

**BIRD & BIRD**

VANCOUVER, B.C.

October 20th, 1942.

H. E. Winch, Esq., M.L.A.,  
3741 Knight Road,  
VANCOUVER, B. C.

Re: "East Indian" Franchise.

Dear Mr. Winch:

Our clients, the "East Indians" of British Columbia are gratified to receive your communication of the 13th instant in which you state that the C. C. F. Legislative Group and the Provincial Executive have endorsed the Petition of the "East Indians". We trust that this will mean that the question will be raised by you at the next sitting of the Legislature. If such is the case, we feel that we can give you certain information which may be of value to you.

On the 9th instant we received a letter from the Hon. John Hart in which he states, "This matter has been brought to the attention of the Government before and the attitude has been that this is an inopportune time to undertake any change in our "Elections Act". On the 10th instant we received a letter from the Hon. George S. Pearson, Provincial Secretary, in which he states, "This will be placed before the Executive Council at its next meeting. Our clients feel that the Provincial



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Government is reluctant to grant the franchise to our clients and that it is likely that they will decide against the matter as they did in January of this year when the matter was raised by Mr. H. S. Polak. Mr. Polak's efforts on behalf of the "East Indians" are referred to in the Petition. Our clients are somewhat afraid that some sort of compromise may be forced upon them whereby such of them who have served in the last war, or those who serve in this war, may be entitled to vote. This sort of compromise is distasteful to our clients and they feel that the racial discrimination against them should be removed, and they as a whole should be entitled to exercise the franchise.

We are informed by our clients that there are about 1200 "East Indians" resident in British Columbia of which possibly 900 would be of voting age, the balance being children. Mr. Turner has asked us to let him know how many white women are married to "East Indians". We are told there are about six of them. There are about 300 to 400 men, who, subject to medical examination, would be liable to military service.

As we have stated in our previous communication to you and in the Petition the "East Indians" are subject to military service. They are also subject to National Defence Tax and all the other taxes necessary to the war



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effort, but unlike other British subjects they suffer the following disabilities:

- a, Because the "Provincial Elections Act" referred to in the Petition prohibits them from being entered on the voter's list they may not be elected a member of the Legislative Assembly ("Constitution Act", Chap. 49, Section 27)
- b, They may not vote at any Municipal Election ("Municipal Elections Act", Chap. 83, Section 4).
- c, They may not hold any municipal office for the reasons given in (b).
- d, They may not serve as trustees at any municipal or rural school district (Public Schools Act", Chap. 253, Sections 33 and 77).
- e, They may not serve on juries because they can not vote at elections for members of the Legislative Assembly ("Jury Act" Chap. 136, Section 4).
- f, They may not be employed by a contractor for the Public Works Department by reason of Clause 45 of the Public Works contract form which excludes the employment of Asiatics.
- g, We believe that the Government form of timber sale contract or lease has a similar provision.
- h, We are informed that it is a policy of the Department of Lands that no foreshore lease be



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granted to an "East Indian".

1, We are also informed that it is the policy of the Government that no "East Indian" may hold an Engineer's Certificate under the "Boiler Inspection Act".

If there is any further data which we can supply you please do not hesitate to call upon us.

Yours very truly,

EIB:NS

The above letter also sent to each C. C. F. M. L. A.