Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 1 SEPTEMBER 1885

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LEGISLATIVE ASSEMBLY.

Tuesday, 1 *September*, 1885.

Message from the Governor.—Petitions.—Motion for Adjournment.—Additional Sitting Day.—Ways and Means.—Tariff Bills.—Elections Bill—committee.—Adjournment.

The SPEAKER took the chair at half-past 3 o'clock.

MESSAGES FROM THE GOVERNOR.

The SPEAKER reported the receipt of messages from the Governor, intimating that the Royal assent had been given to a Bill to provide for the additional representation of certain portions of the colony in the Legislative Assembly, and to the Marsupials Destruction Act of 1881 Continuation Bill.

PETITIONS.

Mr. BROOKES presented a petition, signed by the congregation of the Fortescue-street Baptist Church, approving of the provisions of the Licensing Bill now before the House, especially those referring to the principle of local option; and moved that it be read.

Question put and passed, and petition read by the Clerk.

On the motion of Mr. BROOKES, the petition was received.

Mr. BLACK presented a petition, signed by 250 selectors and farmers in the Mackay district, in favour of the establishment of central sugar-mills; and moved that it be read.

Question put and passed, and petition read by the Clerk.

On the motion of Mr. BLACK, the petition was received.

Mr. WAKEFIELD presented a petition signed by over 100 members of the Wharf-street Baptist Church and congregation, in favour of the new Licensing Bill, especially the local option clauses; and moved that it be read.

Question put and passed, and petition read by the Clerk.

On the motion of Mr. WAKEFIELD, the petition was received.

Mr. KELLETT presented a petition signed by over 400 inhabitants of Herberton and Port Douglas, praying that a railway survey may be made of the route between those towns; and moved that it be read.

Question put and passed, and petition read by the Clerk.

On the motion of Mr. KELLETT, the petition was received.

MOTION FOR ADJOURNMENT.

Mr. BAILEY said: Mr. Speaker,—I shall conclude with the usual motion. I wish to draw the attention of the House to the very loose way in which petitions are received by it. It is the practice for hon. members to present a petition and move that it be read, and afterwards that it be received. It has been taken merely as a formal matter. Some years ago, when this local option affair was on,

I called the attention of the House to the fact that many of the petitions were informal, even though they had been received. The signatures attached to many of these petitions are not the signatures of the persons whose names appear there. In two or three petitions already before the House the same fact exists. A very old member of the House this afternoon presented a petition from the "undersigned members of the Fortescue-street Baptist Church" praying for local option. I find on this petition that the names of a number of persons are signed in the same handwriting. There are the names of Mr. Allen, Mr. Caldwell, Mrs. Bell, and Mrs. Wilson, in the same handwriting. Besides, people do not sign themselves "Mrs. Bell" or "Mrs. Wilson"; they sign their full names. Further on I find two more signatures in the same writing; possibly the signatures are there with the consent of those persons, but they are not in their handwriting. A little further on I find two more names—Thomas and Sarah somebody, and they are in the same writing. Lower down there are the names Elizabeth Campbell and Mary Ann Campbell, both in the same writing. I doubt very much whether either of them signed the petition, but certainly both did not. Further down are two more names in the same handwriting. One of the persons whose names are attached to the petition may have signed it, but both did not. Lower down are the signatures of two persons named Mills, and one of them must have signed for both. I daresay that one-half of the names attached to this petition are the names of children, and one-half of the others either are unable to sign their own names or, at all events, have not themselves signed this petition. It is quite time, if we value the right to petition, that some greater precaution should be taken to verify the signatures attached to petitions. I beg to move the adjournment of the House.

Mr. NORTON said: I am rather surprised that no answer has been given to the hon. member for Wide Bay. There is a good deal of force in what the hon. gentleman says. There is no doubt that in a large number of cases the signatures attached to petitions presented to this House are not really the signatures of the persons whose names are written thereon. It ought to be more generally understood that those who sign these petitions on behalf of other persons really commit forgery. I would, sir, like to ask your opinion, as Speaker, as to whether persons who sign signatures that are not their own to petitions presented to this House are not liable in some way for their action.

The SPEAKER said: The Standing Orders relating to the presentation of petitions are very clear. There can be no doubt that the hon. member for Wide Bay, in his remarks to the effect that petitions are somewhat loosely presented to this House, is substantially correct. It may not be commonly known, but even the petition just presented by the hon. member for Stanley, Mr. Kellett, is somewhat irregular also. There should be no appendices attached to a petition as there were to that petition. There were appendices in it referred to as A and B respectively. That is contrary to our Standing Orders, which provide that no appendices shall be attached to a petition. The appendices may be embodied in the petition, but must not be attached to it; nor can any reference be made in a petition to appendices. With regard to the irregularity as to names, the Standing Order is very clear upon that point. The 197th Standing Order says:—

"Every petition shall be signed by the parties whose names are appended thereto, by their names or marks, and by no one else, except in case of incapacity by sickness."

And the 203rd Standing Order says:—

"It is highly unwarrantable, and a breach of the privileges of this House, for any person to set the name of any other person to any petition to be presented to this House."

The Standing Orders themselves are very specific on the point, and it is the duty of hon. members in charge of petitions to examine the signatures, or take care that they are the *bonâ fide* signatures of the persons themselves, otherwise they should not present them.

Question of adjournment put and negatived.

ADDITIONAL SITTING DAY.

The PREMIER (Hon. S. W. Griffith) in moving—

1. That during the remainder of this session, unless otherwise ordered, this House will meet for the despatch of business on Friday in each week at 3 o'clock p.m.; and that the order for meeting on Friday morning be rescinded.

2. That Government business do take precedence on Thursdays as well as on the days on which precedence is now accorded to it; and that the order giving precedence to Government business on Fridays be rescinded.

—said: Mr. Speaker,—It has been the practice of this House for a good many years towards the end of the session for the Government to ask for another sitting day for Government business, and I believe it is very much in the interest of hon. members who come a long distance that it should be done. I need not weary the House with giving the details as to the period of the session at which a motion similar to this has been made, but I may say generally that when the House met in July the motion has always been made about the first week of September. It is necessary if we are to have a short session, as hon. members desire, that the Government should have another sitting day, as there is still a good deal of business to be done. If we are only to have two days a week we should have to sit to well on in summer, which is certainly not the desire of members of the House, particularly of those who come a long distance. We have so far disposed of several Bills, but they have not occupied much time; and there are now four measures on the paper—the Elections Bill, the Victoria Bridge Closure Bill, the Undue Subdivision of Land Prevention Bill, and the Licensing Bill—all of which will require a good deal of time and attention, and I hope they will all become law. There are also some measures referred to in the Governor's Speech which have not yet been introduced, as the Government did not wish to distract the attention of hon. members by putting a large number of Bills before them all at once. There are two measures mentioned there—a Bill to amend the law relating to settled land, and a Bill to consolidate and amend the laws relating to justices of the peace—which ought to be introduced and passed. And there is another Bill, dealing with the Pacific Island Labourers Act, which must be introduced and seriously considered, because, as has been pointed out before, the Pacific Islanders' Fund is at the present time inadequate for the purpose to which it is appropriated. Having regard, therefore, to the measures before the House, and to the fact that the Estimates have not been touched yet, it is desirable that the Government should have another sitting day. The question then is which is the most convenient day? It was pointed out by the hon. member for Mulgrave last session that it is not convenient that the Government business should be divided, but that the days for Government business should be consecutive. The question has arisen in a good many years whether Monday, Tuesday, and Wednesday, or Tuesday, Wednesday, and Thursday, are the

most convenient days. I think Tuesday, Wednesday, and Thursday are the most convenient days, because Monday is an extremely inconvenient day to a great number of hon. members who are in the habit of coming into town on that day. Therefore, we propose Friday as an additional sitting day, and that Thursday should be devoted to Government business; which is really adopting the same course that was adopted last year on the suggestion of the hon. member for Mulgrave.

Mr. ARCHER said: Mr. Speaker,—I do not rise for the purpose of opposing the motion of the hon. gentleman. I believe it is quite necessary; and I believe that hon. members, particularly those who come from a long distance, will feel that it is desirable that the business of the House should be done as quickly as possible, so that they may return to their homes. Therefore I have nothing at all to say against the motion. For my own part, I may say that I would prefer to sit on Monday instead of Friday. I do not know whether the hon. gentleman at the head of the Government has taken any particular means to inquire which would be the most convenient day—Monday or Friday. If we sit on the day proposed in this motion we shall have Saturday, Sunday, and Monday, without a House. If we sit on a Monday hon. members will always have Friday for carrying on their own correspondence with the North. Most members—in fact, all members sitting on this side of the House who are not living near Brisbane—are from the North, and have always done their business correspondence on a Friday. I believe they would all prefer sitting four days a week, and that they have not the slightest objection to the proposal now before the House; but I would like to ask the hon. gentleman whether he has ascertained from hon. members on his own side of the House whether Friday or Monday would be the most convenient day. Friday might be the most convenient day for those living in or near the metropolis, but it is certainly not the most convenient day for members from the North. As I have said, I shall not offer any opposition to the motion.

Mr. NORTON said: Mr. Speaker,—Before you put the question I would like to know from the Premier whether this motion is intended to apply to this week, and whether Thursday next will be a private members' day or not? The reason I ask for this information is, that I have a motion on the paper for next Thursday, and it will be much more convenient for me to introduce it on that day than on Friday, because, not knowing that the Government intended to propose this additional sitting-day this week, I had made an arrangement to be away on Friday evening next. After that I would have no objection to Friday being a private members' day instead of Thursday. I think, however, it will meet the convenience of the House if next Thursday is devoted to private business.

The PREMIER: I will endeavour to meet your wishes.

Question put and passed.

WAYS AND MEANS.

On the Order of the Day being read, the CHAIRMAN OF COMMITTEES reported the following resolutions from the Committee of Ways and Means, which were read at length by the Clerk:—

1st. That there be raised, levied, collected, and paid, in lieu of the duties of Customs now levied upon the undermentioned goods, the several duties following, that is to say—

Brandy and other spirits, or strong waters of any strength, not exceeding the strength of proof of Sykes's hydrometer, and in proportion for any greater strength than the strength of proof, 12s. per gallon.

Spirits, cordials, or strong waters, sweetened or mixed with any article so that the strength thereof cannot be exactly ascertained by Sykes's hydrometer, 12s. per gallon.

Timber, logs, 1s. per 100 superficial feet one inch thick.

Timber, undressed, 1s. per 100 superficial feet one inch thick.

Timber, dressed, 1s. 6d. per 100 superficial feet one inch thick.

2nd. That there be raised, levied, collected, and paid upon the undermentioned goods when imported into the colony, whether by sea or land, the duties following, that is to say—

Machinery for manufacturing, sawing, and sewing; agricultural, mining, and pastoral purposes; steam engines and boilers, 5 per cent. *ad valorem*.

3rd. That there be raised, levied, collected, and paid upon all beer brewed or manufactured within the colony of Queensland an excise duty of 3d. per per gallon.

That there be raised, levied, collected, and paid upon any wines, spirit, cordial, compound, or other liquor containing a greater proportion than 30 per cent. of proof spirit, a duty at the highest rate chargeable on spirits.

That there be raised, levied, collected, and paid upon goods imported, which have been partially converted into goods which would be liable to a higher rate of duty, a duty at a rate equal to one-half of such higher rate of duty.

That there be raised, levied, collected, and paid upon goods imported which are substitutes for known dutiable goods, a duty at the same rate as that payable upon the goods for which they are substitutes, or such less rate as may be fixed by the Governor in Council.

That it is desirable that brewers be registered, and that an annual fee of £25 be charged for such registration.

On the motion of the COLONIAL TREASURER (Hon. J. R. Dickson), the resolutions were adopted.

On the motion of the COLONIAL TREASURER, leave was given to introduce Bills founded upon the resolutions.

TARIFF BILLS.

The COLONIAL TREASURER presented a Bill for granting to Her Majesty certain increased duties from Customs, and moved that it be read a first time.

Question put and passed, and the second reading of the Bill made an Order of the Day for to-morrow.

The COLONIAL TREASURER presented a Bill to impose a duty on beer manufactured in Queensland and to provide for the registration of breweries, and moved that it be read a first time.

Question put and passed, and the second reading of the Bill made an Order of the Day for to-morrow.

ELECTIONS BILL—COMMITTEE.

On the Order of the Day being read, the Speaker left the chair, and the House went into Committee, further to consider this Bill.

The PREMIER said that when the House was last in Committee on the Elections Bill clause 62 had been reached, upon which an amendment was moved by the hon. member for Mulgrave, providing that ballot-papers should be numbered by the presiding officer before being handed to the elector. The question had been tolerably fully discussed in committee on more than one occasion, so he need not go into it at length. The opinion at which the Committee arrived was that some means should be devised by which the ballot-paper used by a person who was not entitled to vote could be afterwards identified on a scrutiny. That principle having been adopted it became necessary to consider what modifications were necessary in subsequent parts of the Bill, and he had accordingly had

circulated amongst hon. members some amendments which would give effect to the system. The system in use in Great Britain, as had been pointed out previously, was that the ballot-papers were made up in a book something like a cheque-book, the butts being numbered consecutively and the ballot-papers themselves being numbered on the back, so that the only person who saw the butt was the returning officer, who entered the number of the elector on the electoral roll. The ballot-paper itself was numbered on the back, and as that only corresponded to the number on the butt which was not open to inspection, the means of identification in the polling booth were practically nothing. It was pointed out previously that that system would not do here. The system laid down by the Victorian law was that when the ballot-paper was given to an elector there was placed on the back of it near the bottom the number of the elector on the roll, and a reference to the particular roll on which his name appeared. There were different kinds of rolls in Victoria — the ratepayers' roll and others. After consideration of the subject by the Government, the best thing to do seemed to be to put the elector's number on the ballot-paper, and seal down the part on which the number was written before giving it to the elector. What he therefore proposed to do was to omit the 62nd clause, and after rearranging some of the other clauses, to insert a clause to the following effect :—

When an elector has satisfied the presiding officer that he is entitled to vote at the election the presiding officer shall deliver to him a ballot-paper.

Before delivery of the ballot-paper to the elector the presiding officer shall mark the same on the face thereof with his initials in ink or pencil, and shall also write upon the back of the left-hand upper corner of the ballot-paper in ink or pencil the number set against the name of the elector in the electoral roll.

The presiding officer shall then, and before delivery of the ballot-paper to the elector, fold down the corner of the paper so as to entirely conceal the number so written, and shall securely fasten the fold with gum or some other adhesive substance in such a manner that the number cannot be discovered without unfastening the fold.

Then it was proposed to insert provisions making it highly penal to attempt to discover the number on any ballot-paper. For convenience of reference to the numbers marked on the ballot-paper, it was proposed that the numbers in each quarterly roll should run on from the numbers on the annual roll ; otherwise it would be necessary not only to state the number, but also to give a reference to the particular roll—whether the annual roll, or the quarterly roll for July, April, or October. It would therefore be proposed to recommit the Bill for the purpose of adding the necessary provision to clause 38. He thought that method would work as well as any other that could be devised to give effect to the evident desire of the Committee ; and after full consideration it did not appear to him likely that there would be much danger of its being improperly discovered how any particular elector voted. To effect the alterations, he would propose the omission for the present of clauses 62, 63, 64, and go on to clause 65.

Clauses 62 to 64 put and negatived.

On clause 65, as follows :—

"At every poll the voting shall commence at nine o'clock in the forenoon, and shall finally close at four o'clock in the afternoon of the same day, unless adjourned as hereinafter provided by reason of riot or other interruption.

"Provided that the Governor in Council may direct that the voting shall in any electoral district, or at any polling place or places in an electoral district, commence at eight o'clock in the forenoon, and in any such case the voting shall commence at eight o'clock in the forenoon accordingly."

The PREMIER said the amendment he had to propose in this clause had no reference to the other matter. The clause provided that the poll should commence at 9 and close at 4 ; but there was a provision that the Governor might direct it to commence at 8. He thought that if it were in some cases convenient to commence earlier than 9, it might also be convenient to close later than 4. The time at present fixed coincided with the business hours, and it was inconvenient and almost impossible for some men to attend and vote. The time in England was from 8 in the morning till 8 at night ; and the suggestion had been made that it might be extended here till 8 ; but he thought that was too late. It might terminate at 6 in the afternoon without great inconvenience. He therefore proposed to add after the word "forenoon" and before "and in any such case," the words "or terminate at 6 o'clock in the afternoon."

The HON. J. M. MACROSSAN said he approved of the amendment, but why should it be left in the hands of the Governor in Council ? It seemed a dangerous power to leave in the hands of the Governor in Council. He thought that on reconsideration the hon. member must see that it would be better to leave out "the Governor in Council may direct," and let every election commence at 8 in the morning and terminate at 6 in the afternoon.

The PREMIER said the only reason was that of convenience. In most places—probably in 80 per cent. of the polling places of the colony—from 9 to 4 was as long a time as was required. That was the only reason that could be given.

The HON. J. M. MACROSSAN said the amendment, he presumed, was to be inserted to meet the convenience of those who could not conveniently attend between 9 and 4—those were the working men. But the working men were everywhere ; they were not confined to a few large electorates ; they were all over the colony. In different electorates he had seen working men, at meal-times, making a rush and almost knocking each other down to get to the polling booth. It would be far better to make the extended time absolute law, and take away from the Governor in Council the power to say which polling places should be open till 6 and which should be closed at 4. He hoped the hon. gentleman would remodel the clause with that idea and omit the proviso.

Mr. FOOTE said the clause appeared to be a very convenient one with the amendment as proposed by the Premier. There were very few places outside the large towns where it would be necessary to keep the poll open from 8 till 6. In most electorates from 9 till 4 was quite long enough, and there was nothing to be gained by prolonging the poll more than was absolutely necessary. He could understand that in places like Brisbane and other large electorates an extension of the hours of polling would be beneficial to the electors, but the power of so extending the time might safely be left in the hands of the Governor in Council.

Mr. MOREHEAD : Is there a differential rate in England ?

The PREMIER : No ; the time is from 8 to 8.

Mr. MOREHEAD : Then why should there be a differential rate here ?

The HON. J. M. MACROSSAN said that in country electorates, although working men might not be compelled to rush to the polling booth, they had something else equally inconvenient to contend against. They often had to go long distances to record their votes, sometimes as far as thirty to forty miles. That was a fact known to

himself and to every country member of the Committee. For that reason the time should be extended in the country electorates and for the other reason in the town electorates, and the hours made absolute.

Mr. BEATTIE said he altogether disagreed from the proposed amendment, and he hoped the Premier would not press it. It was a power that the Governor in Council ought not to have, and he could not understand how the Government could expect the Committee would give them the power to say which electorate should have its polling booth open from 8 till 6 and which from 9 till 4. He did not agree with the remarks of the hon. member for Bundanba—that the shorter period would answer well in the country electorates, as it was there especially where the longer period would be most convenient. If the extension was to be made, he hoped it would be made absolute all over the colony and become the law of the land.

The PREMIER said that under the existing law the Governor in Council could cause the poll to open at 8 instead of at 9. The present clause, indeed, was a copy of the one in the existing Act—with verbal alterations. But it gave no power to extend the time beyond 4 o'clock—a state of things which was sought to be altered by the proposed amendment. It was of far more importance to extend the time in the afternoon than in the morning, but it was hardly necessary to extend it after 6 o'clock. There was this to be said on the other hand, that extending the time to 6 o'clock would enable a man to vote at more polling places in one day than he could otherwise do. He had heard of some people being defeated in that not very laudable object, by the fact that they could not get from one place to another between the hours of 9 and 4.

Mr. DONALDSON: That was not in the Warrego.

The PREMIER said he had no objection, however, to make the extended time of polling general, and he would, therefore, withdraw the amendment just moved.

Amendment withdrawn accordingly.

Mr. SCOTT said that if there was to be any alteration made in the hours of polling it would be better to make it as proposed by the Premier —namely, in the afternoon. He did not see that much advantage was to be gained by extending the time in the morning, if the object was to suit the convenience of working men. Working men were engaged from 8 till 5, and to open the poll at 8 would not help them at all. If that was the object, it would be better to open the poll at 7, so that they could record their votes on their way to work. There was nothing to be gained by opening the poll before 9 o'clock.

The PREMIER moved the amendment of the clause, in the 1st line, by inserting the word "eight" instead of the word "nine."

Amendment put and passed.

The PREMIER moved the omission of the word "four" in the 2nd line, with the view of inserting the word "six."

Amendment put and passed.

The PREMIER moved that the 2nd paragraph of the clause be omitted.

Amendment put and passed, and clause, as amended, agreed to.

The PREMIER moved that clause 66 be omitted, with the view of its being inserted in an amended form in a later part of the Bill.

Question put and passed.

Clauses 67 to 75, inclusive, passed as printed.

The PREMIER moved the following new clause to follow clause 75:—

When an elector has satisfied the presiding officer that he is entitled to vote at the election the presiding officer shall deliver to him a ballot-paper.

Before delivery of the ballot-paper to the elector the presiding officer shall mark the same on the face thereof with his initials in ink or pencil, and shall also write upon the back of the left-hand upper corner of the ballot-paper in ink or pencil the number set against the name of the elector in the electoral roll.

The presiding officer shall then, and before delivery of the ballot-paper to the elector, fold down the corner of the paper so as to entirely conceal the number so written, and shall securely fasten the fold with gum or some other adhesive substance in such a manner that the number cannot be discovered without unfastening the fold.

Mr. ISAMBERT said he objected to the insertion of the clause. It was tampering with their present system of voting by ballot. No matter how careful the presiding officer might be, men would be intimidated by being told that there were some means of finding out whether double voting took place, and also that it could be found out for whom they voted; and anyone who had attended elections and seen the proceedings in outside places, and particularly on out-stations and sugar plantations, knew full well what that meant. Even under the present system men professed that they could tell almost to a certainty the way in which every elector voted; and how much more easy would it be if numbers were fixed on the ballot-papers as proposed! The only value the clause had was to prevent double voting, and they all knew that double voting was one of the least of the evils——

Mr. DONALDSON: It will prevent personation also.

Mr. ISAMBERT said personation was a thing they could not find out.

Mr. DONALDSON: Can't you?

Mr. ISAMBERT said, no, they could not. He objected to the clause entirely, as it was controverting their whole system of voting.

The PREMIER said the question had been fully discussed on two or three occasions before, and, so far as he could discover, the general opinion of the Committee was that the system now suggested would be an improvement. He himself did not at first hold any very strong opinion about it one way or the other, but upon further consideration he thought it would be an improvement. It had been tried elsewhere, and was not found to be open to the objections that he thought it might be open to.

Mr. BEATTIE said he must say that he was not in love with the proposed innovation, because he would just ask the hon. the Colonial Secretary to take the paper on which the Bill was printed, write a number on it, turn down the corner, and see if he could not tell the number through it by turning it to a good light; and in the case of presiding officers in country districts, unless they sent out paper that could not be seen through they would be able to see the numbers. As for gumming down the corner, that could be very easily got over with a pannikin of hot water. He did not think the proposed alteration an improvement. It would put a great deal too much power into the hands of presiding officers, who had nobody to look after them. They had had proof of that in the last general election, and this was a power that ought not to be put in their hands. If it were adopted, and an election took place, it would be the duty of the Colonial Secretary or the proper officer to instruct the returning officer, whoever he might be, to get a particular class of paper, so as to prevent the numbers being seen when they were put on the corner of the ballot-paper. They could not prevent a man getting a bucket

of hot water, or a pannikin-full even, and opening the ballot-papers, by holding them over it, in an instant.

Mr. DONALDSON: What about the scrutineers?

Mr. BEATTIE said it was found that scrutineers sometimes disappeared from the room, and the presiding officer could simply do what he liked with the papers. He knew what took place at the last general election, and it was no use repeating it. Some of the scrutineers and clerks were found under the table or somewhere else, and the presiding officers did what they liked. That was the common rumour, and he believed it was true. He was not in love with the amendment.

Mr. MOREHEAD said he should vote against the amendment. He admitted at once that the ballot should be made as secret as possible, and he agreed with everything that had fallen from the hon. member for Fortitude Valley. It was the easiest thing in the world, inadvertently perhaps, on the part of the returning officer, to rub the gum off, and enable any person who was desirous of seeing the number to do so. That could be easily done, and even if the adhesive substance were made strong enough to hold the corner down, it would be possible to divide the paper without destroying the number. He thought they should very carefully consider the matter before they did anything which might interfere with the secrecy of the ballot. He objected to the proposed new clause.

The HON. J. M. MACROSSAN said he was not present when the matter was previously before the Committee, but he must say he did not like the innovation. When the hon. member for Mulgrave first spoke of the matter, he did not believe in the alteration. He knew well that it was the law in Victoria, and had been so for several years; but he was not so thoroughly conversant with the law there as to know how it worked. He agreed with what had fallen from the hon. member for Rosewood, that it was quite possible that an ignorant man going to vote might be intimidated by seeing the returning officer so particular in turning down the corner of the paper after having put a number upon it. Then, again, what the hon. member for Fortitude Valley said was quite true. If he turned down the corner of the paper which he held in his hand—and it was pretty thick—and held it to the light, he could see perfectly well what number was written underneath. So that he thought it would be much better to put up with the ills they had than to give place to another system when they did not know how it would work. It was all very well to quote the authority of Victoria, but if they followed Victoria in all matters relating to elections they would have to make a radical change in the Bill.

Mr. DONALDSON said he hoped the clause would pass. In Victoria, at the present time, they did not gum the corner of the ballot-paper at all. It was simply turned over two or three times, and, although he had been a scrutineer and presiding officer at several elections, he had never seen the number exposed. The Government deemed it an additional safeguard, and he was perfectly certain that if the corner of the paper was turned down twice the number could not be seen. The scrutineers would not be doing their duty if they allowed the returning officer to make an examination of the papers as they came from the ballot-box. They were there for the purpose of seeing that there was no examination. He did not see that there was any argument at all in favour of not adopting the principle. There was no doubt that some persons might be intimidated when they were informed that a number would be put upon the ballot-paper. It was well known that these papers would never be referred to except in the case of a dispute, and even then only the particular votes disputed would be examined. His chief object in rising was to point out that the clause provided that the numbers should be written upon the left-hand upper corner only of the paper. He thought it would be quite sufficient if the number were put upon any corner on the back, because it was quite possible that some presiding or returning officer might make a mistake as to which was the proper one, and it might lead to the votes being disallowed. He thought that slight alteration would be beneficial.

Mr. SALKELD said he was quite sure that if all the returning officers were as honourable as the gentleman who had just sat down, or the scrutineers were as smart, there would not be much need for taking all those precautions. When the matter was discussed before, he decided in his mind that there would be an advantage in the proposed clause if it were properly carried out, without interfering with the secrecy of the ballot; but now he was rather afraid that the secrecy of the ballot might be violated, because the number might be easily seen through the paper by holding it up to the light. If any system of the kind were to be adopted, he would suggest that it should be that referred to by his hon. colleague, Mr. Macfarlane, who advocated the use of envelopes made of a paper thick enough not to be seen through. Unless that scheme were adopted he was afraid that it would be an easy matter for the presiding officer to know whom any person he wished to find out had voted for. Then again, the fear, or the knowledge, that the presiding officer could find out whom they voted for might intimidate the voters. He was sure that if the scrutineers attended to their work and were vigilant hardly any harm could come of it, but he knew that any smart presiding officer could find out for whom any individual voted. If the Committee were in favour of putting the numbers on the papers he thought they should adopt the plan suggested by his hon. colleague, and use envelopes made of paper that could not be seen through.

Mr. MOREHEAD said he could not, really, for the life of him understand how the clause could in any way affect the question of personation. It might prevent a person from voting at five or six polling places in his own name, which would be discovered at once; but it would in no way prevent his voting as another person, because, say the numbers of the votes were 1, 2, 3, 4, 5, and 6, and his number was 1, he would vote in his own name in the first instance, and then he would take those consecutive numbers at different places. It would not prevent that, as he would give a different number at each place. It might prevent the multiplication of votes by one man, but it could not prevent personation.

Mr. ARCHER said that as a rule forty-nine out of every fifty people did not care whether it was known or not how they recorded their votes — in fact, they often proclaimed how they voted — so that he did not think so much of the amendment on account of it preserving the secrecy of the ballot as on account of the fact that it would prevent a great deal of personation. A man might vote with his proper number at one place, and on finding out some number that had not been used might go to another place and use that number; but the man falsely represented might also record his vote, and, on comparing the rolls used by the

presiding officer, the returning officer would find that the same number had been used twice.

Mr. MOREHEAD: Who gets the vote?

Mr. ARCHER said that any person knowing that such a case might come before the Elections and Qualifications Committee would hesitate before applying for a number which did not belong to him. The amendment would undoubtedly lead to a great restriction on the vagabonds who made it a practice to vote at different polling places during the same election. It had been said that the number could be seen by holding the paper before the light, but that was doubtful, and when a presiding officer sat with 700 or 800 papers before him, and a scrutineer on each side of him, how was he going to look through each paper, and compare it with the number on his list and write it down? If there was money attached to such a proceeding there might be some reason for running a certain amount of risk, but he did not see what object a presiding officer could have in trying to discover the numbers. The proposed system would undoubtedly tend very much to the purity of elections. The hon. member for Rosewood said that ignorant men might be intimidated, and there might be something in that; but those men would not be likely to vote in more than one place, though they might be induced to vote in a certain manner. He believed, however, that most Germans were educated to a certain extent in their own language; so that the hon. member's objection would not apply to them. To suppose that people were fools enough to be influenced in regard to their votes because they saw numbers on their papers, was to look upon them as men not fit to have votes at all. But most of the men in Queensland were fit to have votes, and they would take very good care to vote for those they wished to send to Parliament. The system would not favour intimidation, while it would check personation; and he was glad the Premier had proposed the clause, which should have his support.

Mr. FOOTE said the argument put forward by the hon. member for Blackall in favour of the amendment was stronger than that used by the hon. member for Rosewood. No doubt electioneering agents and canvassers would avail themselves of all the means at their disposal to intimidate electors and convince them, if possible, that it would be known how they voted, and that if they did not vote in a certain direction certain consequences might follow. That might be done even now, and, no doubt, at every election where they would be of any use such arguments were used. But, as the hon. member for Blackall pointed out, it would be of little use to argue like that amongst independent men. The only place where such an argument would have any effect would be in small outside electorates where there were only very few electors—where heads were easily counted and it was generally known for whom different persons voted. He approved of the amendment, the object of which he took to be to make personation null and void so far as could be done by Act of Parliament. Suppose No. 141 voted at a certain station, and it was afterwards known that No. 141 was polled at three or four other places for the same election during the same day, then the returning officer, if there was an examination of the papers, disallowed those votes. That would not necessarily be any evidence by way of prosecution; but the disallowing of those votes would take away the ground from under the feet of parties who wished to get persons to go round the different polling places so as to secure the election of their candidates. It would not, however, absolutely prevent personation. It was not likely that a man who polled under No. 141 at one polling booth would go and poll under the same number at another. Nevertheless, there might be some who would go and poll at a number of polling places in the electorate in one day. He had known that to be done in more instances than one. He could not see how the clause could possibly prevent personation, but he would be glad if some addition could be introduced to stop, if possible, attempts at personation, though he could not see how it was to be met. So far as the clause went he considered it a step in the right direction, and it was calculated to be beneficial in securing the return of candidates by *bonâ fide* voters.

The PREMIER said that with respect to the matter of personation the clause would only prevent it in this way: It would not, of course, really prevent personation, but it would prevent the personator gaining anything by personation. It would work in this way: Suppose John Smith, No. 501, at an election voted at four different places, the No. 501 would be put upon the ballot-paper in each case, and if John Smith was a real person it would be easy to find out where the real John Smith did vote. They would then be able to discover the other three votes in the same name and reject them. If John Smith was a dead man the whole four votes could be rejected, or if he was absent from the constituency at the poll the votes could also be rejected. That was the advantage to be gained. They might have amongst 500 votes 20 or 30 which were not genuine; and though they might not be able to say whose they were they could prevent the consequences of the personation by rejecting them. They could not, by the clause, prevent personation, but they could prevent persons reaping any benefit from it.

Mr. NORTON said he quite agreed with what had fallen from the Premier. The clause would be a check upon personation. In almost every case a genuine voter would say at which place he voted. Genuine voters did not vote with much secrecy, and in almost every case when they came in to vote there would be some friends present who would be able to give evidence that they voted at a particular place, and in that way the other votes could be rejected. With regard to the numbering of the ballot-papers, he could not understand why there should be any objection to it. It was done in Victoria, and it was done also in England, and he did not see why it should not be done in Queensland. The great objection to it on the part of some members of the Committee was that they thought the presiding officer would be able to find out the number of a ballot-paper by holding it up so that he could see through it; but that objection could be removed by using paper through which the number could not be seen. But, as the hon. member for Bundanba had said, it was possible now to find out some of the votes, and he believed it was sometimes done. He did not hesitate to say that under the present law a presiding officer could find out a particular vote. All he had to do was to vary his signature or initials in a particular case, and in that way he could find out how a man voted. It had also been pointed out that under the present law electors were intimidated by being told that the way in which they voted could be found out, and it would be possible to intimidate some electors in that way under any Act. When they had reason to believe that was done now it was not a very strong argument against this plan for the prevention of personation being adopted. He believed in the new clause thoroughly, and hoped it would be passed.

Mr. GRIMES said he could not agree with the hon. member for Blackall that the ballot was so very little thought of by electors in Queensland.

Mr. ARCHER : I never said anything of the kind.

Mr. GRIMES said the hon. member had said that he did not think forty-nine out of fifty electors cared whether persons knew for whom they voted or not. What else could that mean ?

Mr. ARCHER : If the hon. gentleman wishes to quote my words he may do so—that is all right—but he must not put words into my mouth. I look upon the ballot as a very important privilege indeed.

Mr. GRIMES said that the only inference that could be drawn from the hon. member's statement that forty-nine out of every fifty did not care whether it was known for whom they voted or not was that the majority of the electors of Queensland did not value the ballot. He quite disagreed with the hon. member. He believed that there were a very large number of persons in Queensland, and particularly employés, who valued greatly the system of voting by ballot, and who believed that they could not really follow their consciences in voting without being able to vote under cover of the secrecy of the ballot. He thought it would be a dangerous thing to bring in an innovation that would materially affect the secrecy of the ballot, and he was, therefore, of opinion that the good they would get from the adoption of those clauses would be more than counterbalanced by the evil that would follow the violation of the secrecy of the ballot. It did not matter whether it could be known for whom a man voted or not ; but if the electors could be made to believe that it was possible to find out for whom they voted it would have the effect of frightening them, and they would probably record their votes in a different way from what they would otherwise have done. It was far better that they should be on the safe side and keep to the system in vogue at present.

Mr. ISAMBERT said that if they were to adopt the new clause as proposed he would like to know why they had been called upon to pass clauses 69 and 70. Those clauses provided that an elector must record his vote in his own district, and if he chose to vote in any other place he must vote openly. If those provisions were carried out he could not see the necessity for the new clauses proposed. They all knew that as a rule presiding officers did their duty faithfully and conscientiously ; but they had only to go back to the last election to find that there were some exceptions, and what would prevent a presiding officer putting a wrong number on the corner of a ballot-paper, and, by following it up, making any elector liable to prosecution ? They had better either repeal clauses 69 and 70 if they intended to adopt the new clauses, or else do away with the ballot altogether. He should oppose the new clauses, and, if necessary, go to a division on them.

The HON. J. M. MACROSSAN said he thought that the arguments that had been used, as to independent men not caring whether it was known for whom they voted, could have no effect, because the ballot was not intended for those independent men. The ballot was intended to protect men who were dependent. Those were the men whom they wished to protect, and he thought that in that respect the hon. member for Blackall had argued on wrong premises. The hon. member in charge of the Bill said that the clause would not prevent personation. They all knew that. The only effect it would have would be to prevent the consequences of personation being reaped profitably in the case of an election against which a petition had been presented to that House. For the purpose of deciding upon a disputed election—and there might be two or three in five years—they were asked to run the risk of intimidating several thousands of weak or ignorant voters. It was no use saying that the voters of Queensland were so much more independent and so much better enlightened than voters anywhere else, for they had the average class of voters here. Yet men here were as ignorant and as easily frightened with regard to their votes as men anywhere else. Many persons thought even now, and, he believed, correctly, that in some cases it was easy to find out how an elector voted, and they would hold that opinion more strongly if an amendment of the kind proposed were adopted and they saw the presiding officer put a special mark on the ballot-paper and turn the corner down. He thought it was better not to run the risk of losing a few hundreds of votes for the purpose of deciding a contested election in that House afterwards. He did not believe in the amendment, and, as he had said before, if he were disposed to agree to it he would first like to know how the system had operated in Victoria, and no one had told the Committee that yet.

Mr. DONALDSON : Yes ; I did.

Mr. KATES said he would advise the Government to be very careful in the matter, and not to do anything that would destroy the secrecy of the ballot. He was afraid that an amendment of that kind, by which a returning officer could mark a ballot-paper in such a way that it could be found out how an elector voted, would be received with great disfavour by the country. At a great many places the scrutineers and presiding officers—the scrutineers especially—were strong partisans, and if they wished they would very soon find out how a man voted if that amendment were passed. With regard to the remarks made by the hon. member for Blackall respecting the opinions of electors concerning the value of the ballot, he quite agreed with the hon. member for Oxley. There were a great many men in this colony who were servants of or under an obligation to others, and they would not like it to be known how they voted. To say that forty-nine out of fifty voters did not care whether it was known how they voted or not was not altogether a fact. He hoped the Premier would reconsider the matter and not insist on the amendment before the Committee. It was a very serious step to take to introduce the system proposed in the amendment, and if the proposal were adopted it would go out to the country that the ballot-papers were to be marked in such a way that it could be ascertained how each elector voted.

The PREMIER said he really thought the Government had good reason to complain of the manner in which they had been treated in the present matter. When the matter was brought forward by the hon. member for Mulgrave, he pointed out that it ought to receive serious consideration, and did all in his power to induce hon. members to consider it seriously. And when it had been considered seriously for some time he moved that the Chairman leave the chair, in order that hon. members might have time for further consideration. On a subsequent occasion he moved the House into committee in order to consider that question alone, and he endeavoured to get hon. members to debate the subject, but it appeared to be the general wish that an amendment similar to that now before the Committee should be introduced, and it was so resolved without division. What could the Government do under those circumstances but prepare amendments to meet the wish of the Committee ? When it was unani-

mously resolved that the Bill should be amended in a certain direction, the Government were bound to give effect to the opinion of the Committee. He did all he could to get the matter debated on two occasions, and when an amendment was proposed in clause 62 involving all that was contained in the proposal now under consideration, and it appeared to be the unanimous desire that something of the kind should be adopted, there was nothing left for the Government to do except to abandon the Bill or amend it to give effect to the wishes of the Committee. If it were the opinion of hon. members that it was better to leave the thing as it was, and not run the risk of spoiling the secrecy of the ballot for the sake of the possibility of detecting personators, then he would be contented; only he must say that hon. members ought to have considered the matter more carefully on the two—he believed three—previous occasions when he endeavoured to get the question discussed.

Mr. HAMILTON said the objection to the amendment appeared to be that it would affect the secrecy of the ballot, but no arguments had yet been brought forward to prove that it would do so. It had been stated that the presiding officer might ascertain how certain persons voted if he so desired; but it had also been clearly shown that the presiding officer could do that easily at the present time. Hon. members on the other side laughed at that statement, but he repeated that it had been done. It had been clearly shown by the hon. member for Port Curtis, and hon. members could see for themselves that it was very easy for a presiding officer, in giving a ballot-paper to a particular voter, to alter his signature in such a way that when he came to look over the votes he would recognise that particular paper, and see how the person to whom it was given had voted. And that had been done. Therefore, seeing that it was only contended that the presiding officer could find out how a person voted, and since it had been clearly shown that he could find that out now, it was evident that by putting numbers on the papers the secrecy of the ballot would not be exposed by the adoption of the amendment, any more than it was at the present time. Another objection urged against the amendment was that if it were adopted people would have the idea that persons would know how they voted, but that idea prevailed now. He had very frequently tried to contend against it, and to explain to electors that the presiding officer did not know how they recorded their votes; but it was perfectly useless, for they had got the idea that he could do so into their heads. With regard to the statement of the hon. member for Townsville, that they ought to wait and ascertain how the system had worked in Victoria before adopting it here, he would remark that anyone who had lived in Victoria, or who had been in Victoria at the time of an election taking place, knew perfectly well that the system had worked well. He had been there at two general elections during the last few years, and in no instance did he hear the slightest objection against the system, or any suggestion from anyone that owing to the numbering of the ballot-papers persons were intimidated from voting. There had been no suggestion in the Legislature of that colony that the system should be altered, and no doubt some such suggestion would have been made had the system been found unsatisfactory. He thought that anyone who had had any experience of the present election system in Victoria could bear out his statement that there was not the slightest objection raised there against the proposed provision, and that the Committee might very well follow the example of that colony and accept the amendment which had been proposed by the Government

Mr. WAKEFIELD said he thought that most of the arguments were in favour of numbering the ballot-papers, provided that, instead of turning down the corner, the ballot-paper, which should be of thick paper, should form one half of an envelope. He had seen ballot-papers so thin that both the presiding officer and scrutineers, by looking through the glass sides of the box, could see how a person had voted. He had seen that done on many occasions, and had been told how certain electors had voted. The paper used was invariably thin, and he would like to see thin paper abolished altogether.

Mr. MOREHEAD said they had been led to believe that the system proposed by the Government and the Committee was the same as that in existence in Victoria. That had been said over and over again, but, so far as he could see, the system was in no way like that in force in the other colony.

The PREMIER: I pointed out the difference.

Mr. MOREHEAD said there was a great deal of difference. The power of providing the inscription of the presiding officer was not left in his hands, but in the hands of the elector himself. That was certainly not the Victorian system, and was certainly no improvement. He would read the clause from the Victorian Act, so that there might be no doubt as to what it was. The Act was passed in 1865, and amended in 1876, and he did not believe there had been any alteration since. The following was the clause:—

"The returning officer or deputy shall, unless such person be prohibited from voting for some of the causes hereinbefore mentioned, forthwith write upon the back of one of the ballot-papers so signed or initialled as aforesaid, and as near as practicable to the lower edge thereof, the number corresponding to the number set opposite such person's name in such roll, together with the figures and initial letters of the title of such roll, and so that in folding up such ballot-paper as hereinafter mentioned the voter may easily conceal from view the said writing."

That was the clause as it stood, and if it was amended in the way suggested he did not think it would be improved. He hoped that hon. members would not agree to the proposed amendment, because, for the various reasons set forth by both sides, it would destroy the secrecy of the ballot. If they had the ballot let them have the secrecy of it, and let them have nothing that would tend to intimidation. It would be better to run the risk of personation than that of any man being unduly influenced.

Mr. PALMER said he had not the slightest hesitation in saying that he did not believe there would be a single voter who would be intimidated or prevented from voting by the knowledge of the existence of the proposed clause. Let the man be as weak-minded or dependent as possible there was nothing in the clause to prohibit him from casting his vote as he chose. The clause would furthermore be a check upon the presiding officer himself. When he saw the amendment he thought it a most admirable innovation, and one that he should support most heartily. It would be well known that at the last election for the Burke upwards of 100 votes were illegally placed in the box, and he was quite certain if the proposed clause had been in force every one of those votes could have been traced. The hon. member for Oxley had said they had far better remain on the safe side while they were there, but he (Mr. Palmer) thought they were on the wrong side, and an amendment like the present—which would make the elections safer and sounder—he was sure should recommend itself to the Committee. With reference to the remarks of the Premier about John Smith Nos. 1, 2, 3, and 4, the difficulty would be to find out the real John Smith. The Premier had said it

would be very easy to find him out, but he did not state the means by which he could be found out. The statement that the presiding officer, by holding the voting-paper up to the light, could easily see the number marked on it appeared to him to be almost childish, for if he had so little to do as to be able to examine papers through the glass of the ballot-box then there would be so few voters in the district that he would be able to remember them. It was very well known that in small places in the outside districts every man who voted was known beforehand, and the way he intended to vote, and he made no secrecy of it whatever. He should vote for the clause, because he thought it was a very good one.

The PREMIER said it had been remarked that he did not point out the means by which, when two or three persons voted under the same name, the genuine vote could be found out. That could be told on proof of where he voted. The vote given at the place where he actually voted would be the genuine vote, and the others would be the personations.

Mr. BEATTIE said that was the very difficulty. It was not always so easy to find out who the genuine voter was when there were several of the same name; it was anything but easy of proof. A great deal of personation had taken place at the last general elections, and he had noticed himself, in several instances, that when the real voter came up to the poll he found that someone had been there before him and personated him. The hon. member for Burke had given them a little experience in reference to a certain 100 voters, but he did not tell them how the 100 votes came to be placed in the ballot-box when there was not that number of voters in the district. The presiding officer could not have been a very reliable man to allow the votes to be put in the box. It must be remembered that the presiding officer was in possession of the papers for a week or a fortnight sometimes before they were sent on to the returning officer, and he could easily find out for whom particular men voted.

An HONOURABLE MEMBER: The papers are sealed.

Mr. BEATTIE said if a man could be guilty of a dishonest action nothing whatever would check him. They were not passing an Act for the punishment of honest and respectable people, but to prevent bad people from taking advantage of the ignorance of others. He was afraid, himself, that the alteration proposed by the Government would not have such a satisfactory result as that anticipated.

Mr. ISAMBERT said the hon. member for Cook had stated that not one argument had been advanced to show that the clause would destroy the secrecy of the ballot. The clause was proposed to be introduced simply with the object of destroying the secrecy of the ballot. He believed the Premier was wrong in complaining of the inconsistency of members on that side. When the matter was under consideration before they were misled by the Premier countenancing the amendment.

The PREMIER: On the contrary, I opposed it.

Mr. ISAMBERT said the hon. member finally countenanced it so far as to undertake to put it into shape. He did not look upon the clause as a Government proposal, but simply as having been put into shape by the Premier to oblige the hon. member for Warrego.

Mr. ANNEAR said he took no part in the debate on the second reading. He quite agreed with the hon. member for Balonne that if they agreed to the amendment they did away with the secrecy of the ballot altogether.

Mr. DONALDSON: Nonsense!

Mr. ANNEAR said he did not know whether it was the winning way of the hon. member for Warrego, or the great knowledge he possessed, but he had noticed that any proposition coming from him was usually adopted by the Government. It had never been the practice in Queensland to put numbers or initials or anything on the back or any other part of the ballot-paper. As for himself, the ballot had never been any protection to him; he never went into a ballot-box to record his vote; he believed in open voting. The returning officer would be compelled to have a good many presiding officers to assist him, or it would never be possible to carry out such a plan; say, at an election in Brisbane for instance. The hon. member for Warrego told them it had been carried out very well in Victoria, but he thought that Victoria might imitate Queensland in some things and profit by it. He would draw attention to the last general election at Burnett. They had a presiding officer and two scrutineers who did not know their duty. Six or eight electors voted, and all the papers were informal. Not satisfied with writing on the face of them they wrote all over them. Up to the present time the matter had not been debated at all. The suggestion of the hon. member for Warrego had been accepted as a great amendment, but he did not believe in it. The hon. member for Cook said that at the present time many people believed it could be told how they voted; but that would be much more easy if they carried the amendment, and an employer of labour would say to his men that he knew how they voted. There were some presiding officers he would not trust to maintain the secrecy of the ballot. They would say to a man, "I will tell you how So-and-so voted after the election is over." What was to prevent that in places where perhaps only half-a-dozen votes were recorded? He would vote against the amendment, and hoped that the numbering of the ballot-paper in the middle or the corner would never become law in this colony.

Mr. CAMPBELL said there was a good deal to be said in favour of the amendment; it would no doubt to a great extent check personation and double voting; but he was afraid it would affect the secrecy of the ballot too much and enable influential men to intimidate those with weaker minds, and induce them to do as they wished. Furthermore, when they thought of the great number of railway employés and the terror that had been exercised over them at different times, he thought they would be ill-advised to have the ballot-papers numbered. They knew very well that after every election a great number of men lost their places on political grounds, and it did not seem to him advisable to interfere in any way with the ballot-papers.

Mr. FOOTE said he thought a good many hon. members must have been absent when the measure was before the Committee previously. The matter was discussed, and the amendment agreed to; and the Chairman was moved out of the chair in order that the new clauses might be framed. The discussion now seemed very ill-timed. It seemed as if hon. members had no opinion before and had got one since. A great deal seemed to hinge on the secrecy of the ballot. As far as he understood the clause, the only reference to the numbers would be in the case of a closely contested election, when a candidate, knowing that a great deal of personation had gone on, would ask for an examination of the papers. As for the secrecy of the ballot, he had been in the ballot-room, and seen a voter place his paper open in the box, so that it was exposed through the glass sides, and everyone round the table could see how he voted. That was not all. Any electioneerer or canvasser,

or other person actually engaged in elections, could tell for whom the parties voted; and as the candidate also could tell, with very few exceptions, how each vote would go, it did not make much difference. It had been suggested that the proposed system would press very heavily upon Government employés. Even so, that was no reason why they should not accept a good measure when they had the opportunity. It was the opinion of many—himself among the number—and the opinion was fast extending, that Civil servants should not be put upon the electoral lists; and perhaps some day that opinion would bear fruit. As to the proposed amendment, it was no doubt a very excellent one. If they did not want the existing law amended, what was the use of wasting their time over the new Bill? The object of the Bill was to put a stop to corrupt practices at elections. Was not personation a corrupt practice, and was not double voting? And were they afraid to touch those things lest they should hurt somebody's feelings, or let it be known occasionally how some person had voted? He believed the amendment would have a beneficial effect upon the elections, and the Committee would do wrong not to accept it.

Mr. BLACK said the amendment was a very good one indeed, and he should support it. All the arguments hitherto adduced in connection with it had been from the elector's point of view. But surely the candidate had something to say in the matter! He was the individual who suffered by those double and treble votes that were so frequently recorded. Instances had been mentioned in the House where railway trains had run from one polling place to another, and where it was reported—and he believed with some truth—that a certain number of the men recorded their votes at different polling places on the way. That had been greatly to the detriment of the various candidates. In fact, if that sort of thing was permitted and no attempt was made to stop it, no candidate who was returned could safely say that he was really the choice of the electors of the district, especially if the contest had been at all close. Hon. members would remember the circumstances connected with the disputed election for Aubigny, which came before the Elections and Qualifications Committee after the last general election. It was in evidence that a number of the electors for that constituency voted two, three, four, five, and on one occasion even six times, under the same name. The hon. member, Mr. Annear, said they had been getting on very well up to the present time and he saw no reason why the existing state of things should not be allowed to continue. If that was the case they would not want the Bill now under consideration at all. But what was wanted was an improvement on the existing state of affairs, and from that point of view the amendment had a great deal to recommend it, although there might be some slight disadvantage in connection with it. It had been clearly shown by previous speakers that only on very rare occasions would it be necessary to have a scrutiny—in cases, for instance, where there were only two or three votes in favour of one candidate or the other. As to the timidity exhibited by electors, even under the present system he had seen nothing of it. Indeed, it had always appeared to him to be quite the other way, and if any timidity was shown it was on the part of the candidate. The voters were rather in high spirits on those occasions. At any rate, he had never come across any of that nervousness and timidity on the part of voters which would justify the Committee in refusing to accept what he really believed would be a very great improvement in the law appertaining to elections.

Mr. CHUBB said he should certainly support the amendment. The hon. member for Maryborough and others had argued that by it the secrecy of the ballot would be violated, and instanced the case of small polling places where half-a-dozen electors voted, and where it was known how each man had recorded his vote. But if that was the case now in those places the amendment did not make the discovery any easier. The 3rd paragraph of the amendment provided that after the number was put on the ballot-paper the corner of the paper was to be closed down and securely fastened by some adhesive substance. It had been said that if the paper were held up to the light the presiding officer could see the number; but even if he could see the number he could not see the stroke of the pencil which erased the name of the candidate. The ballot-paper would have to be opened before it could be seen for whom the vote was cast. Then after the close of the poll it was the duty of the presiding officer, in the presence of the scrutineers, to seal up the ballot-papers and forward them to the returning officer. Every precaution, it would be seen by clause 80, was taken to preserve the secrecy of the ballot, and not even the returning officer could ascertain by whom any particular vote was given. In Victoria, they were told the other evening, the ballot-papers were numbered in the way proposed. The same was the case in England—that country which was called the home of Liberalism, and where the rights of the people were protected in every possible way. If the system worked well in England and in Victoria, why should it not work well in Queensland? And as they were endeavouring to improve the existing law, he saw no reason why they should not accept the amendment, which was certainly an improvement on the law as it stood.

Mr. ARCHER said it was not often that he sympathised very strongly with the hon. gentleman who led the House—the Premier—but he must say that never since he had the honour of a seat in it had he seen a leader on either side receive such marked discourtesy as that hon. gentleman had that evening from his own following. The hon. member for Maryborough, Mr. Annear, who was not present on the last occasion when the Bill was discussed, had given a history of the proposed new clause which, probably, he would not have given had he known the facts of the case. He stated that it had been brought in at the suggestion of the hon. member for Warrego, and that it had not been discussed. He (Mr. Archer) could assure the hon. member that he was entirely mistaken. The hon. member for Warrego, like other hon. members, mentioned at a previous stage of the Bill——

Mr. DONALDSON: In committee?

Mr. ARCHER: In committee—that it would be desirable to introduce this system, and it was the hon. the leader of the Opposition, Sir T. McIlwraith, who raised the discussion by moving that words to the effect that the number should be written on the back of the ballot-paper be added to the clause. That was done in order to provoke discussion. On that amendment discussion took place, and nearly every voice in the Committee was in favour of it. The hon. member for Townsville was not then present and did not express his opinion upon it; but there was not a single member present on that occasion who did not support the amendment of the leader of the Opposition. The Premier got up and asked hon. members to discuss it especially so as to enable him to see what the temper of the Committee was in relation to it, in order that he might prepare amendments to be brought in at a later stage if a majority of the

Committee approved of it. The question was discussed for some considerable time, and from both sides of the Committee, but more particularly from the Government side, opinions in favour of it were so strongly expressed that the Premier was induced to prepare those amendments. That hon. gentleman again took occasion to have the matter discussed so as to be certain of the temper of the Committee, and now those who were silent previously and gave no expression of their opinions started up in opposition to the clause, after having been asked repeatedly to state their views respecting it. That was very pretty conduct. He expressed his opinion then, and he held that opinion still. The amendments were admirable ones. Hon. gentlemen thought that the secrecy of the ballot would be violated. He did not think it would, but that it would have a tendency to discourage roguery at elections; and in his opinion those who were anxious for the purity of elections, and to discover which candidate the great majority of the electors wished to vote for, would support the amendment. He did not think it would influence a voter if he knew that his number was on the paper, and that if a petition were entered—in the case of the Elections and Qualifications Committee being called together for the purpose of deciding which of two candidates had the right to sit in the House—it would be of great advantage. He did not think that anyone would be deterred from voting on that account. In looking at the Victorian Act he could not see that it was superior to the Bill before them, and he did not think that the hon. member for Balonne had made out a good case.

Mr. MOREHEAD: This was said to be the Victorian Act.

The PREMIER: No; I pointed out that it was different.

Mr. ARCHER said it did not matter. It simply said in that Act that a voter should fold up his paper in such a way that the number could not be seen. Was that more secure than what was proposed here? He did not think it was nearly so secure. A voter would take good care that the corner was securely folded down and that it would not open and display the name of the person he voted for. He believed that no one would be intimidated except a perfect fool. It would prevent rogues from voting at many different places, seeing that their attempts to stuff the box would be more easily discovered. It might, in fact, in the case of a disputed election, bring such proof against the guilty parties as to secure their conviction. If, for example—taking the name that the Premier mentioned before—John Smith voted three times, the real John Smith was quite well known—he lived in a particular part of the electorate, and it was the easiest thing in the world to bring him before the Elections and Qualifications Committee. He could there state for whom he had voted, and he would state that he voted at no other place. At all events, he would fix the place where he had voted, and they would only have to prove that he had voted at one other place to be able to punish him. It simplified the matter of proving that personation or double voting had taken place, and it would simplify the work of bringing dishonest voters to justice. As soon as they had punished two or three people who had broken the law in that way he thought it would put a stop to both double voting and personation. He was very anxious to see the amendments that the Premier had proposed carried, and that was his reason for doing what he very seldom did—namely, speaking twice on the same subject.

The HON. J. M. MACROSSAN said the hon. member for Blackall had no doubt given a correct history of the amendments—at least, so far as he knew. He was not present when they were brought before them first; but still, allowing that the historical narrative which had been given was a correct one, he really did not see what the Premier had to complain of. He was certain that if the hon. member for Mulgrave, who was the first to introduce the question, had been present, he would have given the Premier all the support he possibly could—he was sure of that; so that the only complaint that the Premier had any reason to make was against members on his own side of the Committee. Had not hon. gentlemen on the Government side of the Committee a perfect right to express their opinion that night, if they had not on a former occasion when the amendments were brought forward? From the arguments he had heard from the other side of the Committee he had no doubt that hon. gentlemen were carried away with the idea that the amendments would prevent personation and double voting, and with that idea in their heads they certainly raised no objection. But when they came to see the amendments in print and hear the other side of the question, and hear the Premier himself admit that they would not prevent either of those offences, and when they believed, as he did, that they would have a deterrent effect upon weak-minded voters in the way of intimidation, they began to think whether it was worth while to change their ballot law for the purpose of trying to prove that a certain John Smith voted twice or three times when an election was disputed. He did not think it was right. He thought that if evil would accrue from the marking of ballot-papers—he did not say that that would lead to the violation of the ballot—the change should not be attempted. It would have a deterrent effect upon thousands of voters in different parts of the colony. That was his contention. It would make the secrecy of the ballot no more inviolable than at present; but there were many voters, to his own knowledge, who believed that now the returning or presiding officer could know how they voted, and they were scared very often in giving votes because they frequently voted against the wishes of their employers or their friends, or even their brothers. They naturally wished their votes to be kept secret. They were not all such an independent and high-minded class as the hon. member for Blackall said they were, or else they would not want the ballot at all; but as they did want the ballot they should preserve the secrecy of that ballot as much as possible. The intention of the ballot was to prevent voters from being intimidated, and its efficacy in that direction would be done away with if the amendment were carried. He had as strong an opinion that the amendments would not answer the purpose the hon. member for Blackall thought they would as that gentleman had to the contrary. Had that hon. member listened attentively to what the Premier himself had said he would have found that although that hon. gentleman had introduced the amendments he did not think they would prevent personation, nor would they bring punishment in the event of a disputed election. The papers would be opened and examined, and it would be found that John Smith had voted twice or three times. That would not bring the fictitious John Smith to punishment.

Mr. ARCHER: I did not say it would.

The HON. J. M. MACROSSAN said the hon. gentleman said it would bring the voter to punishment.

Mr. ARCHER said he stated that it would simplify the proof of double voting. If a man

were fixed to say where he did vote, then it could be proved more easily that he voted at one or two other places.

The HON. J. M. MACROSSAN said he understood the hon. gentleman to talk of punishment, but he accepted his explanation. Simply for the sake of three disputed elections in the course of four or five years, they were asked to run the risk of intimidating voters. There were plenty of men on wages who wished to feel sure that there was no possible way of finding out how they voted, and it was better not to adopt the amendment.

Mr. KELLETT said that when the matter was under consideration previously it was the unanimous wish of the Committee that the amendment should be introduced, and he was sorry that a different opinion seemed to prevail now. He thought, against what the hon. member for Townsville said, that the electors of the colony were not so ignorant as to be intimidated on being told there was a number written on the ballot-paper. It might as well be said that they could be intimidated by being told that the initials of the presiding officer were on each paper. If the corner were gummed down, and the number hidden, how could it be found out?

Mr. STEVENSON: Then what is the good of it?

Mr. KELLETT said the hon. member probably had not studied the amendment; and no doubt many Bills were introduced which the hon. member did not study. He would tell the hon. member the good of the amendment. In the case of a disputed election it would be found out how many times a man voted in one day, whether he voted in his own name or not. If the Normanby election were disputed, for instance, the number of votes obtained in that way would be taken away and the man opposed to the hon. member returned in his place. He felt satisfied that those who objected to the amendment did not believe in fair voting at elections, but would like to see double voting and personation practised as they were at the late elections. He hoped to see a different state of things; and the benefit would be not so much that the papers would be overhauled as that when people found out that in case of an election petition it would be clear how many voted against a certain party, they would not go to the trouble and expense of employing people for the purpose of double voting and personating. He was satisfied that the amendment would prevent a great many petitions that might otherwise come before the tribunal for deciding disputed elections, no matter what that tribunal would be; because parties would not waste money beforehand in bribing people and sending them about the country when they knew their so doing would be of no avail. The majority of the electors were quite intelligent enough to know that nobody could see in the dark, and that nothing would be known about the numbers on the ballot-papers after they were gummed down. Nobody need be afraid that the electors of the colony would be so easily intimidated. The amendment would have a beneficial result on all the elections, and he hoped it would be carried.

Mr. GRIMES said he must object to one statement made by the hon. member who had just sat down, which was that those who spoke against the amendment must be in favour of personation and double voting at elections. But that was rather too sweeping an assertion, and quite unfair to those who expressed themselves against the amendment.

Mr. MOREHEAD said the whole of the arguments used by the hon. member for Stanley, and those who held the same opinion, tended to the abolition of the ballot—that was the logical outcome of such arguments. They said the electors of the colony were not to be intimidated, and that they did not care who knew how they voted; but if such were the case the provisions for voting by ballot would not exist in the Statute-book. The hon. member for Blackall said that forty-nine out of fifty did not care who knew how they voted, but if that statement were correct, voting by ballot would have been abolished long since. He thought, however, that twenty-six out of fifty were in favour of voting by ballot, and he believed the existing law on that subject to be perfectly sound. The elector of the colony was a more timid man than was generally supposed. He did not mean to say that he was timid in the way of fear, but he did not wish his liberty of voting by ballot to be infringed. An elector had a right to secrecy, and did not wish that it should be made known how he voted. It was in that respect that he was timid. The hon. member for Burke did not believe that the working man was to be intimidated; but he (Mr. Morehead) knew from his experience of the Fortitude Valley election that the voters in that electorate would not have liked it to be known how they voted. He felt certain that, if the present system was altered in any way by marking the ballot-paper, the working man would be alarmed, and would think the secrecy of the ballot, which he held as one of his liberties as a subject of the Empire, was being weakened. Those were the principal reasons why he objected to the amendment. He had heard it said that it was brought forward in consequence of an agreement between the Premier and the leader of the Opposition, but he denied the right of any compact being entered into by the leaders of the parties which should prohibit him or any other member from voting as he liked, and he intended to vote against the "adhesive" combination of those two hon. gentlemen. With reference to the unanimity of opinion which had been spoken of, how could there be a unanimous opinion on the part of the Committee with regard to the matter when no hon. member could know what would be the outcome of the suggestion until the amendments were put into their hands? He was not cognisant of the amendments, he was not a party to them, and he certainly should not support them.

The PREMIER said that, on the whole, it was rather an amusing incident—the way the thing had happened. It was first mooted on the 12th August by the hon. gentleman who led the Opposition. He suggested that some means should be adopted to identify the ballot-papers in the event of a scrutiny. He (the Premier) opposed it then, not because he thought it would not have the effect claimed for it, but for the reasons urged that afternoon that it might interfere with the secrecy of the ballot. He had urged that until he was almost ashamed to urge it further. The subject was adjourned to give the Committee further time to consider it. After an interval of about a week they went into committee again, the matter was again discussed, and the amendment of the hon. member for Mulgrave was carried without a division. That, as he had pointed out before, did not in the least prevent hon. members reconsidering the matter at the present time. If they thought they had made a mistake they had not only the right to reconsider it, but they were bound to do so, and if they thought it wrong to adopt the clauses they should oppose them. He did not yield his consent to them until he had considered the whole of the arguments for and against them; but all the arguments urged appeared to be on one side, and he was not prepared to put up his own judgment against

that of the whole Committee. Although the arguments for and against the clauses were very evenly balanced, he thought, on the whole, that the arguments in favour of making some such an arrangement as was suggested preponderated. It was desirable to come to some conclusion on the subject. He rose particularly to call attention to the fact that there was really more than one question before the Committee. First of all, there was the question as to whether anything should be done to identify the ballot-papers; secondly, if anything was to be done, whether the way suggested was the best way to do it. The hon. member for Warrego also had raised the question as to whether it would not be desirable to specify which particular corner of the ballot-paper should be turned down, but he thought there were objections to that. If a presiding officer, for instance, did not care to know for whom a man voted he might turn down the left corner of the paper, and if he did want to know how some other man voted he could turn down the right-hand corner of his ballot-paper. So that if they decided to turn down the corner of the ballot-paper they should stick to one corner. He would suggest that some hon. member who was opposed to the clause should move the omission of all the words after the word "pencil" to the end of the first paragraph. That would bring the question to a distinct issue.

Mr. MIDGLEY said that having been present during the preceding debates upon the question before them he could not help sharing the feeling which the hon. member for Blackall had with regard to the position of the Government in the matter. Whatever might be the result of the division upon the question—even though they were defeated upon it—the Government could have no blame attached to them. He found there were certain members on his side of the Committee quite prepared to support the amendments if it could be provided that the paper should be so arranged that perfect secrecy might be secured. He thought that could be easily provided for. One point that he had been specially anxious about was to ascertain, not only that a man voted once or twice, or oftener, but for whom he voted. That was really what they were interested to know in the case of an appeal. At present the amendments would enable them to find out whether a man had voted more than once or whether there had been personation, but it could not be ascertained for whom he voted. That man's double voting or personation might have decided the whole election, as it might have been a very close run, and if the Elections and Qualifications Committee, or whatever tribunal was appointed to decide the matter, could decide for whom the votes were given, it would be easy then for them to decide who was the candidate who should be returned. That was what they wanted to ascertain. As to its being of effect only in cases which would arise once or twice in a few years, that was a matter which ought not to influence their votes at all, because in all such legislation they legislated for those exceptional matters. He believed the amendments would have the effect of preventing personation and double voting—not altogether perhaps, but they would certainly act as a check upon them. A man might be desperate enough to personate a vote more than once, whatever law was in existence, and say, "I will take the risk": but if he knew that, in the event of an election being petitioned against, the effect of his double voting or personating would be checked, he would say, "What is the use of it—what is the use of running the risk when the very thing I am trying to do may be undone?" The reasons urged for the adoption of the amendments — to provide for the purity of elections—were overwhelming, and the Government had done nothing but acted rightly and upon what appeared to be the unanimous wish of the Committee on the earlier proceedings.

Mr. DONALDSON said that on a previous occasion he took the opportunity to explain to the Committee the practice in Victoria in regard to elections. He did not claim that Victoria was any better than any other of the colonies in the matter of laws, but he said that an Act which had stood the test of time as well as the Elections Act of Victoria had done was one well worth while following. In none of the colonies of Australia were elections so keenly contested as they were in Victoria. In no colony had there been such a great conflict between capital and labour as in that colony, and he was perfectly satisfied that the electors there most jealously guarded their rights, and would not put up with anything that would interfere with the full liberty of the ballot-box. If the numbering of the ballot-papers would have the effect of preventing their having full liberty of conscience at the ballot-box, he was sure that an amendment upon the present law in Victoria would have been carried long ago. During a long experience in that colony he had never heard any objection raised to the law in that respect. Elections in Victoria were very keenly contested indeed. During the Berry *régime* in that colony there was a very great conflict between the labouring classes and the capitalists. Three elections took place during that time, and he had never heard that during those elections any number of electors were intimidated from recording their votes as they wished to record them. That fully bore out his idea that when the electors understood the law they need not have any fear whatever that they would be discovered because there were numbers on the ballot-papers. Not only were the ballot-papers used in Victoria for Parliamentary elections, but the same routine was carried out in respect of municipal elections, and the ballot-papers in such cases were numbered also. He had had considerable experience not only in Parliamentary but also in municipal elections in Victoria, and the precautions taken there were not nearly so great as were proposed to be taken here. There was no provision there for the corner being gummed, but it was merely turned down. The elector understood that, having recorded his vote, he had to turn down the corner and conceal the name, but the usual practice was for the elector to hand in the ballot-paper and the returning officer doubled down the corner of the paper. He had never seen the number exposed, though probably it might have been occasionally, but he thought those occasions were very few indeed. If the scrutineers and the poll-clerk did their duty it was a matter of impossibility for a returning officer or presiding officer, as the case might be, to find out how a person voted, even if he took the trouble to open the ballot-papers; and no scrutineer would be doing his duty if he allowed such a proceeding. He thought there was a general desire that they should have purity of elections, and it was in the interest of purity of elections that he had called attention to the necessity of having the number of the voter placed on his ballot-paper. His object was to prevent frauds in elections, and he had only done his duty in the action he had taken. The hon. member for Maryborough had said—he was not certain whether the hon. gentleman was speaking ironically or in earnest —that it appeared that every amendment proposed by him (Mr. Donaldson) was accepted by the Government. The hon. member must have a very short memory. If he would only refer to the debates of last session he would find that a number of amendments proposed by him were not accepted by the Government. On other

occasions it was true that he had moved amendments which had been accepted by the Government, but that only showed that he had been perfectly reasonable in proposing those amendments—at any rate, that was the inference he drew from the circumstance. He was quite satisfied that if the amendment proposed by the Premier were carried it would have a very good effect indeed. Personally he was not particularly anxious about how the question went, because he had no object whatever to serve in the matter. He did not suppose that he should ever be a candidate at an election again, but he thought that in the interest of fair play the amendment should be passed, and he would certainly have great pleasure in supporting it.

Mr. GROOM said the hon. gentleman who had just sat down had omitted to mention one fact which materially affected the question of numbering the ballot-papers. Every elector in Victoria had an electoral right.

Mr. DONALDSON: Certainly not; the ratepayers have not.

Mr. GROOM: At all events the parties likely to be affected by numbering the ballot-papers as proposed in the amendment before the Committee had a voter's right, and that voter's right had to be produced to the returning officer, who stamped it and handed it back to the elector, after which it could not used again. That was one method adopted by the Victorian Parliament for putting down personation. He did not agree with the proposal under consideration, because it would interfere with the secrecy of the ballot and prevent many people from voting. He had been returning officer in several elections, and from his own experience he knew that even now, when the returning officer only put his initials on the ballot-paper, some electors were so intimidated by the proceeding that they actually did not put their papers in the ballot-box. A similar state of affairs might be observed in connection with divisional board elections. In divisional elections he had sometimes seen as many as twenty, thirty, forty, and even sixty informal papers when not more than 200 people were called upon to vote. The ratepayers in those cases had signed the ballot-papers, but owing to the fact that their signatures had to be witnessed they sent the papers back without voting at all; they were afraid that the person who witnessed their signatures would know how they voted. He was of opinion that there should be nothing on the ballot-papers but the names of the candidates and the initials of the returning officer. Whilst he appreciated the motive of the hon. member who suggested the amendment, he was sure that if carried it would interfere with the secrecy of the ballot and would intimidate a large number of electors. It was well known that there were persons who were unscrupulous enough to stand at the door of a polling booth and say to an elector as he was going in, "Now mind how you vote—your number will be placed on the ballot-paper, and it will be found out how you vote." What would be the result of that? Why this: that the voter would feel confident, when he went into the booth and saw the number put on his paper, that by some means or other it would be discovered how he voted and it would be made known to his employer or someone else whom he did not wish to know; and under those circumstances he might give his vote the very opposite way to that which his conscience dictated. He thought the amendment would be very destructive of the secrecy of the ballot and be productive of untold harm to a large number of electors. On that account, if the question went to a division, he should feel it his duty to vote against that amendment. If the new clause was carried it would have the effect, as he had already pointed out, of intimidating timid electors who might not know how to vote. Let them take the case of an illiterate man. There might be a man who went to give his vote, and when he got to the polling booth said to a friend, "I do not know how to record my vote—will you come in with me?" Well, being an ignorant man, who did not know how to read or write, he would be so intimidated by the fact of the number being put on his ballot-paper by the returning officer, who might possibly be his employer, that he would naturally vote according to the wishes of his employer, and not according to his conscience. On the grounds he had stated he should vote against the amendment.

Mr. ANNEAR said that when the Bill was introduced it was not considered necessary to make any provision in the direction indicated by the amendment now before the Committee, and the Bill did not contain any provision of that kind. And now, because, he thought, some hon. members on that side spoke against the amendment, they were considered transgressors, and they were told that they ought not to speak at all, as they had not spoken before. How could they have spoken on the question before when the amendment was only introduced that evening? As he had said at an earlier part of the discussion, that question had never been debated at all. When it was last before the Committee, the only member who spoke on it was the hon. member for Gympie, Mr. Smyth.

Mr. MIDGLEY: Oh! A dozen members spoke on the subject.

Mr. ANNEAR said he referred to the last occasion. It had been stated in the course of the discussion that the disputed elections at the last general election were disputed on the ground of personation. That was not the case. In two out of the three elections, at any rate, that was not the ground on which the petition was based. It was well known that in most places when a man became a candidate for election he had a very smart committee, and that he had the opportunity of appointing a scrutineer; and he maintained that the present law, which was a fac-simile of the law in New South Wales, was quite good enough to check personation or double voting if the scrutineers did their duty. The scrutineers were generally very sharp men to whom most of the voters were personally known, and if an elector went into a booth to record his vote, and the scrutineer objected, the presiding officer was bound to put the questions specified in the statute, and if the man answered those questions wrongfully he was liable to imprisonment. As regarded personation, he felt sure that the amendment before the Committee would not prevent it. If a man went into a booth, and said he was, say, John Smith, and the presiding officer and two scrutineers knew no difference, he would receive his ballot-paper, record his vote, and go out. If, immediately afterwards, another man went in to vote and said he was John Smith, he would be simply told that John Smith had voted already, and that he could not have a ballot-paper. He was very glad to notice that the hon. gentlemen on the opposite side of the Committee were proving to be the friends of a certain class of people in the colony, who thought they were the only enemies they had. He referred to the foreigners resident in the colony. A man might be told, "We will know how you will vote;" and if he was told that was not a fact he would know that was not a fact;

but when a number was put on the paper the circumstances were very different. If an elector was told, "Carl, or John, or Tom, we shall know how you vote," and if those men saw the numbers on the paper, then they would know that their employers would be able to find out how they voted. Now, the hon. member, Mr. Groom, had shed a great deal of light on the subject, for they did not know until that night that every elector in Victoria had to have an elector's right. A man resident in Victoria for six months could vote for the return of a member to Parliament without any other qualification. The hon. member for Bundanba, Mr. Foote, seemed to think that the whole purity of Queensland was centred in one place. Well, he (Mr. Annear) knew of a great many men in the colony who were like the hon. member and who would vote openly, but that was no argument against the present system not being a secret system. At the present time if a man voted according to the law he defied any other man to find out for whom he voted. The hon. member for Warrego referred to Victoria, but the two colonies could not be compared, because the electorates in Victoria were far more populous than in Queensland. There was no reason whatever, as far as he could see, why hon. members who had not spoken previously on the subject should not now express their opinions openly; and he had no hesitation in saying that if the amendment was carried the Premier would see before long that a fatal mistake had been made. He should, therefore, vote against the amendment.

Mr. MOREHEAD said the hon. member for Warrego, in stating what the law was in Victoria, forgot to point out what had been referred to by the Speaker with reference to the existence of the electoral right. The hon. member also forgot to mention that the system in force in Victoria had been in force for twenty years, and the people there had got used to it; but he (Mr. Morehead) would like to know what the electors of that colony would think if such a radical change as the one proposed were to be forced upon them. He thought, and he believed correctly, that the marking of a number on the ballot-paper would have the effect of alarming the electors, but when they came to the gumming down process additional anxiety would be felt. He thought the hon. member (Mr. Groom) had completely exploded the amendment; and he certainly trusted that after the experience that hon. gentleman had given—and his experience was as great, if not greater, than any man in the colony—the Committee would pause before accepting the amendment proposed by the Premier.

Mr. MACFARLANE said that up to the present time he had said scarcely anything on the clause. It was not that he did not feel strongly on the subject of personation, but because having considered the matter seriously it appeared to him that the cure of personation was almost as bad as the disease. Having looked at the subject very closely, he thought that all they wanted was some provision to prevent one person from personating another. The hon. member for Maryborough had said that the present system would not prevent personation. Well, it would not catch the personator, but in his opinion it would most decidedly prevent personation, and in this way: say that John Smith went in and found he had been personated, what would he do? He voted as he intended, and he handed in his vote to the returning officer. If the election was disputed, the Committee of Elections and Qualifications would go over the different voting-papers, find out who the real John Smith was, and reject the personating John Smith. That seemed to him the way in which the clause would act. If he found that he had been personated, it was his duty to vote and hand in his vote to the returning officer; and it was the duty of the Elections and Qualifications Committee, if the election were disputed, to give him the credit for his own vote. He thought it would meet the views of the hon. gentleman who had proposed the amendment, if the envelope system that he had proposed the other night were adopted, that was to say that the paper should be doubled into three—name of the candidate put on the first, the number on the second, and the third portion of the paper doubled over so that nothing could be seen. When he made that suggestion it was approved of by the leader of the Opposition, who took it up immediately, and he certainly thought that system would be very much better than the turning down of a corner of the paper. He approved of the amendment, and should vote for it.

Mr. STEVENSON said he was not present on the former occasion when the subject was discussed, so he could not be said to have joined in the family arrangement which seemed to have been entered into. At any rate, before entering into such an arrangement he would have taken very good care to see the amendments in print. He believed there was a possibility of the secrecy of the ballot being violated by the adoption of the amendment. Of course the chances of finding out how a man voted would be very slight, except in the case of a contested election; but in the event of a protest being entered the case would have to come before the Committee of Elections and Qualifications, who were not sworn to secrecy. Any member of the House could be present during the inquiry, so that it was perfectly possible for the secrecy to be violated. The hon. member for Stanley had twitted him with not reading over Bills. He was quite prepared to admit that he did not study every Bill before he came to the House; he had something better to do. He hoped he would never be driven to be a professional politician, for which, perhaps, the hon. member was preparing. Nevertheless, he was generally in his place in the House, and attended to his duties as well as the hon. member. In the present case he would vote against the amendment, because he considered there was the danger that voters would be intimidated by the system.

Mr. BEATTIE said he was very sorry to hear the hon. member for Stanley accuse those who spoke against the amendment of being desirous to continue the malpractices at elections. They were just as anxious for the purity of elections as the hon. member, and they did not want the ballot-papers tampered with. He did not think the clauses were necessary, because a clause had been introduced by the Premier already which was agreed to without objection, and which would do a great deal more towards securing the purity of elections. The questions prescribed by clause 68, which the returning officer was to put to a man professing to be qualified to vote, would have a great deal more effect on a person intending to personate than anything they could put on the ballot-paper. A man would know that if he gave false answers to those questions it would be a very serious thing. He thought the aspersions of the hon. member for Stanley were quite uncalled for, and he hoped that kind of thing would be discontinued. He would repeat that he thought clause 68 would be much more effectual than the means proposed by the amendment, in preventing personation and double voting; and he hoped the Committee would not consent to any tampering with the ballot-paper.

The HON. J. M. MACROSSAN said that no doubt it would be a good thing to do anything which would prevent personation; but he did not

think the amendments were going to do it. It would be a good thing to make all men virtuous, but they had never been able to frame a law which would do it. The amendments had been under discussion a considerable time, and he thought most hon. members present had engaged in the discussion or were in some way benefited by the arguments which had been brought forward on both sides; and it was surely time to come to a decision. Therefore, with the view to facilitate business, and to decide at once whether they were to adopt the new system of marking the papers, and, if so, to see if any other amendments could be made to render the clause less hurtful than it seemed to him, he would propose, as an amendment, the omission of all the words after "pencil" to the end of the clause. That would leave the law as it stood at present, —that the presiding officer should simply put his initials on the ballot-paper.

Question—That the words proposed to be omitted stand part of the clause—put.

The Committee divided :—

AYES, 24.

Messrs. Griffith, Rutledge, Archer, Dickson, Dutton, Moreton, Chubb, Kellett, Foote, Hamilton, Bailey, Palmer, Wakefield, Norton, Foxton, Buckland, White, Govett, Black, Jordan, Nelson, Midgley, Macfarlane, and Ferguson.

NOES, 18.

Messrs. Morehead, Miles, Groom, Brookes, Macrossan, Stevenson, Isambert, Mellor, Campbell, Beattie, Jessop, Kates, Lissner, Higson, Salkeld, Lalor, Annear, and Grimes.

Question resolved in the affirmative.

The PREMIER said it had occurred to him that there might be a better way of fastening down the corner than that mentioned in the amendment. In the large towns—such as Brisbane, Rockhampton, Townsville, and other places—some of the ordinary stamping presses might be used. It could be done more quickly, and there would be even less danger of the numbers being seen. He therefore moved the omission, in the 3rd paragraph, of the words "some other adhesive substance," with the view of inserting the word "otherwise."

The HON. J. M. MACROSSAN said it sometimes happened that presiding officers ran out of ballot-papers. He had known as many as thirty written out in one polling booth. They were written out on all sorts of scraps of paper, so small in many cases that it would be impossible to fold them over without folding up the names of the candidates as well. Cases of that kind happened often, and he had seen them more than once in his own electorate. In one case in particular he and a fellow-scrutineer had to cut up any kind of paper they could get hold of and fill the cut pieces with the names of the candidates.

The PREMIER said he did not think any scrap of paper used for the purpose would be so small as not to leave a corner available for turning down; even half-an-inch would be enough.

Amendment agreed to; and clause, as amended, put and passed.

The PREMIER said he had another new clause to propose, the 1st paragraph of which was as follows :—

Upon delivery of the ballot-paper to the elector, the presiding officer or poll clerk shall, upon the copy of the electoral roll in use by him, or, in the case of a presiding officer other than the returning officer, upon the certified copy of the roll supplied to him by the returning officer, make a mark against the name of the elector.

That was much the same as the present law, and was the practice, as everybody knew who had been in a polling booth. It was the same provision as was contained in clause 62 of the Bill as printed. The 2nd paragraph of the clause provided :—

The mark so made on the roll shall be *primâ facie* evidence of the identity of the person to whom the ballot-paper is delivered with the elector whose name is so marked on the roll, and of the fact that such elector voted at the election.

That was also part of the present law. The mark against the elector's name would be *primâ facie* evidence only that that person had voted, and, of course, that might be disproved. The next paragraph provided :—

The number marked upon the back of the ballot-paper shall, upon a scrutiny, be conclusive evidence that such ballot-paper was delivered to and used by the person who claimed to vote as the person against whose name such number is set in the electoral roll.

So that if it were proved that the person who claimed and got the ballot-paper was not an elector, the paper could be rejected. He thought the definition was correctly framed to meet the case intended. That was, supposing a person got four ballot-papers and voted at four different polling places, the mark on the roll would be *primâ facie* evidence that he voted there; and it would be conclusive evidence that the ballot-papers bearing that number were used by the person who claimed to vote under that name. Then, if it appeared that one person gave four votes in the same name, and one was genuine, that one would be allowed, and the other three rejected; or if it were discovered that none of the four were genuine, either because the elector was dead or was absent from the place, and could not have voted, all would be disallowed.

The HON. J. M. MACROSSAN: How are you to know the genuine one?

The PREMIER: By evidence.

Mr. BEATTIE said that he understood the Colonial Secretary to say, with reference to the new clause, that, if an individual voted four times at four different polling booths, on examination the vote of the proper individual would be allowed, and the other three rejected. Now, what he wanted to ascertain was whether that would only take place when there was an appeal to the Elections and Qualifications Committee, and an examination of the papers took place? He wished to point out another difficulty. Supposing the returning officer for a district had three or four presiding officers—he, in his official capacity of returning officer, would examine the papers received by the presiding officers, and if he, on examining the electoral rolls which had been ticked off by the presiding officers, found out that No. 421 on the electoral roll had voted four times—on the rolls of his three presiding officers and on his own roll—had he not the power to reject three of them, or had he to return those four votes, when he knew very well that No. 421 had voted on the whole of the lists of the presiding officers and himself? That was a point he wished to raise. The returning officer was responsible for a correct return when he made his official declaration, and he would have to examine the rolls of the presiding officers whom he had appointed to conduct the election in the different parts of the electorate. If, after close examination of their rolls, he found that a particular number—say again 421—had been ticked off in the whole of the divisions of his electorate, what position would he be placed in? Had he the power to reject three of those votes and return the fourth, or had he to return the four as correct votes, although he knew in his own mind that personation had taken place in three out of the four of the divisions of his electorate? He

wanted to know if there were any provision in the Bill which dealt with that matter, because he did not think there was?

The PREMIER said there was another way of meeting the case—by the election tribunal. They could not trust a returning officer to investigate a case of that kind, because it would involve a scrutiny of the ballot-papers. They would have to go through all the ballot papers until they came to the one they wanted, and that would result in making the ballot public with a vengeance. The scrutineers would be able to see every ballot-paper, and the secrecy of the ballot would be gone altogether. But if the matter were referred to the election tribunal they would conduct the business in a different way. They would direct their officer to go through the ballot-papers and select from them the papers bearing those numbers. If that were done by the returning officer in the presence of the scrutineers it would be very different. He did not think it was possible to deal with that point. It was an incident that could not be avoided.

Mr. BLACK said it was a very important matter, and the same thing had occurred to him that occurred to the hon. member for Fortitude Valley. The returning officer received rolls from the different presiding officers. Assuming that he received eight different rolls, he would go over them, and, perhaps, find that 150 votes had been personated. He would be aware of that fact, and also of the fact that the difference between the two candidates was only ten or twenty votes. It was quite evident that the candidate who apparently had the greater number of votes was not the one who ought to be returned. He would refer, to show the extent to which personation had been carried on in the colony, to the well-known Aubigny election. He turned up the evidence just now, and found that there were no less than 156 personated votes, whilst the difference between the two candidates was only 111 votes. He wished now, to know whether it was not the duty of the returning officer, knowing that personation to a very great extent had taken place, to inform the House or to let it be known by some means, without going to the extent of an election petition? Would it be absolutely necessary for a defeated candidate to petition the House? It seemed to him that it would be very easy to insert a clause by which a certain officer could be authorised to examine the papers and report upon them as to what extent personation had gone and in whose favour it had been.

The PREMIER said a matter of that kind could only be ascertained by a scrutiny, and he had given reasons just now why the returning officer could not be trusted to do the work. Parliament did not give absolute power to returning officers, who in such a case would have to open all the ballot-papers to discover which were the improper ones. Of course that could not be done without divulging exactly how every man had voted, so that the result would be that if there was one single instance at an election where a man appeared to have voted twice, or two persons had voted in one name, the whole of the votes at that election would be made public by the returning officer. That was impracticable.

Mr. MOREHEAD: You make it impracticable.

The PREMIER said that that duty could not, therefore, be entrusted to the returning officer, who would have to do the best he could without getting the information. He must take the votes as he found them and report the matter to the election tribunal, which would not take any interest in knowing how each man voted. If they wished to find out which were wrong votes they would direct an officer of the House, if it were the Elections and Qualifications Committee—or an officer of the court, if it were the Supreme Court—to open the ballot-papers and pick out those bearing the numbers of the electors who voted more than once.

Mr. BEATTIE said he would point out that the returning officer, when he got the electoral rolls from the presiding officer, ought to examine all those rolls.

Mr. NORTON: He does not examine the rolls.

Mr. BEATTIE said that then he did not do his duty. He was responsible for the correct return, and he had no right to take the word of the presiding officer at all. He ought to examine the voting-papers. The Bill did not give the presiding officer any such power. If he (Mr. Beattie) were a returning officer he would not take the word of any presiding officer, as he would be held responsible for the correct return of the election. If the returning officer took the bundles of papers from the presiding officer, and did not count the number of votes, he was not doing his duty. The Bill threw the responsibility upon the returning officer, and if the returning officer examined the rolls—the official rolls—that he gave to the presiding officer, and compared them with his own, he would know how many times No. 421 had voted, and if he had voted eight times he could simply make that report. He could not find the man out, but he could see that 421 voted eight times, and that 510 voted six times, and so on. He thought it ought to be done.

Mr. CHUBB said that no doubt the returning officer could do that. At present it was not his duty to do it. The presiding officer, at the conclusion of the ballot, sealed up the rolls and the ballot-papers after counting the number of votes, and on some document attached he wrote the number of votes recorded there and sent them to the returning officer. The returning officer verified the numbers by opening the package and counting the number of votes. He did no more; he did not examine the rolls at all. There was no change proposed to be made by the clause.

Mr. MOREHEAD said he thought the question raised by the hon. member for Fortitude Valley was one that deserved the serious consideration of the Committee. If—taking the case pointed out by the hon. member for Mackay just now—supposing there was a very close election, and it was found on close examination that the whole election turned upon those personations or double votes, that would be a case where there should be an immediate inquiry, and it should not be delayed either by the machinery of an Elections and Qualifications Committee or the Supreme Court. Those votes should be opened, and the question verified by some officer appointed by the House, or by the returning officer. Why should all that intricate machinery be put into motion when it was evident that a fraud had been perpetrated? All those Bills seemed to do was to throw obstructions in the way of the honest representation of the people.

The PREMIER said he pointed out that it was impossible. It could not be done; and what was the use of the returning officer making those investigations, except to gratify his curiosity? At present the scrutineers did it. They had exactly the same means as the returning officer, and they could inform their principals, who could take what steps they thought proper. That was how the law was at present. What advantage would there be if the returning officer found there was something wrong? Would he publish an advertisement to say

there was? Finding out there was something wrong would not enable him to put it right. It would be only imposing an additional duty on the returning officer, and the performance of that duty would take some little time where the polling places were numerous.

Mr. MOREHEAD : Where are they?

The PREMIER said there were twenty-nine in the Cook electorate. Of course it could be done, but it would be merely gratifying the curiosity of the returning officer.

Mr. MOREHEAD said he failed to see that it was merely a question of gratifying curiosity. It would be a seeking after the truth, which he would be compelled to report to the Colonial Secretary, who could then decide what should be done, even if a large number of votes had been duplicated or triplicated in an electorate containing twenty-nine polling places. The matter was one of great importance, and should be provided for in such an extensive measure as that before the Committee.

Mr. ANNEAR said he wished to explain that the hon. member for Warrego had asked him in the early part of the evening to pair with him. He had not noticed, however, that the hon. member had left the Chamber when the last division took place, or he should not have voted. He had taken the earliest opportunity of mentioning the matter, and would ask that his name might be struck off the division list.

The PREMIER : That cannot be done.

Mr. MOREHEAD said he could easily understand the hon. member for Maryborough making a mistake. The adhesive mixture seemed to have such an effect in making hon. members change sides that it was no wonder the hon. member for Warrego was not missed on division by the hon. member for Maryborough.

Clause put and passed.

The PREMIER moved that clause 64 of the Bill be reinserted to follow the last clause passed. He desired to call attention to what was new in the clause—the requirement that the voter should make no mark or writing on the ballot-paper. At present there were some doubts whether a voter might make any mark, though his own opinion was that the voter might write, "I vote for So-and-so," or put anything he liked on the paper. He had known a member sit in that Chamber during a whole Parliament because two or three papers were rejected on account of such marks, and his opinion was that the other candidate was elected, and should have been returned. It was desirable that the matter should be settled one way or the other, and he proposed that it should be settled by saying that the voter should make no other mark on the paper beyond striking out the names of candidates for whom he did not wish to vote. It might be stipulated, if marks were allowed, that an elector who expected something for his vote should mark his paper in a certain way, in order that it might be recognised by the scrutineer when the votes were counted. He called attention to the subject, because he thought it was a change in the existing law.

Clause put and passed.

Mr. CHUBB said he had a new clause to propose which should come in at that place. As the law stood at present, when an elector came to the poll and found he had been personated, he could not record his vote ; but in Victoria there was a provision to the following effect :—

"If at any polling booth any ballot-paper shall have been delivered to any person having tendered his vote, and if any other person shall afterwards tender his vote at such booth as of the same person in whose name such first-mentioned person shall have received such ballot-paper, the returning officer or deputy shall put to the person so secondly tendering the prescribed questions; and also shall require him to sign his name in the book and in the manner aforesaid : and such persons shall and may be dealt with in all respects in like manner as any other person having tendered his vote ; but the ballot-paper of such person shall not be deposited in the ballot-box or allowed by the returning officer or deputy, and shall be set aside by him for separate custody."

The person entitled to vote might give his vote. The vote was put aside ; and subsequently, if necessary, the matter was investigated, and the proper vote allowed, and that of the personator disallowed. He did not know whether the Premier had considered the question.

The PREMIER said he had considered it, but he did not quite see what advantage was to be got from it. There was no advantage to be got from it except in the case of a scrutiny of votes. If an elector, upon going to record his vote, found that someone had been there before him and had taken his birthright, his vote might be counted afterwards upon a scrutiny of the votes being made. There was not very much advantage to be derived from it, but if the hon. gentleman proposed it in a form corresponding with the phraseology of the rest of the Bill he had no serious objection to accepting it. It would be very seldom used, and there was the difficulty that the second man might be a personator as well as the first.

Mr. MOREHEAD said that the clause, as read by the hon. member for Bowen, provided that the man should sign his name, and thus, he thought, dealt with the case of the holder of a voter's right. He wished every man was compelled to sign his name.

Mr. NORTON said it was very hard upon an elector when he went to record his vote to find that someone had been before him and personated him, and he was not permitted to record his vote at all. That was what the clause was introduced to remedy. The Premier said he could not see much advantage to be derived from it, but if he went to record his vote and found he had been personated he would see the advantage of such a clause at once. The advantage was that the elector entitled to vote would under no circumstances be deprived of his vote. The clause might easily be worded so that it would be applicable to the Bill.

Mr. CHUBB said the following was the new clause he proposed to insert :—

If, at any booth or polling place, a ballot-paper has been delivered to any person who has claimed to vote as an elector and afterwards another person claims to vote at such booth or polling place as being the person in whose name such first-mentioned person received the ballot-paper, the presiding officer shall put to the person so claiming to vote the prescribed questions, and such person shall be dealt with in all respects in the same manner as any other person claiming to vote ; but his ballot-paper shall not be deposited in the ballot-box or allowed by the presiding officer, but shall be set aside for separate custody.

That would allow the person really entitled to vote an opportunity of recording his vote, to be subsequently dealt with if necessary.

Mr. BLACK said he would like to know what would ultimately become of the ballot-paper?

The PREMIER said that would have to be provided for in a subsequent amendment. The ballot-paper would be forwarded to the returning officer sealed up separately, and by him sent to the Clerk of of the Legislative Assembly.

Clause put and passed.

The PREMIER moved that the following new clause follow the last new clause :—

An elector may vote for any number of candidates not exceeding the number of members to be elected.

and said it was merely a re-enactment of the first part of clause 66 as printed.

Clause put and passed.

The PREMIER moved the following further amendment to follow the last new clause :—

Every ballot-paper which—

1. Does not bear the initials of the presiding officer, or
2. Does not appear to have the elector's number written upon the back of it by the presiding officer as hereinbefore provided, or has such number torn off, or
3. Contains a greater number of names of candidates not struck out than the number of members to be elected, or
4. Has upon it any mark or writing not by this Act authorised to be put thereon,

shall be rejected at the close of the poll.

Mr. BLACK said he would like to know from the Premier whether any provision was made for the case of an elector accidentally defacing his ballot-paper—say by a small blot, in the event of pen and ink being used to erase the names? Was there any provision for the voter getting another ballot-paper if he proved that the first was accidentally defaced?

The PREMIER said there was no provision in the Bill for such a case, nor had he ever heard of a case of the kind.

Mr. CHUBB said he had known of a case in which an elector had made a mess of his ballot-paper, and it had been destroyed by the returning officer.

Mr. NORTON said he was not quite sure that the 2nd paragraph of the clause was right now. The elector's number would be gummed down.

The PREMIER said the clause referred to the case of where a ballot-paper had no number on the back of it. If it was worded "has no number written on the back," the returning officer might consider it his duty to lift up the corner to see if the number was underneath.

Mr. ARCHER said he had known a case where a ballot-paper had not been defaced, but contained a mark which under the new clause would destroy the vote. A presiding officer, in a case that he knew of, rejected four votes because the pencil with which one of the candidates' names had been rubbed out had penetrated and made a mark on the other side. The pencil was a soft red one, and it was through no fault of the voter that the mark had been made. One of the scrutineers insisted that the vote should be counted, but the other had of course objected, and the returning officer eventually decided to reject the vote.

The PREMIER said they could not provide against the stupidity of the returning officer.

Mr. GROOM said that referring to what had fallen from the hon. member for Mackay, he had known men to receive ballot-papers, and that when they had gone into the room they had discovered that they had struck out the wrong name. They told the returning officer that they had made a mistake and applied for a new ballot-paper, but he had refused to give one. He had seen men make that mistake, and afterwards go away without recording their votes at all; and he thought under those circumstances, where an elector did not intentionally make a mistake, the returning officer should have the power, when he was satisfied of the *bona fides* of the case, to issue a new ballot-paper.

Mr. FOOTE said he had seen the same thing take place, but he had seen a fresh paper given in place of the one that was destroyed, and the old one torn up in the presence of the scrutineers. Whether that was the law or not, he thought it was a simple matter of justice, and no one would attempt to say it was wrong.

Mr. CHUBB said there was no law against that; the Act simply said the returning officer was to give the elector a ballot-paper, and it did not say he should not have another if he destroyed the first. He wished to repeat what he had said before, that he did not think it was fair to disqualify a vote because it had a mark upon it, not made by the elector; and he would therefore propose that in the 4th subsection of the new clause, after the words "mark or writing" the words "made by the elector" be inserted. He had referred before to the case of the Burnett election, where seven votes were declared to be informal because the scrutineers put their initials upon them as well as the presiding officer. That was no fault of the electors. As the clause stood that might happen again and an elector would be deprived of his vote. He therefore moved that the words he had proposed be inserted after the word "writing."

Mr. GRIMES said perhaps it was necessary that something should be inserted in the Bill to provide for cases of that sort, but it would be better to put it in the other way, and say if any marks were on the paper other than the initials of the presiding officer the paper should be counted as informal.

The PREMIER said he could not accept the amendment moved by the hon. member for Bowen, because it was quite inconsistent with a previous clause of the Bill—clause 59—which he thought was a very valuable one indeed. Other elections had taken place on which the same question had arisen as that which arose in the case of the Burnett election, and he remembered that the present Chief Justice was chairman of a Committee of Elections and Qualifications who reported in exactly the same way as the committee who inquired into the Burnett election. It was all nonsense to generalise because hon. members did not like the one particular decision of the committee. In his opinion the decision of the committee was perfectly right, the ballot-papers having material writing upon them not authorised by the Act, and therefore being informal. That was very unfortunate, but so it was unfortunate when a returning officer failed in his duty in any other respect. Any returning officer who failed in his duty might vitiate an election; for instance, by taking a poll in the wrong place. That was very hard on the candidate and on the electors, but it was a difficulty they could not help so long as they had fallible returning officers. If they were to provide that a ballot-paper was not to be vitiated by anything not put on it by the elector, they would open the way to all sorts of irregularities. A scrutineer might identify every ballot-paper before it went in, and the whole object of the system was that the ballot-papers should be incapable of identification. Any mark put on the paper by anybody ought to invalidate it.

Mr. CHUBB said of course he was aware of that objection, but it was very hard on the elector to lose his vote because someone else had made his paper informal. Would the Premier be prepared to accept an amendment later on to provide that any presiding officer, scrutineer, or anyone else making on a ballot-paper any mark not authorised by the Act should be guilty of a misdemeanour?

The PREMIER: I am willing to make it punishable if it is not there already.

Mr. CHUBB said in that case he would withdraw his amendment.

Amendment, by leave, withdrawn; and clause, as amended, put and passed.

Clauses 76 and 77 passed as printed.

Clauses 78 and 79 passed with consequential amendments.

On clause 80, as follows :—

"As soon as possible after the returning officer has received from the presiding officers the sealed parcels so transmitted to him, containing the ballot-papers taken at the polling places at which such presiding officers respectively presided, and the several statements of the numbers of votes so transmitted by them, he shall from his own and such other statements ascertain the gross number of votes for each candidate, and shall also in the presence of his poll-clerk (if any) and of such candidates and scrutineers as may attend, open such sealed parcels, and examine and count the number of votes for each candidate at each polling place; and after having counted the same shall make up in separate parcels the ballot-papers, rolls, books, and papers received from each presiding officer in like manner as hereinbefore required concerning the ballot-papers, rolls, books, and papers kept and used by him at his own polling place, and shall seal up, and also permit to be sealed up by the scrutineers, and shall endorse in like manner as aforesaid, the several parcels, and deal with the same as hereinafter provided.

"The returning officer shall also make out in respect of each polling place a like written statement, signed and countersigned as hereinbefore required, concerning his own polling place.

"No returning officer shall open or examine any sealed packet in the joint absence of any candidate and his scrutineer unless he has given twenty-four hours' previous notice in writing to such candidate, or to his scrutineer, of his intention to open and examine the same."

Mr. MOREHEAD said he trusted the Premier would seriously consider the remarks that had fallen from the hon. member for Fortitude Valley with regard to giving extra power under that clause to returning officers. It might save a great deal of trouble hereafter. If the returning officer had power to analyse the different rolls, find out where there were instances of double voting, and forward the result of his investigations to the House—the report being verified by the Clerk or some other officer of the House appointed for the purpose—the House could take such action as it thought fit, and in some cases refer it to the tribunal appointed to try disputed elections. That would be a very simple way of preventing, or at all events of rectifying, double voting.

The PREMIER said there would be no advantage in having a report from the returning officer, as the scrutineers had exactly the same information. The House could not constitute itself into a court of revision when no complaint had been made. All the information could be got now by the candidates themselves, and if they thought it worth while to move in the matter they could do so. They certainly knew more than any officer of the House, in going through the papers, could tell them.

Mr. MOREHEAD said the scrutineers could only be cognisant of facts which came under their notice at their own particular polling places, whereas the attention of the returning officer could be concentrated upon all the various returns sent in. Take the twenty-nine polling places in the Cook district—what was the course pursued there?

The PREMIER said the scrutineers were present, and they had all the rolls before them.

Mr. MOREHEAD said it was impossible for all the fifty-eight scrutineers of the twenty-nine polling places to be present.

The PREMIER said their rolls were present.

Mr. MOREHEAD said he knew that, but the scrutineers were not present when the returning officer counted the votes. It should be the duty of the returning officer to compare those twenty-nine rolls to see how many votes had been duplicated, as he could find out how many votes had been given in any district in excess of what should have been given, and report the impropriety to the House through one of its officers. In the case of an electorate with twenty-nine polling places, a few double votes might be given here and there which in the aggregate would amount to a large number, and that fact would be brought prominently before the returning officer when all the returns were before him; and on his report that a glaring impropriety had been committed it might be the duty of the House to take steps in the matter.

Mr. GROOM said the clause was intended to apply after the sealed papers had been received by the returning officer, and after he had given notice to the candidate that he intended to have a scrutiny of the votes. Under the present system, as far as his experience of scrutiny had gone—and he had had to do with several elections—it was a downright farce. But under the clause which the Committee had assented to that evening it would assume a very different aspect. Now the returning officer, without putting any candidate to the great expense of petitioning the House, could go through the ballot-papers himself and settle the question quite easily. Under the 3rd subsection of the clause the scrutiny would be a real one, and not, as at present, a mere looking over the numbers of the ballot. The object of the scrutiny was to test the accuracy of the numbers given by the presiding officer. Under the clauses that they had passed that night, providing for numbering the ballot-papers, double voting could be easily detected. It might be different in a case where there were twenty-nine polling places, and he would take an electoral district where there were half-a-dozen. If the election was conducted as elections generally were—horsemen arriving all day with the names and numbers of those who had already voted, thus finding out those who had voted at the different polling places—after the poll was closed the returning officer and the candidates could make a scrutiny and they could tell at once how many double or treble votes had been recorded at any election. It struck him when the hon. member for Fortitude Valley was speaking on the subject that, as the Committee had adopted the system of putting the numbers on the ballot-papers, the scrutiny could be made a real scrutiny. If a candidate believed that he was defeated by means of double voting, the returning officer and himself could decide the matter within twenty-four hours under those clauses, and he (Mr. Groom) did not see why it should not be done. Why should a defeated candidate, who believed that he had been defeated by double voting, be put to trouble and the heavy expense of presenting a petition to that House to ascertain the fact, when it could be proved by the returning officer in twenty-four hours? Of course, without having the numbers on the ballot-papers it would be impossible, as it was in the Aubigny election, to find out how the double voting occurred; but with the numbers it could be found out in a few hours. If there was a scrutiny it should be a real scrutiny, and the returning officer should be appointed to do the work. He could not see what possible harm could result from it.

The PREMIER said the hon. member could not have been present when the absurdity of the proposition was illustrated, and, he thought, demonstrated. If the returning officer was constituted the election tribunal—for that was what the proposition amounted to—he would of course open all the ballot-papers, unfasten all the numbers of the electors, and the result would be that they might as well have voted openly. The candidates, scrutineers, and everybody would know how the electors voted. That was what would occur if the system was reduced to the absurdity advocated by hon. members opposite, and he was not prepared to do that. Even if they did it they would be no nearer the end—not a bit. Suppose, for instance, it was

found that John Smith had voted at four different places, how was the returning officer to find out which vote was genuine? He would have no means of finding it out, unless he sent for John Smith and ascertained from him which polling-place he had voted at. And how long would it take to do that? It would be constituting a court, giving power to take evidence, and, in fact, relegating to the returning officer the functions of the election tribunal, which was entirely out of the question. The returning officer could not be trusted as an election tribunal, which might have to deal with appeals against his return or against his own misconduct. It would be impossible to trust him to hold inquiries of that kind.

Mr. MOREHEAD said he had not suggested what had been stated by the hon. member for Toowoomba. He had never suggested that the voting-papers should be opened, but that the returning officer, with all the voting-papers and rolls before him, would be able to report as to the amount of improper voting that had taken place, and that it should be his duty to report that to the House when forwarding the ballot-papers to the Clerk. By so doing it would probably save a great deal of trouble and expense and wrong-doing which might otherwise pass unnoticed. The duty was one which could be very easily performed, and one which would result in great benefit to the State.

Mr. BLACK said he quite agreed with the hon. member for Balonne on the point under discussion, and also with what he believed was the intention of the hon. member for Toowoomba. He thought that if one thing would stop multiple voting more than another it was the knowledge that it could be found out by the returning officer. He was under the impression that the returning officers were in the habit of comparing the rolls before they made up their returns and sent down their official report to the House, but he found that there was no provision whatever in the Bill for the returning officers to examine the rolls. He noticed that clause 81 said that the returning officer should, as soon as possible after he had examined and counted all the ballot-papers taken at the different polling places, do certain things; but it appeared that the returning officer had no control whatever over the different rolls which he might receive from the presiding officers of the district.

The PREMIER: Of course he has.

Mr. BLACK said there was no power given to him under the Bill to examine the rolls. He appeared to have only power to deal with the ballot-papers; but there was nothing mentioned to the effect that he should examine the rolls to see if there had been multiple voting. He (Mr. Black) certainly thought that that should be part of his duty, and that he should send down a report upon the subject, without analysing the votes, and stating that multiple voting to the extent of 50 or 100 votes, or whatever he believed to be the case, had undoubtedly taken place. If that were done, candidates who were defeated, but who would otherwise have been returned, would be in a position to take action, having received positive assurance that multiple voting had been going on. Without that information they might not be aware that it had been going on.

Mr. FOXTON said he did not see how the candidates would be any wiser after the report had been made by the returning officer than they had been before, provided they had proper scrutineers and that those scrutineers did their duty. At the time of his election there were six polling places, and his scrutineers sent in their rolls to what might be called the central scrutineer, and he compared the rolls and found there had been a very considerable amount of double voting, and it was also known to himself (Mr. Foxton) and others in his confidence before the declaration of the poll.

An HONOURABLE MEMBER: Perhaps that is how you secured your election.

Mr. FOXTON said that it was not; but he should have been prepared to oppose his opponent's election if he had had a majority.

Mr. MOREHEAD said he did not think they had got very much information from the hon. member for Carnarvon. He certainly thought that such a report as he had suggested should be sent to the House by the returning officer, because, although perhaps neither of the contending parties might wish to appeal—perhaps both might wish to keep everything quiet—possibly in the interests of honestly conducted elections some member of the House might wish an inquiry to be made into the manner in which the election had been carried on, and in that case such a report would enable a member who thought that there had been improper conduct to have the matter referred to the proper tribunal.

Mr. BLACK said he wished to know from the Colonial Secretary if there was any power under the Bill to cause the returning officer to examine the rolls that came from the different presiding officers? It appeared that all he had to do was to count the ballot-papers—not a word was said about the rolls.

The PREMIER said the hon. gentleman had surely had some experience of elections and knew how they were carried on. The returning officer could only preside at one place, and he must therefore have deputies to preside at the others. He was not a court of appeal to decide whether people had voted properly at outlying polling places. He had merely to reckon up the votes given, and his deputies were entrusted with certain power—power to give ballot-papers to persons who proved that they were entitled to vote. The returning officer could not reject those papers, and what on earth was the use of examining the rolls when the papers must be accepted? The returning officer could do it to gratify his own curiosity if he liked. Suppose he looked and found there was not one name marked off at all, he would only know that the presiding officer had failed to do his duty in an important particular. There would, of course, be a certain amount of interest in knowing the fact; but the votes could not be rejected, and no useful purpose could be served by it. What they desired to do was to serve some useful purpose. They were legislating seriously, and if the candidates and scrutineers knew the fact what was the use of the returning officer also ascertaining it for himself? The election could not be upset unless somebody objected to it, and the only person who could object to it was already aware of what had taken place. He did not know what the hon. gentleman was driving at, unless he meant that the returning officer was to be an election tribunal and conduct a scrutiny. That would be absurd.

Mr. MOREHEAD said he could not see anything absurd about it. What they were striving to get at was purity in elections, and he was certain that the necessary machinery could be inserted easily in the Bill. A few clauses would compel the presiding officer in each case to see that every vote was marked off as it was recorded at the polling place he presided over.

The PREMIER: That is the law now.

Mr. MOREHEAD said that such a record would not be useless, as had been pointed out by the hon. Colonial Secretary; but it would be

very useful for the House. Any particular member of the House, with that information before him, if he saw that an impropriety had been committed and an injustice done to a constituency, might take action in the matter and inquire into it, irrespective of the other candidate.

The PREMIER : That would be lovely.

Mr. MOREHEAD said it might not suit the hon. gentleman, but it would tend more to the purity of elections and stop multiple voting than anything proposed by the hon. gentleman.

The PREMIER said he was trying to get at what the hon. gentleman did want. A man would be returned to the House, and anybody would be entitled to object, not being in any way interested, except perhaps as a political opponent. He could move the Elections Committee, and put a man he did not like to the expense of defending his seat. Even if a majority of the House were to be able to set the Elections Committee in motion, it would be departing from all the principles which had hitherto been adopted—the principles of fair play.

Mr. MOREHEAD said the hon. gentleman seemed to have forgotten that he was a member of a Government which actually elected a member of Parliament by a majority in the House.

The PREMIER : We gave effect to the votes of the electors.

Mr. MOREHEAD said the hon. gentleman knew that what he was saying was correct. When the hon. gentleman interrupted him he knew he was angry, and he knew he was wrong. The Macalister Administration elected a member of Parliament to the House ; there was no question about that. He repeated that it would be a matter of great importance if they had such a return as he had indicated sent down by the returning officer after an election. It would have a good effect in keeping elections pure, and he was certain that the hon. gentleman was afraid that, unless the Bill was passed before the election for Cook came on, his supporter might possibly lose his seat by those inventions which were rather too common in the bush.

Mr. GROOM said it was nothing unusual for a returning officer to send a report ; but he did not know what good came of it. He dared say it was within the recollection of the Committee that at one of the polling booths during the last general election the deputy returning officer reported that a man had filled up 111 voting-papers himself, and he had refused to fold them up in the ordinary way and put them in the ballot-box. The returning officer, in sending the papers to be kept amongst the records of the House, gave a description of how the deputy returning officer manipulated those votes, and how he, in the proper exercise of his functions, had rejected them. The Colonial Secretary would, no doubt, say that he had no right to object to those votes. But he thought the returning officer was quite justified in doing so. Now they had consented to number the ballot-papers, if a candidate satisfied the returning officer that he had been defeated by multiplying votes, they could be detected in a few hours ; and why should not the returning officer be compelled to report that circumstance ? and when he returned the writ the House could refer him to the Elections and Qualifications Committee. What he contended was that candidates were put to an unnecessary expense in order to defend themselves against malpractices at elections ; and if the Committee could reduce those expenses, and enable persons to secure their seats, they would be doing good. All returning officers should do as was done at the Burke election, when the returning officer there was satisfied, from the way in which the papers were given to him, that they had never been folded. There were six *bonâ fide* votes ; but in his letter to the House he said that as the 111 votes had never been inside the ballot-box he should reject them altogether. Whether he was entitled to do so was a question he would not attempt to determine, but the fact remained that he threw the votes on one side and declared the present sitting member to be duly elected. The suggestion of the hon. member for Fortitude Valley must commend itself to the common sense of every member of the Committee.

Mr. CHUBB said he might point out that in England, though the trial of election petitions was relegated to the court of judges, yet the House on its own motion sometimes determined disputed elections.

The PREMIER said that was so if it came under the notice of the House that a member held a Government contract or was otherwise disqualified, but not in a matter of counting votes. He supposed the hon. member referred to the case of Bradlaugh. He remembered a member of that Assembly getting up and saying he was a Government contractor, the result being that his seat was declared vacant.

Mr. CHUBB said it was remarked by the hon. member for Toowoomba that they could, if they thought fit, make some provision by which the House could determine certain matters affecting elections, and he (Mr. Chubb) instanced the case of England, where the House dealt with matters on its own motion and not on petition.

Mr. MOREHEAD said the Premier had not stated the case fairly. It was a question of the House taking notice of an improper election, which was different from a question of counting votes.

Mr. HAMILTON said there were two lines on which he should like an explanation. It was provided that " no returning officer shall open or examine any sealed packet in the joint absence of any candidate and his scrutineer unless he has given twenty-four hours' previous notice." Every candidate had a scrutineer at each polling place, and he wished to know whether the provision referred to the scrutineer at the particular polling place through which the packet came.

The PREMIER said it was the scrutineer acting at the place where the returning officer presided.

Mr. STEVENSON said the question was one of importance, and it would be a very easy thing for the returning officer to examine the rolls sent in by the presiding officers. In fact, that was the only way in which he could be made responsible for his appointment of his presiding officers, and it might save the country a great deal of expense. As was pointed out by the hon. member for Toowoomba, a presiding officer might make no mark on his roll. In such a case the returning officer should be responsible, and if he were he would be more careful in appointing the presiding officers.

Clause put and passed.

On clause 81, as follows :—

" The returning officer, as soon as possible after he has examined and counted all the ballot-papers taken at the different polling places and ascertained the gross number of votes received for each candidate, shall then at the place of nomination openly declare the general state of the poll so ascertained, and shall at the same time and place declare the name or names of the person or persons elected.

" In the event of the number of votes for any two or more candidates being found to be equal, he shall, if he is then registered as an elector of the electoral district, decide by his casting vote which shall be elected.

" No returning officer shall vote at any election for the electoral district of which he is the returning officer except in the case of an equality of votes."

Mr. MIDGLEY said he thought there was a defect in the clause. If the votes were equal the returning officer was to give his casting vote; but the 2nd paragraph made it possible for that officer not to be an elector in the district, and in that case he could not decide the election by his casting vote. The clause should provide that he must be an elector or he could not give a casting vote.

The PREMIER said the 45th section provided that he must be a registered elector for the electoral district. Nevertheless, it sometimes happened that the Government had been compelled to appoint, for a temporary purpose, a person who was not an elector, because they could not get any other competent person to act. That had happened more than once; but it had not happened yet that a person placed in that position had had to give a casting vote. Certainly if the returning officer was not an elector he had no right to give a casting vote. What would be done in such a case he did not know, but he supposed the returning officer would do as was done in England and make a double return. In such a case each member returned was entitled to sit, but neither was entitled to vote. Such a thing as that had never happened in the colonies.

Mr. HAMILTON asked whether it might not be as well to prevent the returning officer from voting unless his casting vote was necessary?

The PREMIER: That is provided for by the clause.

Mr. FOXTON said that, speaking to the 45th section, it was quite possible that a returning officer might be an elector when appointed, and might have ceased to be an elector by the time the election took place.

Question put and passed.

On clause 82, as follows:—

"The returning officer shall, as soon as practicable after the declaration of the poll at any election, enclose in one packet the several sealed parcels so made up and sealed by him, and shall seal up such packet and endorse the same with a description of the several contents thereof, and the name of the electoral district and the date of polling, and sign such endorsement with his name, and shall forthwith transmit such sealed packet to the Clerk of the Legislative Assembly, who shall safely keep the same for two years after the receipt thereof.

"In case any question shall at any time arise touching the number of votes alleged to have been given at any election, the ballot-papers contained in any such sealed packet shall be received in evidence as proof of such number of votes in any court of justice or by the Committee of Elections and Qualifications of the Legislative Assembly upon production thereof, and of a certificate under the hand of the Clerk of the Assembly that the same were transmitted to him in due course by the returning officer of the electoral district to which the same relate."

The PREMIER said there were a few verbal amendments necessary consequent upon the amendments carried that evening. He proposed the omission of the words "number of" in the 2nd and 4th lines of the 2nd paragraph.

Amendments agreed to.

Mr. CHUBB said the Committee of Elections and Qualifications was referred to in the clause. He understood the Bill had to be recommitted, and if the amendments he intended to introduce upon that subject were carried it would be necessary to reconsider clause 82.

Clause, as amended, put and passed.

Clauses 83 to 85, inclusive, passed as printed.

On clause 86, as follows:—

"All expenses which a returning officer necessarily incurs in and about an election under the provisions of this Act shall be defrayed out of such moneys as shall be appropriated by Parliament for that purpose."

Mr. MIDGLEY said he thought it was a defect in the measure that no provision appeared to be made for anything else than the bare expenses of the returning officer. It seemed to him that the State received services of the greatest importance and of the greatest value, and they made those services a work of personal sacrifice. He did not wonder it was difficult in some remote districts to obtain suitable men to act in that capacity. It was not reasonable to expect men to leave their own duties and undertake the responsibilities of such a position when they were paid barely their expenses.

Mr. JORDAN said he took the view of the hon. member for Fassifern. He could never understand why officers in the Civil Service should be compelled, as it were, to perform the responsible duties of a returning officer at elections. The Government generally fixed upon gentlemen in the Civil Service, and when they were requested to undertake the duties they had scarcely any option in the matter. While he was Registrar-General he had acted as returning officer for Bulimba for eight years. It was true that the returning officer got 10s. per hundred for compiling the roll, and that involved considerable labour, otherwise they were compelled to do the work for nothing.

The PREMIER said he was rather surprised to find economical members making that complaint. Hitherto they had, he thought, succeeded in getting elections conducted properly. In all cases reasonable expenses were paid. There was no difficulty in getting a man to give a day for the election or a portion of a day for casting the votes. It was always considered an office of honour.

Mr. MOREHEAD said he quite agreed with the remarks made by the Premier. If they paid those men something, however, they could punish them in some way for blunders. When they got nothing they might be let off too easily. He quite agreed with the Premier that the position was an honourable one, and was accepted for that reason.

Question put and passed.

The PREMIER said he would ask the hon. member for Bowen whether he was seriously going on with his proposition to abolish the Elections and Qualifications Committee?

Mr. MOREHEAD: Seriously! He is not a jocular man.

The PREMIER said he asked the question because he wished to call the attention of the hon. member to the fact that the proposals dealt with a subject entirely different from the one dealt with in the Bill before them. They referred to a subject which was dealt with in the Act relating to the constitution of the Legislative Assembly, and was entirely distinct from the subjects dealt with in the present Bill. He would not raise any objection of that kind formally, but he wished to call the hon. gentleman's attention to the circumstance. He would also call the attention of the hon. gentleman to the fact that a scheme of that sort, providing for a new election tribunal, was a scheme requiring very serious consideration. It had nothing whatever to do with the Bill, and it ought to be introduced by itself. It was a very difficult subject. When the question was dealt with by the Imperial Parliament, three Bills were brought in. The first Bill introduced was withdrawn and another brought in, but it being found that that would not do, a third Bill was then brought in, and it took nearly the whole of the session to get it through the House. To bring a proposition of that kind into the middle of a Bill dealing with another subject was

exceedingly inconvenient. Another thing to which he would draw attention was that a proposition of that kind was one that ought to be brought forward by the Government—by some person having Ministerial responsibility—and that after very careful consideration. It was not a convenient thing to interfere with a Bill dealing with another matter altogether, and insist upon putting into the middle of that Bill a foreign element. He brought those matters under the notice of the hon. gentleman, because anyone familiar with parliamentary practice and the usual way of getting on with business would see the weight of them, apart from any question as to the desirability of the propositions themselves. He could not, of course, allow the Bill to be taken out of the hands of the Government, as for everything inserted in the Bill the Government must be responsible. If it were considered desirable that that Bill should deal with the subject of the hon. gentleman's amendments, which were really matters affecting the constitution of that House, the subject ought to be introduced by the Government, and if they were not prepared to do so they should lay aside the Bill. He had given the matter very careful consideration, and he could not see his way to bring forward any scheme that he could recommend to the House. He thought that if he took that opportunity of making those preliminary observations before the Committee resumed the consideration of the Bill the hon. gentleman would give them the consideration they deserved. He moved that the Chairman leave the chair, report progress, and ask leave to sit again.

Mr. CHUBB said, in answer to what had fallen from the Premier, that he was very much obliged to the hon. gentleman for calling his attention to the matters mentioned by him, and he could assure him that they had not escaped his consideration. No doubt there was some difficulty in introducing the matter, which, as the hon. gentleman had said, was somewhat foreign to the Bill, but he saw no other way of bringing it forward during the present session. However, he would give the matter further consideration before the Bill came on again. He supposed the hon. gentleman was not anxious to take the Bill to-morrow ?

The PREMIER : Yes ; we will go on with it to-morrow.

Mr. CHUBB : Then I shall have to go on with my amendment.

Question put and passed.

The House resumed; the CHAIRMAN reported progress, and obtained leave to sit again to-morrow.

ADJOURNMENT.

The PREMIER, in moving the adjournment of the House, said that to-morrow the second readings of the two Revenue Bills would be taken first, after which they would proceed with the Elections Bill in committee.

The House adjourned at half-past 10 o'clock.