostilities with Japan. In these circumstances His Majesty's Government in Canada hopes that the difficulties of the situation will be appreciated by the Government of India and that a full understanding of the position in British Columbia at a time when Canada is at war with Japan will help to mitigate the sense of humiliation which is not unnaturally felt by East Indians.

I have, etc.

(Sgd) N.A. Robertson.

for the Secretary of State for External Affairs.

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[13947] Wt. 9610/218 10m. 5/42 C.N.Ld. 748

G. 717/1.

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D. O. Miss Mortimore 21/10/43.
Mr. MacLeod 21/X
Mr.
Mr.
Mr. C. W. Dixon. 22/10/43
Mr. Liesching. at once
Mr. Stephenson.
Permt. U.S. of S.
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Secretary of State.

DRAFT.

15.8.42.
13.4.42.
(copied)

Further action.

Printing.

Note as to conferment of Dominion, Provincial and Municipal franchise on Indians domiciled in British Columbia.

A copy is annexed of correspondence with the Canadian Government on this subject. In their despatch of the 15th August 1942 it will be seen that the Canadian Government have expressed their regret that they do not see their way to meet the request made by the Government of India that the franchise should now be conferred on East Indians domiciled in British Columbia.

This question has a long history, and the representations from the Government of India, on which Mr. Attlee's despatch of the 13th April 1942 was founded, includes the following record of the earlier representations:-

"The Government of India have in the past made several attempts to secure the removal of this discrimination and have also raised the question, sometimes formally and at others informally, at successive Imperial Conferences. A resolution which was adopted at the Imperial Conference of 1921 and agreed to by the representatives of all the Dominions

Dominions except those of South Africa, while affirming that each community of the British Commonwealth should enjoy complete control of the composition of its own population by means of restriction on immigration from any of the other communities, recognised that there was an incongruity between the position of India as an equal member of the British Empire and the existing disabilities upon British Indians lawfully domiciled in some other parts of the Empire. The Conference expressed the opinion that in the interests of the solidarity of the British Commonwealth it was desirable that the rights of such Indians to citizenship should be recognised.

It will be recalled that the Right Honourable V.S. Srinivasa Sastri, P.C., who represented India at the Imperial Conference of 1921, visited Canada in August 1922 to secure the practical application of the resolution mentioned above. Mr. Sastri, however, found that there was a very strong current of opinion in British Columbia against the grant of provincial and municipal franchise to Asiatics, as the economic rivalry between the white and non-white races (particularly the Japanese and Chinese) was more acute in that province than in any other part of the Dominion. The Dominion Government, as pointed out

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by their representatives at the Imperial Conference of 1923, were also averse to taking any action which might have a semblance of dictating to the Provincial Governments. The position, therefore, of the Indians in British Columbia to-day remains what it was before 1921".

Before the Secretary of State's despatch of the 13th April 1942 was written, the question was discussed with the U.K. High Commissioner ~~Mr. MacDonald~~ on his visit to this country in April 1942. He thought that ~~the present~~ it would be an opportune time to put the Government of India's representations to Canada, following as it did Mr. Mackenzie King's messages about Sir Stafford Cripps' mission to India. Mr. MacDonald also thought that the procedure

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It was thought that, before transmitting to the India Office the Canadian Government's reply of the 15th August, it should be ascertained whether the view expressed therein represented the final decision of the Canadian Government on the subject. ~~During his visit to Canada the Secretary of State, did not approach Mr. MacDonald on the matter~~, although he may have referred to it in one of his talks with Mr. Mackenzie King. In informal conversation Mr. Mackenzie King ~~has~~ expressed his disagreement

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and, as Mr Attlee was about to visit Canada, he took with him an aide-memoire on the subject in case it was possible to raise the question while there.

Some months ago

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1. INDIA OFFI

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Dominions except those of South Africa.

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disagreement with the attitude of the Government of British Columbia, but told the High Commissioner that they cannot be urged against their will. ~~Mr. MacDonald~~ The High Commissioner doubts whether any real progress is possible at the present time, but as the India Office has again mooted the matter, ~~as Mr. MacDonald considers that there is no harm in raising the matter and~~ he will therefore make a further informal approach to the Canadian Government.

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DOMINIONS OFFICE.

October, 1943.

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Dominions Office,
Downing Street.
19th October, 1943.

Dear Gibson,

I am writing semi-officially to explain the position as to the representations made to the Canadian Government about the conferment of the franchise on Indians domiciled in British Columbia about which the India Office wrote to us officially on the 24th September (POL.6742/43).

I enclose a copy of an official despatch which we received from the Canadian Government last year. We did not send this to the India Office at the time as we did not be sure whether it was to be regarded as the Canadian Government's final word on the subject or whether further representations might lead to a reconsideration of their attitude. As the matter might be for the Secretary of State was then about to visit Canada, he felt that the best course would be for him to ask the United Kingdom High Commissioner whether he thought that the Canadian Government's views were to be regarded as final and, if Mr. MacDonald was in favour of pursuing the matter, for the Secretary of State to mention the matter to the Prime Minister of Canada personally.

15.8.42.

Mr. Attlee did not in fact speak to Mr. MacDonald and we do not know whether he referred to the matter in any of his talks with Mr. MacKenzie King, but Mr. MacDonald, who is now in this country, tells us that Mr. MacKenzie King spoke to him about it in the course of conversation some months ago. Mr. MacKenzie King appreciated the force of the considerations urged in our despatch to the Canadian Government of the 13th April 1942, but he felt difficulties in pressing the British Columbia Government against their will.

J.P. GIBSON, Esq.,
INDIA OFFICE.

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DOMINIONS OFFICE.

October, 1943.

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[13947] Wt. 39545/341 10m. 12/42 C.N.Ld. 748

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Downing Street.

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J.P. GIBSON, ESQ.,
INDIA OFFICE.

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Yours sincerely,

(Sd.) C. W. DIXON

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[13947] Wt. 39545/341 10m. 12/42 C.N.Ld. 748

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Mr.

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Mr. C. W. Dixon. 12th Oct.

Mr. Liesching.

Mr. Stephenson.

× Permt. U.S. of S. 13/10/43

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× Secretary of State. 16/10/43

DRAFT.

Quarto for Mr. C.W. Dixon.

Downing Street.

October, 1943.

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INDIA OFFICE.

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(1) No. 69 15th Aug. 1942 (2) in G 408/1

Further action.

Recirculate to Mr. MacLeod (see minute)

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(2/43) [2040] Wt. 26086/394 10m. 8/43 C.N.Ld. 748

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Yours sincerely,

(Sd.) C. W. DIXON

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INDIA OFFICE,
WHITEHALL,
LONDON, S.W.1.

Telephone:
Whitehall 8140,
Telegrams:
"RETAXANDUM, LONDON."

Pol.6742/43

RECEIVED
P.St. 21 1943
21 SEP 1943
DOMS. OFFICE

September 1943.

Sir,

I am directed to refer to the letter from the Secretary of State for the Dominions to the Secretary of State for External Affairs, Canada, a copy of which was forwarded to this Office under your endorsement No.G.408/1 dated the 13th April 1942, and to enquire whether the views of the Government of Canada have been received upon the representations of the Government of India regarding the conferment of Dominion, Provincial and Municipal franchise on Indians domiciled in British Columbia.

I am, Sir,
Your obedient Servant,

J.P. Gibson

~~for~~ Secretary,
Political Department.

The Under Secretary of State,
Dominions Office.

(2/43) [2040] Wt. 26086/394 10m. 8/43 C.N.Ld. 748

INDEX HEADINGS.

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Mr Wrigley to Mr C.W. Dixon

? now as in draft, with slight amendments indicated.

If you agree the d/f I will tell Mr Gibson that we are enquiring as suggested. RW 29/7

Cecil 4/8/44

Sgm 5/8/44 attached.

10 To: Hon. C'da (Mal. Macdonald) —— S/O —— 5/9 5.8.44

Miss Mortimore

Recvd o: minute on draft of (9).

Rec'd 15/8/44

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11 To J. Gibson — S/O. — 24.8.44

Miss Mortimore

No reply to (10) and 6/9

6.u. in 3 weeks. S.M.M. 7/9 Sm

28/9 S.M.

Miss Mortimore

R.U. u. 4 am minute above 7/9/44 Sm 28/9/44

I think it is too early to expect a reply to (10) on his very difficult position. 29/10. 6.u. in 1 wk. S.M.M. 29/9. Sm

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Yours sincerely,

(Sd.) O. W. DIXON

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G 717/1

INDEX HEADINGS.

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11 12 Rep. Cda — S/O — 12.10.44.

13 To: Mr. J.P. Gibson (F.O.) — S.O. — w/e 12–27.10.44

14 S.O. — 19.6.45.

15 To J.J. Garner. w/c 14. S/o – 13.7.45.

16 Rep. Cda. — S.O. — 28.8.45.

? Dupl: of (16) of enclos: to M^r
Gilchrist. I.O.
M. Wiseman's comps. ref: (14).
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17. To India Office w/cs encls of 16 comps 6.9.45

J.J.S. Garner

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OFFICE OF THE HIGH COMMISSIONER
FOR THE UNITED KINGDOM,
Earnscliffe,
OTTAWA.

RECEIVED
3 SEP 1945

28th August, 1945.

546A/13

Dear MacLeod,

I am afraid that we have experienced some difficulty in meeting the request in your letter of the 13th July (G.717/1) for information about the debates in the British Columbia Legislative Assembly on the subject of franchise for the Indians.

An amendment to the Election Act was introduced into the Legislative Assembly by Mr. Lefeaux during the session of 1944 and again in 1945. Copies of the two Bills are enclosed. We are informed that both of these Bills were killed on second reading but that there is no Hansard recording of the proceedings of the British Columbia Legislature and that there is no record available of any debates on the subject.

On the 27th March last, Mr. Lefeaux moved a further amendment to the Provincial Elections Act designed to include a section in the following terms:

"2. Subsection (1) of section 2 is amended by striking out the words '"Hindu" means any native of India not born of Anglo-Saxon parents, and shall include any such person whether a British subject or not'".

The votes and proceedings of the Legislative Assembly for the 28th March show that by leave of the House the Bill was withdrawn from the Order Paper.

We have tried through press channels and through enquiries of the Provincial C.C.F. Party to obtain further information about the debates but so far, I am afraid, without success.

Yours ever,

J. J. S. Garner

J.R.S. MacLeod, Esq.,
Dominions Office,
London, S.W.1.

eb

whether thinks that there
pursuing the matter while the
the present time. If he does, it would
to take it up with Mr. Mackenzie King if/he visits
this country during the next few months. If

DIA OFFICE

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MR. LEFEAUX.

BILL

[1944.

No. 37.]

An Act to amend the "Provincial Elections Act."

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

Short title.

1. This Act may be cited as the "Provincial Elections Act Amendment Act, 1944."

Amends s. 2.

2. Section 2 of the "Provincial Elections Act," being chapter 16 of the Statutes of 1939, is amended by striking out the word "Hindu" and the interpretation thereof.

Amends s. 5.

3. Said chapter 16 is further amended by striking from the first line of clause (*a*) of section 5 the word "Hindu."

Further amends s. 5.

4. Said chapter 16 is further amended by striking out all the words after the word "any" in the third line of clause (*a*) of section 5, and adding the words "persons who have served in the Naval, Military, or Air Force of Canada and who produce evidence thereof satisfactory to the Registrar."

Enacts s. 114A.

5. Said chapter 16 is further amended by inserting therein the following as section 114A:—

"114A. (1.) The Lieutenant-Governor in Council may by Order declare that the following subsections of this section shall apply to any electoral district, and while the Order remains in force polls shall be provided at any election to the Legislature or the voting upon any question submitted to the electors of British Columbia for receiving the votes of those persons whose employment or occupation is such as to necessitate their absence from time to time from their ordinary place of residence, or who have reason to believe that they will be absent upon the day fixed for polling at such election or upon such question.

"(2.) For the purpose of enabling such persons to vote, polls shall be held and kept open from eight o'clock in the forenoon until five o'clock in the afternoon, and from seven o'clock in the afternoon until ten o'clock in the afternoon on the three days immediately preceding that on which the poll is held.

"(3.) The Lieutenant-Governor in Council shall fix the number of polls to be so opened in the electoral district and the Returning Officer shall fix the polling-places and shall appoint a Deputy Returning Officer and Poll Clerk to hold each poll.

"(4.) The Schedule hereto is amended by adding Form 26A, and notice of the times and places at which polls shall be opened according to said Form shall, prior to the first day so fixed for holding the poll, be given by the Returning Officer by posting up notices at each of the polling-places so appointed, and in conspicuous places, and, where possible, by advertisement in a newspaper published in the electoral district.

"(5.) Ballot-boxes and ballot-papers and a certified list of voters containing all the printed lists for the electoral district or so many as may be required for the purpose of the poll shall be supplied by the Returning Officer to the Deputy Returning Officer, together with poll-books, forms of oath, and other documents required for the purpose of the polls.

"(6.) Every person offering himself as a voter at the polling-place before being allowed to vote shall be required by the Deputy Returning Officer to make the following declaration, which shall be kept by the Deputy Returning Officer with the other records of the poll:

I, , declare that I am at present [*as the case may be*] and that I expect to be absent from my usual place of residence, on the day for holding the poll at the coming election.

Dated at , this day of , 19 .

(Name of Voter.)

Witness:

Deputy Returning Officer.

"(7.) Any person signing any such declaration knowing that the statements therein are false shall incur a penalty of not less than twenty-five dollars nor more than one hundred dollars.

"(8.) The Poll Clerk shall record in the list of voters after the name of each person who votes a note that he has signed the declaration above set out and the number of the polling division in which he is entered on the voters list.

"(9.) No person shall be entitled to vote unless his name appears on the last revised voters list for the electoral district.

"(10.) The Deputy Returning Officer and every candidate or his agent may require that the voter, before being handed a ballot, take the proper oath to be administered to a voter.

"(11.) The ballot-box shall not be opened after the opening of the poll until seven o'clock in the afternoon of the general polling-day, but on adjourning the poll each day the Deputy Returning Officer and any candidate or agent present who desires to do so shall affix his seal to the ballot-box in such a manner that it cannot be opened or any ballot be deposited in it without breaking such seals.

"(12.) At the close of the poll the Deputy Returning Officer shall forthwith make up and deliver to the Returning Officer a list of the names of all persons who have voted, showing in each case the number of the polling division in which the voter is entered on the voters list, and the Returning Officer shall, at the request of any candidate, furnish him with a copy of such list.

"(13.) On polling-day the Deputy Returning Officer shall in the presence of such candidates and their agents as may be present at the hour fixed for the closing of the poll open the ballot-boxes, count the votes and perform all the other duties required of Deputy Returning Officers by section 115 of this Act."

6. The Schedule to said chapter 16 is amended by adding the following as Form 26A:— Amends Sch.

FORM 26A.

(Section 114A (4).)

NOTICE OF HOLDING AN ADVANCE POLL (OR POLLS).

Electoral District of .

Notice is hereby given that, pursuant to the provisions of the "Provincial Elections Act" (section 114A), a poll will be opened on , , and , the , , and days of , from eight o'clock in the forenoon until five o'clock in the afternoon, and from seven o'clock in the afternoon until ten o'clock in the afternoon.

The polling-place for the Electoral District of will be located at for the purpose of receiving the votes of those persons whose employment or occupation is such as to necessitate their absence from time to time from their ordinary place of residence, or who have reason to believe that they will be absent upon the day fixed for the election.

The ballot-box will be opened and the votes counted at o'clock in the of , the day of , at the said place.

Dated at , this day of , 19 .

Returning Officer.

VICTORIA, B.C.:
Printed by CHARLES F. BANFIELD, Printer to the King's Most Excellent Majesty.
1944.