Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 5 JULY 1892

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LEGISLATIVE ASSEMBLY.

Tuesday, 5 *July*, 1892.

Brands Act of 1872 Amendment Bill: Message from the Governor; assent to Bill.—Formal Motion.—Elections Bill: Resumption of committee.—Messages from the Legislative Council: Indecent Advertisements Bill; first reading; Leprosy Bill; Criminal Law Amendment Bill.—Auditor-General's Report Savings Bank Securities.—Adjournment.

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

BRANDS ACT OF 1872 AMENDMENT BILL.

MESSAGE FROM THE GOVERNOR—ASSENT TO BILL.

The SPEAKER announced that he had received a message from the Governor, intimating that His Excellency had, in the name and on behalf of Her Majesty, assented to this Bill.

FORMAL MOTION.

The following formal motion was agreed to:—

By Mr. POWERS—

1. That the Queensland Trustee, Limited, Bill be referred for the consideration and report of a Select Committee.

2. That such committee have power to send for persons and papers, and leave to sit during any adjournment of the House, and that it consist of the following members—namely, Messrs. Barlow, Foxton, Dalrymple, Palmer, and the mover.

ELECTIONS BILL.

RESUMPTION OF COMMITTEE.

On this Order of the Day being read, the House went into committee for the purpose of further considering the Bill in detail.

Clause 16—"Several polling-booths at the same polling-place"—put and passed.

Mr. BARLOW, in moving the additional clauses of which he had given notice, said that the clauses provided two distinct methods of proceeding. One method was in respect of all double electorates. When the plan was discussed last year it had been found absolutely impracticable to apply the principle of contingent voting to double electorates; and in these clauses the plan had been adopted of taking a second ballot—what was known in the Continental system as the *ballotage*. He was not fond of quoting precedents; he preferred if a matter commended itself to his judgment that they should, as they had done in many other cases, make a precedent for themselves. The scheme of the amendments was that in certain cases a second ballot should be held, and that it should be taken in exactly the same manner as the first ballot. The 1st clause of the amendments met the difficulty which faced them on the last occasion when that subject was under discussion, by defining an absolute majority of votes to mean a number of votes greater than one-half of the number of all the electors who voted—not the number of voters on the roll, but the number who voted at the election, exclusive of those whose ballot-papers were rejected, which was an obvious necessity. The casting vote of the returning officer, when given, would be included in reckoning an absolute majority of votes. An absolute majority of votes in a double election was just the same in principle as it was in a single election. If 1,000 persons were entitled to choose two members, and 501 said, "We wish to have a particular man as one of our representatives," that was clearly the act of the majority of the whole of those electors, and no considerations of cross-voting could get away from that fact. The conditions of taking the second poll were these: When in a double election there were not more than four candidates the election would be then and there decided as it was now, by the two candidates having the larger number of votes being elected; but if there were more than four candidates, then the candidate or the two candidates who had received an absolute majority of votes—501 out of the 1,000 who had voted—would be declared elected. Supposing neither of them succeeded in getting an absolute majority of votes then a second poll, exactly identical with the first, would be taken, except that it would be confined to the two candidates, or the four candidates, who at the first ballot received the largest number of votes, and as the result of that polling, whatever it might be, the majority, whether it was an absolute majority or not, would rule. The amendments also provided that in certain electorates, to be subsequently indicated, the principle of contingent voting should be employed. He had been obliged in drafting the amendments to consult what he thought would be the support he should get from hon. members, and endeavour as far as possible to obviate difficulties which presented themselves on the previous occasion. His own idea was that every single electorate should adopt the principle of contingent voting. There could be no objection raised to the use of the second vote. The object, as he understood the policy of the electoral laws, was to give every constituency, whether it was large or small, an opportunity of being represented in the House. It was a most important matter that the minority of a constituency should not by contrivance or chance override the will of the majority. The system of throwing away votes on useless candidates, who knew that they had no chance of success when they went to the poll, led to the conclusion that a minority of the electors returned a member. The question then arose, where did those superfluous candidates come from? There was no possibility by law of restricting the candidature to a certain number of persons, and the result was that two forms of breaking up the majority took place. Sometimes a number of persons desirous of notoriety, who knew that they had not the smallest chance of election, who were not adopted by any of the political parties, put themselves forward for advertising purposes. That was done in the southern colonies, perhaps, to a greater extent than in Queensland. Another way in which the majority was broken up was by deliberate design, where a candidate was started for the purpose of destroying the majority which would otherwise hold sway. The amendments were not intended to keep out of the House any body of politicians who had a majority, nor would they have that effect. They could not work unjustly against any particular political party, because if a political party had a majority and they held together sufficiently they could return one or two members, and they could do that without any further trouble than by giving candidates an absolute majority of votes. Taking it for granted that the Committee had thoroughly understood the distinction he had drawn between single and double electorates, he might say that the manner of voting in contingent electorates was somewhat modified from what was proposed last year. The scheme which was approved by the Chief Secretary last year provided that in single electorates voters should erase all the names from the first ballot paper except the name of the candidate for whom they intended to vote. In that respect there was no difference whatever from the present system, nor was there any difference in the amendments now submitted to the Committee. The voter was required to scratch out all the names but one, and he would then proceed to indicate his order of preference for those scratched out names by putting the figures 2, 3, 4, and so on, as far as he might choose to go, against those names. If he consulted his own views he should say that in an electorate where there were only four candidates, A, B, C, and D, the contingent votes for D should be counted to C, and then the united votes should be counted as between A and B; but he found that that scheme would not meet with the approbation of the Committee. Therefore the scheme of the amendments was that in a particular electorate, unless an absolute majority of votes was scored at the first poll, the allocation of the votes should only be between the candidate at the head of the poll and the one next below him. What they had to aim at was that in future elections, so far as possible, votes should not be wasted, and that at the outset of an election the political forces should be concentrated upon those candidates who appeared to have the best chance. It did not shut out any candidate from using his contingent votes, but simply provided in the case of the four candidates, A, B, C, and D, that C had no show in the contingent votes. They passed him by, and were concentrated upon the first two men.

Mr. DRAKE: What is done with the contingent votes for C?

Mr. BARLOW said the contingent votes passed C over. That was the scheme; the Committee could modify it if they thought fit. He would now confine himself to answering objections which no doubt would be raised. It would be better perhaps if he went through the proposed amendments seriatim. The 1st defined what "an absolute majority of votes" meant. The 2nd provided that unless under certain circumstances no candidate should be elected unless he received an absolute majority of votes. Then there was a provision for a second poll in the case of single electorates; and then in the case of double electorates. Let him remark here that the Committee could provide that every single

electorate should be included in the schedule, so that no double poll could take place in the case of single electorates. The better way, perhaps, would be to decide upon the acceptance or rejection of the principle first, and then deal with the electorates to be put on the schedule. The 6th amendment provided for the date of taking the poll; the next for the casting vote of the returning officer; and the next was purely formal. The 9th was an important amendment, introduced from the South Australian Act. That Act provided that after the nomination of candidates for the Legislative Assembly or Elective Council, no candidate should hold any political meetings. The object of that drastic provision was to prevent unnecessary excitement and expense. Under the South Australian system after the nomination the practice of addressing the electors would cease until the verdict was recorded at the poll.

Mr. HYNE: By themselves or by agents.

Mr. BARLOW said they could not prevent agents addressing the electors, but he imagined that an election meeting without an address from the candidate would be something like a glass of grog with the whisky left out. He did not go so far as that in his amendments; the only restriction he laid upon the candidates was that between the two polls they should not hold political meetings. They could not say that the electors should not hold political meetings if they chose, but they could say that if a candidate addressed those meetings he would be guilty of an illegal practice involving serious penalties under the Elections Act. The 12th amendment was simply a copy of the provision for placing contingent figures on the voting papers, and the next was a formal provision in connection with the counting of those figures. The last amendment was simply a legal provision that all the provisions of the principal Act should apply to the second poll under the proposed scheme. Hon. members might have seen that the *Courier* that morning had done him the honour to publish a notice to voters, which he had drafted, and which he proposed to submit to the Committee. Hon. members would bear in mind that it referred only to single electorates. The *Telegraph* had an article on the subject, which he would presently answer, and in which, unfortunately, the notice was included as a portion of the Bill applying to double electorates. It simply applied to single electorates, and could be issued by the returning officer or any other authority, or by a candidate or his agent. As it was explanatory of the system, and was written in the most simple language, he would read it to the Committee. The notice said—

"You will vote at this election as you have always done before by striking out all the names you do NOT wish to vote for.

"But the man you voted for may not get in.

"So when you have struck out the names think who you would like to be member second best. Put a figure 2 against that man's name although you have struck his name out.

"Then think who is third best man and *put 3 against his name, and 4 against the fourth best, and so on.

"You need not put any figures against any names at all if you do not like, or you may put them against just as many names or as few names as you like, but begin with 2 and do not put any figure twice over—not two 2's or two 3's, and so on If you make a mistake with the figures it will *not* spoil your vote. Do not lightly promise anyone that you will put figures against any names or that you will not put any figures at all.

"One of your figures may turn the election. *Remember this*,

"Make plain figures, and put them on a line with the names; either side of the names will do.

"A. B., Returning officer.

"* This of course will be varied in the instructions according to the number of the candidates."

There was a very able article in the *Telegraph* that afternoon, but it contained some little misapprehension which might enter into the minds of hon. members. The writer said—

"Suppose the constituency of A to return a member on 101 votes, the opposing candidate at the election scoring 100. Then take the constituency of B, which returned a member on 501 votes, the opposing candidate scoring 500. Then take the constituency of C, which returned a member on 1,001 votes, the opposing candidate scoring 1,000. In each case we have an absolute majority, and the sum of the numbers shows a majority for the members returned. But it will be seen that whilst the electorate of A got in its man on 101 votes, 500 of the electors in B lost their man; and that in the electorate of C a candidate failed though he secured 1,000 votes; whilst therefore A has a member who represents 101 voters, there are 1,000 persons in the electorate of C who are not represented at all."

That was an obvious effect of the unequal electorates—of a vote having greater power in the electorate of Balonne than in the electorate of North Brisbane. The majorities were just the same in each case. The misconception arose from this: That if they were to have unequal electorates, then in an electorate of 2,000 electors the majority would be one thing; in an electorate of 1,000 voters the majority would be another thing, and in an electorate of 500 voters it would be something else. Therefore, he thought that was an argument which in no way vitiated the scheme. The obvious way to deal with the question was just as the writer said—to divide the colony into equal electorates, but not necessarily of equal area or equal population; having divided it into single electorates, then to apply the scheme of the alternative vote. That would work well, but it was not easy to do so. It was not easy to divide the electorate of Charters Towers or of Ipswich. In Victoria the great city of Ballarat was divided into two electorates; so was Sandhurst. But in this colony, where the towns were comparatively small, it would not be easy, and therefore they were obliged to adopt the system which gave the second ballot to the double electorates, and confine the alternative voting to the single ones. What was said in the *Telegraph* was perfectly true, that the scheme could be vastly improved by the division of the colony into single electorates. Whether that was practicable or not he could not say. He was acting in that matter without any view to his own advantage, because the ballotage would give himself and his colleague a second contest, and put them to additional trouble and expense; but he was so satisfied of the justice of the scheme that he was prepared to waive that in order to carry it into effect. There was one electorate in the colony that would require to be dealt with; he referred to the electorate of Burke. It stood by itself; returning two members, but it was really and truly a country electorate, and making it into a double electorate might not have been a very wise proceeding. It was easy to divide it into two electorates, which might be called Croydon and Etheridge. They had the material for doing so, because the electoral roll was already divided into two electoral divisions, Etheridge and Croydon. Therefore the only necessity would be to introduce a short Bill for the purpose of creating two single electorates there. It was a perfectly anomalous electorate, because it was a country electorate returning two members. He need not say any more. He should be glad to answer any objections which he could answer, or to afford any further explanation. He would not take up any further time explaining the scheme, because

it would have explained itself to hon. members who had attentively read the paper. He begged to move that the following new clause be added:—

In the succeeding sections of this Act the term "absolute majority of votes" means a number of votes greater than one-half of the number of all the electors who vote at an election, exclusive of electors whose ballot-papers are rejected, but the casting vote of the returning officer, when given, shall be included in reckoning an absolute majority of votes.

The CHIEF SECRETARY (Hon. Sir S. W. Griffith) said the question raised by the hon. member under the heading "Provisions for securing absolute majority of votes," was considered by the House last year. The Government then proposed to adopt what was a part of every democratic Constitution in the world except that of England and its off-shoots. That was what was termed the second ballot—to secure that a minority of electors should not be able to get representatives into Parliament by managing to divide up their opponents. When the principle was proposed last year it was strongly opposed by the ultra-radical party, for some reason which he had not been able to understand. It was, however, also pointed out by one hon. member that however admirable in theory it might be, yet in some of the larger electoral districts it would be impossible to put it into operation. That argument was unanswerable, and the Government were unable to proceed with the proposition. He was not sure that that was the wisest thing to have done; for, if the principle was good, but was not of universal application, the wisest thing to do was to give it as large an application as it was capable of, and he was sorry that that did not occur to the Government last year. He intended to support the proposition of the hon. member for a second ballot so far as it was practicable. It must be admitted that it would be impracticable in large country districts, but that was no reason why it should not be applied in all constituencies with small areas. There was no reason why the system of second ballot should not be adopted in the large towns and the suburban electorates. In the case of Carpentaria, or the Western or most Northern constituencies, excepting the towns, no doubt the expense of a second ballot would be too great, and the means of communication would be insufficient to allow the electors to have an opportunity of knowing that there was going to be a second ballot. But dealing with towns like Brisbane, Ipswich, Maryborough, Rockhampton, Townsville, the suburbs of Brisbane, and the suburbs of some other places, there was no reason why the second ballot should not be carried out with great ease if it was desirable so to do. All they need decide upon now was whether a second ballot was desirable. He did not know any sound reason that could be urged against it, unless—and that was not a sound reason—that, by not having a second ballot, they allowed the element of chance to interfere with the elections. But the object of an election should be to secure the real opinion of the electors of the constituency. It was pointed out in the course of the debate last year that there was no second ballot in England, and the answer given to that was that the necessity for it had never arisen there. One hon. member looked up the votes given at two preceding general elections, and in one or two instances only was it found that a member had been returned without an absolute majority of the votes polled. They had never had in Australia the same party organisation that prevailed in England, and there was nothing to prevent any number of persons running on the off chance of getting in. Sometimes men were put up by their opponents to run, in order to divide votes; sometimes they allowed themselves to be led away by their vanity, thinking they would get a great deal of support which they did not get, and so on. He would take the case of a single electorate like Toowong or Enoggera. Very likely there might be five or six candidates for each of those electorates—there were a great many at the last election, and probably would be again. Supposing a second ballot were taken between the two candidates with the greater number of votes, one of them would get a majority then at any rate, and the one returned would really represent a majority of his constituents. That seemed the only certain way of securing it, and therefore he was prepared to accept the amendment as a preliminary to the second ballot.

Mr. O'SULLIVAN: But the man who headed the first ballot might not get in.

The CHIEF SECRETARY said it was quite possible that the man who headed the first ballot might not have a majority of the votes polled. A good many members of the present Parliament who were returned at the top of the poll did not obtain a majority of the votes polled. The difficulty was to apply the system to electorates returning two members, and it could not be applied in its entirety to those electorates without the abolition of plumping. If there were four candidates, and everybody plumped, some of them would not get more than one-fourth of the votes; it would be almost impossible to get an absolute majority. It was a question whether it would not be desirable to abolish plumping. The subject was one which had been frequently discussed here, but nothing had ever been done with regard to it, excepting once with respect to municipal elections. Where the second ballot was not practicable the proper thing to do was not to adopt it; where it was practicable the proper thing to do was to adopt it; and so far as those districts were concerned, the adoption of the second ballot would be a very great improvement on the present electoral system.

Mr. BLACK said it appeared to him that a totally new principle was sought to be introduced into the Elections Bill. He had always understood that the Government, in opposing amendments that had been brought forward previously, said that the intention of the Bill was to secure all those electors who were qualified under the present system. They certainly refused to allow anything to be introduced which departed to any great extent from the principles of the Elections Act. It was difficult to see at first glance how the proposal was going to work. It was a wide departure from the present system, and if the Government intended to adopt it they should bring in a new Elections Bill altogether, and alter the various electorates in the way necessary to give effect to the scheme, with one man one vote, woman suffrage, and all the rest of it. They had got nearly to the end of the Bill introduced by the Government, and now they were having some totally new conditions sprung upon the Committee. Before giving his consent to the proposal he should like to know how it would affect his own electorate. No doubt some of the members of very populous constituencies were rather afraid of the Elections Act as it stood at the present time. They might think that the majority they were likely to get under the new system would fail them. With the knowledge that the principle was new, it was hardly fair to ask them to seriously consider it, unless they knew the actual constituencies to which it would be applied. He was not prepared to say that the scheme had not some good points; but he knew that the Government had abandoned it last year, and they had not thought fit to embody it in the Bill. The colony would have to be divided into two

systems of electorates, and hon. members certainly ought to know what particular electorates were going to be affected. In those electorates where there was to be a second ballot taken the expense would be increased very considerably. In his own electorate many of the electors had to spend a couple of days in attending the poll, then they had to go home again; and it would not be easy to get them to come to the poll a second time. He gave the hon. member for Ipswich every credit, especially for the lucid way in which he had explained the matter, but taking into consideration the very great importance of the proposed change, they should take time before they hastily introduced a scheme the result of which he was not able at first glance thoroughly to realise.

The CHIEF SECRETARY said that the hon. gentleman had stated that the Government refused to accept any amendments unless they dealt with the same subject as the Bill at first introduced. The Government had declined to accept amendments altering the nature of the franchise, the object of the Bill throughout being to amend the Elections Act so as to secure that the Parliament of the colony should contain the true representation of the real *bonâ fide* electors of the colony. It did not appear to him that the scheme of the amendments was foreign to the object of the Bill, although they dealt with another phase of the subject. But even if they were foreign, it was clearly within their right to accept them, because it was not sufficient reason for refusing to entertain any good amendment that the Government had not brought it in in the first instance. It was true that the Government had not proceeded with the proposal last year, for the reasons pointed out—that in the country districts it could not possibly work; but the proposal of the hon. member for Ipswich was so sensible that he did not see any reason to object to it. Surely hon. members could not say that the system of a second ballot was a new one. It had been discussed last year.

Mr. BLACK: It is new in practice.

The CHIEF SECRETARY said it was not new in theory. They were supposed to know something about the institutions of other countries, and that was an institution in nearly all other countries where Parliaments existed, besides England and her colonies. That was the only way to secure the true representation of the people. They had to consider whether elections should continue to be determined, as at present, in a purely casual manner by the return of a candidate supported by an accidental majority. He hoped the Committee would seriously consider the amendments. If they were adopted it would make a great difference in the complexion of the new Parliament, and the new Parliament would really represent the opinion of the people of the colony.

Mr. STEVENSON said that he had no objection to the amendments; but at the same time he had understood when the second reading was carried that the Bill was simply for the purpose of preventing fraud in carrying out elections under the present system. When the amendment of the hon. member for Burrum was being discussed, it had been argued that it would introduce something altogether new, and the present was an inopportune time for attempting to introduce the scheme proposed. They would require to know in what electorates it was proposed to carry out the system, and which were to be left alone. Who was to decide that?

The CHIEF SECRETARY: The House, of course.

Mr. STEVENSON said that in that case it should be decided before they went any further, and a schedule should be introduced showing in which electorates it would apply.

Mr. HAMILTON said that the hon. member for Mackay had objected that the amendments were a radical departure from the old system, but it did not matter whether that was so or not. It was for them to decide whether this departure would be a good thing, and if it commended itself to them then they should accept it. The hon. member had also urged that it should not have been introduced by a private member; but if it were a good amendment it did not matter who introduced it. Another objection was that the scheme would divide the elections into two distinct systems; but the hon. member for Ipswich proposed to confine the first amendments to double electorates, and the remainder to single electorates. They all knew which were the double and which the single electorates; anyone could write them down in two minutes. As to the increased expense of the second ballot it would be very small; and if by means of that little additional expense they arrived at the opinion of the majority, it was a desirable thing to go to that extra expense. However, the increase would be very little. The advertising of addresses and the holding of meetings were what caused the expense; but the hon. member for Ipswich proposed that no meetings should be held between the two ballots. In some electorates voters might be put to some expense by having to come from considerable distances, but that could be obviated by increasing the number of polling-places. Another objection was that they should take time to consider the question; but there was no haste whatever, as the question had been under consideration for several days in the previous session. He hoped that the amendments would be carried.

Mr. BARLOW said that he was prepared to lay on the table a schedule of the single electorates, and then the Committee could move exceptions. He hoped the Committee would not think it presumption if he framed a schedule of electorates in which the figure ballot for contingent votes should take place, and leave it for them to make insertions or omissions as they thought fit. He had not wished to obtrude his particular views by attempting to frame a schedule in the first instance.

Mr. DRAKE said that he understood it to be the desire of the hon. member for Ipswich that the discussion should take the form of a second-reading debate; but it would be exceedingly convenient to discuss the matter in that way, because the amendments proposed two entirely different systems. On the question of election by an absolute majority of votes, there could be little difference of opinion. With regard to the question whether the hon. member was right or not in introducing amendments of that nature into the Bill, that need not trouble the Committee. It would be remembered that when the hon. member for Burrum proposed to disfranchise certain voters in respect of property, it was strongly urged that he had no right to move that amendment, because it did not come within the scope of the Bill. But when the hon. member for Balonne, with some others, wanted to disfranchise the illiterates, there was not a word said about the amendment not coming within the scope of the Bill, and at one time it seemed as though it were going to be carried, the Government sitting down quietly and allowing it to go. They might, therefore, just as well discuss the amendments now proposed on their merits, apart altogether from the consideration whether it came within the scope of the Bill. It appeared to him that before hon.

members were asked to vote for any of the amendments they should know whether either one system or the other was to be applied to all the electorates, and if not to which electorates was either one system or the other to be applied; otherwise they could not give an intelligent vote on the amendments. If the system of contingent voting could be properly carried out, a great deal would be effected by it; and the disadvantages connected with it were small in comparison with the advantage of securing an absolute majority of votes for the successful candidate, but the difficulty in the matter was the complicated nature of the voting. It would be some time before many of the electors would be able to understand the new system of voting, and as a consequence their intentions might be frustrated. He did not quite understand the hon. member for Ipswich in regard to the illustration he had used in respect of the four supposed candidates A, B, C, D. The hon. member stated that the contingent votes given to D would pass over C and be given to B. What then would become of C's contingent votes?

Mr. BARLOW: They would be divided between A and B.

Mr. DRAKE said in that case C would have no chance whatever; whereas under the system previously proposed it was understood that D's votes would be distributed, and by that distribution C might be forced up, catch up in the straight, and come in first. He should like the hon. member to explain that matter. What had C done since last year?

Mr. BARLOW said, of course, anything of that sort must be purely artificial. The chances were that at an election there would be two pronounced political parties. They would divide their forces, and the two men at the top of the poll would represent their voting strength in that constituency. He quite agreed with the hon. member, and had mentioned in moving the clause that if it was the desire of the Committee it could be altered so that C should not be passed over in the second counting of the votes.

Mr. DRAKE said he did not see any reason why every candidate should not get his fair chance in the second or third count. He could quite understand that if the system of a second ballot were adopted it would cause increased expense and inconvenience. He could see no merit whatever in the second ballot; he could see nothing but disadvantages in it as compared with the other system. If they got over the initial difficulty of instructing electors how to vote, then there was the probable expense and trouble to be considered. One pronounced disadvantage of the second ballot was the increased expense it would entail. The hon. member for Ipswich had foreseen that difficulty, and endeavoured to meet it by providing that "when a second poll is to be taken, if a candidate, after the second poll has been announced, convenes or attends a meeting of electors, either within or beyond the electoral district, he shall be guilty of an illegal practice." But that would not reduce the expense. It would very much handicap the poor candidate, because he had only one means of reaching the electors, and that was by appealing to them in mass, while the wealthy man could have a committee consisting of half the electors, and every elector whom he could not reach directly he could reach by one of his friends. By that means he could, during the interval between the two polls, reach every elector.

Mr. BARLOW: He will do that before the first ballot.

Mr. DRAKE said he would go on doing it during the intervening period. The wealthy man would therefore be able to bring influences to bear upon the electors between one poll and another much better than the poor man. There was nothing whatever, as the hon. member for Ipswich had himself admitted, to prevent the prominent supporters of a candidate from holding meetings all over the electorate.

Mr. HAMILTON: That applies to both sides.

Mr. DRAKE said he could not see then where there would be any reduction in the expense by the adoption of that provision. He was inclined to think that there would be more expense in canvassing and other ways between the two polls than there would be before the first poll, especially in country districts, where people came into the towns from long distances on the polling-day. If they were going to have another poll within a week or eight days, the bushmen who came into the towns to record their votes, and perhaps enjoy themselves a little bit, would very likely wait in town for the second poll. So that a ballot instead of lasting a day would last a week. There was another objection to the scheme which, strange to say, the Chief Secretary classed as amongst its advantages. The hon. gentleman said that at the present time, and no doubt he had a recent election in his mind at the time, parties split their votes. One party might run two candidates, and by splitting their votes allow the third man to get in. That was often done deliberately, in order to draw votes away from an opponent. If that second ballot were introduced, would it not be a direct encouragement to people to keep on doing the same thing? If a political party at the present time split their votes they knew they ran a risk of losing the election; but if the hon. member's proposal was adopted they could try the effect of splitting their votes first, and if it did not succeed they could, at the second ballot, unite their votes in favour of one of their candidates.

Mr. BARLOW: Why should they not?

Mr. DRAKE said he was only pointing out that instead of preventing the practice of splitting votes, the hon. member's proposal would only encourage it, because it would remove the present risk of losing an election.

The COLONIAL SECRETARY (Hon. H. Tozer): They will do it anyhow.

Mr. DRAKE said they would not have a second ballot anyhow unless the proposed scheme was passed. The hon. member's proposal provided that a party could split their votes first of all, and, if they got no advantage by that, they could fight it over again at a second ballot, as the probability was that in a case of three candidates for one seat neither would secure an absolute majority at the first poll.

Mr. BARLOW: Why should they split their votes when they could gain an absolute majority of votes at the first poll? They would be strange electioneering agents who would advise that.

Mr. DRAKE said they had been talking of elections where the first vote had been split.

An HONOURABLE MEMBER: Where?

Mr. DRAKE said there was no doubt the Chief Secretary had referred to Bundaberg, as well as to the constituencies of Toowong and Enoggera; but it all came to the same thing, and where there was a great desire on the part of a political party to keep out a particular man, that proposal would enable them to have two chances to do it. So that, so far from preventing the splitting of votes, the proposal would encourage it. The principle of the contingent votes was a good one if they could get

over the difficulty of recording them, but the second ballot would lead to enormous additional expense without any good result.

Mr. PALMER said it was admitted that the principle contained in the amendments would only apply to a few electorates in the colony, and that was one of the reasons for the rejection of the Chief Secretary's scheme last year. Let them know to what electorates the principle could be applied, and then they would see whether it was worth while to waste time in considering it. As to the question of contingent votes, they knew well that under the present system, where an elector was required only to scratch out the names of the candidates for whom he did not desire to vote, the most extraordinary mistakes were made even by intelligent voters, and if they were asked to put numbers to each of the names on a voting paper he did not know where it would lead them. It had often been said that the simpler they made their election proceedings and the mode of voting, the more likely they were to secure a true test of the feelings of the people. He would like in the first place to know to what electorates in the colony the principle proposed would apply.

The CHIEF SECRETARY said he had a list in his hands of the electorates in which the principle could not be applied. Those electorates were—Albert, Aubigny, Balonne, Barcoo, Bowen, Bulloo, Burke, Burnett, Burrum, Cambooya, Carnarvon, Carpentaria, Clermont, Cook, Cunningham, Dalby, Fassifern, Flinders, Gregory, Herbert, Kennedy, Leichhardt, Lockyer, Maranoa, Mitchell, Moreton, Murilla, Normanby, Port Curtis, Stanley, Warrego, Wide Bay, and Woothakata.

Mr. DRAKE: Would it not be shorter to give the other list?

The CHIEF SECRETARY said those were electorates to which it certainly would not apply, and there were others to which it was doubtful if it would apply—Cairns, Mackay, Oxley, Rosewood, Musgrave, and Logan. Cairns he had some doubt about; but he thought it would apply to Mackay.

Mr. POWERS said would the alternative vote apply to the electorates that would not have a second ballot?

The CHIEF SECRETARY: Of course.

Mr. POWERS said then would the hon. member for Ipswich allow the votes to go to the third candidate, or would they be confined to the two? Take the case of the Bundaberg election. There was no doubt that if they allowed the vote to go to the third man Mr. Curtis would be sitting in the House. All Mr. Duffy's men would have preferred Curtis to Hall.

An HONOURABLE MEMBER: Why?

Mr. POWERS said it was stated that Curtis and Duffy divided the votes, and if one of them had stood aside the other would have got in. If Duffy had got Curtis's votes he would have got 179 more, but there could be no doubt that a great number of Duffy's men would have gone for Curtis.

Mr. HYNE: What about Skyring's votes?

Mr. POWERS said fifteen votes would not have made much difference.

The CHIEF SECRETARY: You are assuming that a man can vote for two people at once.

Mr. POWERS said he assumed that the No. 2 vote would have gone to Curtis, and that all Duffy's men would have gone for Curtis instead of Hall.

The COLONIAL TREASURER (Hon. Sir T. McIlwraith): You cannot prove it if you assume all that.

Mr. POWERS said the argument was that Duffy and Curtis split the votes; and he was assuming that Duffy's votes would have gone for Curtis. As the electors could not have Hall, there was very little doubt they would have had Curtis. He wanted to know whether the Government would allow the votes to go to the third man, or whether only two men would be in?

The CHIEF SECRETARY said the hon. member had fallen into an error. He assumed that an elector's vote would count for two persons at once, whereas it would only count for one person at a time. The second vote did not count until the candidate for whom their vote had been given had been struck out of the running altogether, that is, until the first vote was absolutely and finally lost. Otherwise a man would be voting for two members, when only one member was to be elected. As to allowing three men to go into the second running, what advantage was to be gained by that? The reason for not having the second ballot in cases where it would not apply, was because it was too expensive, or would take too long. If they could not get the second ballot then they must take the nearest thing they could get to it. They took the two names at the head of the poll as showing which candidates had the greatest number of electors in their favour. It might be that if an entirely fresh poll were taken a week after the first, the order would be turned upside down, but they must give some effect to the first ballot. The first ballot said A was the first, and B the next. Then they had to ballot between A and B, and all the rest were struck out. They got practically the same thing under the proposed system as with the second ballot.

Mr. POWERS: Why not give C a chance?

The CHIEF SECRETARY said what would be the good of giving C a chance? Why distribute D's vote instead of C's? He thought they should take the two top men, and determine which of them should get in; that would do justice in ninety-nine cases out of 100. They could conceive a case in which the candidates might be nearly all equal, but in ninety-nine cases out of 100 they would get a fair expression of the wishes of the electors. The hon. member for Enoggera suggested that the alternative vote was better than the second ballot under any circumstances. Well, he was not sure that he did not agree with him. The system of the contingent vote was the nearest to the second ballot they could get. The Government did not go on with the Bill last year because it would have taken up a great deal of time, and it was considered that it would not work in double electorates. Last year the House practically agreed that it was a good system for single electorates, but that it would not do in double electorates. However, in a double electorate, if one man got a majority, and all but the next two were struck off, the result would be the same as in a single electorate. As to the argument that people would not understand the system, if nobody understood it matters would stand as they did now, and no harm would be done. If people did understand it the real majority would prevail; and if some understood it, and others did not, the candidate would be returned by the more intelligent portion of the electors.

Mr. BARLOW said, referring to the Bundaberg election, he must say that the object of the second ballot would have been to ascertain in that case what was the choice of those persons who voted for Mr. Curtis and Mr. Skyring. If Mr. Hall had received thirty-eight votes more he would have had an absolute majority, but as he did not it would become necessary to ascertain what was the alternative choice of the

gentlemen who voted for Mr. Curtis and Mr. Skyring. Under the system as now proposed, a perfect expression of opinion would be obtained from the constituencies.

Mr. SALKELD said the Government should decide where they intended to apply the second ballot and the alternative vote. He understood it was not their intention to interfere with the double electorates, and he thought the second ballot should be adopted in double electorates. It would greatly simplify matters if it were understood, before going further, that no second ballot should be taken in single electorates. The chief objections to the second ballot were that it would be very expensive, and that electors spread all over a large district would have to vote again at the polling-booths a very few days after the first ballot had been taken. The latter difficulty would be great in towns, but it would be far greater in country districts. In such places, and also in places like Woolloongabba and Toowong, he did not see why the contingent vote should not be taken in preference to the second ballot.

The HON. J. R. DICKSON said the hon. member for Ipswich had evidently given a great deal of thought and care to the working out of his scheme; but although the proposal might commend itself to admiration, he was not altogether satisfied as to its being very practicable or desirable at the present time. One great objection to the scheme was that it was not of general application. Why should there be a division of systems throughout the colony? If it were made of general application to single and double electorates, a good deal of the objection he had to the scheme would be removed. He was certain that, although the proposal might commend itself to the intelligent consideration of hon. members, it would be very much misunderstood by the public out of doors, and a great deal of confusion would arise if it was in force at the next election. He doubted very much whether, in the case of a double electorate, the result desired would be obtained. For instance, suppose A, B, and C were three candidates, and A received a majority of the votes at the first ballot?

Mr. BARLOW said the election would be settled at the first ballot if there were four candidates or less.

The HON. J. R. DICKSON said he would assume that there were more than four candidates, and A had received a majority of the votes at the first ballot; A would be elected, while B and C would have to go again to the poll. It might happen that, owing to the extent of the electorate, or to the little interest that might be taken—because a continued strain of excitement could not be perpetually maintained—C might be elected, although, actually, he received fewer votes at the second ballot than B received at the first poll.

Mr. BARLOW said that all the double electorates in the colony, with the exception of Burke, which it was proposed should be divided into Croydon and Etheridge, were towns in which the poll could be taken the day after to-morrow.

The HON. J. R. DICKSON said that even so it did not follow that the same voters would turn up the day after to-morrow. The excitement of an election contest would not continue over the interval of two or three days which must elapse between the first and the second ballot. That was a question that ought to be very seriously considered. The diminished interest taken in the second ballot might lead to the result that the lowest candidate might be returned to a seat in the House, although fewer votes were recorded for him than were recorded for the second candidate on the first ballot. It was extremely improbable that there would be a larger number of voters at the second ballot than at the first. Then, again, putting those numbers on the polling papers would lead to a great deal of confusion, and very likely to the rejection of polling papers. It would lead to greater evils than it was intended to prevent. He did not know that at present the elections were conducted in such an irregular manner as to create a great fear of consequences. They might have been disappointed in the result of one or two recent elections, but as a general rule the sense of the country was pretty well taken at elections. He should be loth to see anything introduced which would tend to create misunderstanding in the minds of electors. He would much rather see a proposition brought forward to abolish plumping, which, in electorates returning two members, would very nearly have the same effect as the one now proposed. He did not think the introduction of the amendment would be an improvement on the Bill in introducing a second ballot.

Mr. BARLOW said it would be really impossible for any confusion to take place in the numbers. But whatever mistake was made the primary vote would stand. With regard to the abolition of plumping, he had thought the matter carefully over and read many authorities on the subject, and he had arrived at the conclusion that the abolition of plumping would be useless. Sham candidates would be started to cut off the second vote, the only risk run being the loss of the £20 deposit; and those persons who were forbidden to give their single vote to one man in a double electorate would give their second vote to the dummy who was put up for the purpose of cutting it off. If an experienced man managing an election found that there was a danger of the dummy getting in, to the detriment of the man he wished to return, by the plumping, he would just put up two dummies. Hon. members would recollect the altercation in England about the three-cornered constituencies, when it was distinctly shown that if party organisation were complete, a very small majority might return all three members. The same principle applied to plumping. They might prohibit plumping, but the persons who managed the elections would start a sufficient number of dummy candidates to take off the surplus vote.

Mr. GRIMES said that the object sought to be attained was very desirable, and if it could be attained with little inconvenience, and at little extra expense, he would be prepared to support the proposal; but he saw great difficulties in the way of working the double vote in some electorates left out of the list read by the Chief Secretary. It should not be attempted in electorates where there were more than six or eight polling-places, and at considerable distances from each other. In such electorates the contingent voting scheme might be made to apply instead of the second ballot. There would be very little difficulty in affixing the numerals to the names of the various candidates. The voter would have no trouble, and all the work would really fall upon the returning officer in making up the return. The advantages to be gained by having Parliament elected by the majorities in the electorates were such that the scheme might very well be given a fair trial, and he intended to support it.

The COLONIAL TREASURER said that there was a great deal in what the hon. member for Oxley had said. If the hon. member for Ipswich would consider the objections which had been urged against the scheme—the principle of which he thoroughly endorsed—he would see that the greatest objection after all was that

even if they understood it, the people outside would not. It was a great mistake to impose upon electors provisions which they did not understand, and they would not understand that. He thoroughly believed in the principle that every member ought to be returned by a majority of the voters, and after the discussion that had taken place, he believed it would be quite practicable to utilise the contingent vote in the double electorates, so that all could be carried through by means of one election. Why should they regret that a man had not sufficient intelligence to utilise his contingent vote, or why should they care about losing the opinion of a man who had not intelligence enough to supplement his opinion by inserting it in his voting paper? A great many hon. members thoroughly believed in the contingent vote, and that contingent vote could be made just as applicable to double constituences as to single. If there were more than four candidates, and they struck out all under the fourth and took the contingent votes of those voting for the fifth, sixth, seventh, and eighth candidates, as the case might be, they could have all the elections on the one day. He had not refreshed his memory as to the difficulties raised last year, but he could see no reason why the contingent vote could not apply to both double and single electorates. They all believed it was the correct thing for single electorates.

Mr. STEVENSON: It would simplify the matter very much if it could be done.

The COLONIAL TREASURER said it could be done quite easily. He believed in the principle the hon. member for Ipswich wished to carry into effect—that the members who were returned should be the representatives of the majority in their constituencies. If the contingent vote were made to apply to double electorates, the first page of the amendments could be omitted, and the remainder modified so as to make the contingent vote apply all round. He would recommend that proposal to the hon. gentleman's serious consideration.

Mr. HYNE said that he had opposed the Bill introduced the previous session, and he was not very much in love with that scheme now; but the other system introduced by the hon. member for Ipswich deserved consideration. He was sorry to hear hon. members say that it would be unintelligible to the majority of voters. Since last year he had read the greatest authorities upon the subject of representation, and he had with him a work by Sir John Lubbock, who was a very great exponent of representation. Sir John Lubbock stated that the system proposed by the hon. member for Ipswich had been in force in Denmark for thirty-seven years; and surely the electors of Queensland were as intelligent as the electors of Denmark! It was called the single transferable-vote vote. He thoroughly believed in the system, which would be simple in its operation. Many hon. members had been overlooking the fact that where, say, three members were required to be elected, they did not each require to have an absolute majority. If there were three members to be returned, and there were 1,200 votes polled, all that was necessary was that each should receive his quota—each would only need to get 400 votes. They divided the number of electors polling by the number of members to be returned. He would read from the work a quotation from John Stuart Mill—

"In a really equal democracy every or any section would be represented not disproportionately, but proportionately. A majority of the electors would always have a majority of the representatives; but a minority of the electors would always have a minority of the representatives. Man for man they would be as fully represented as the majority. Unless they are there is not equal government, but a government of inequality and privilege; one part of the people rule over the rest; there is a part whose fair and equal share of influence in the representation is withheld from them contrary to the principles of democracy, which professes equality as its very root and foundation."

Again, illustrating his argument by a particular case, he said—

"It is clear that in such a case the minority in the House would have with them also the 1,000,000 in the country who were left unrepresented; so that, in fact, the measure would represent the wishes of only 800,000 electors, and would be opposed to those of 1,400,000. Thus the result of what we are told is a just system, and of 'government by majorities,' is, on the contrary, to enable a minority of 800,000 to override a majority of 1,400,000."

There was a leaflet in the book which illustrated exactly the system proposed in the amendment. It was as simple as possible. Hon. members would probably understand an illustration better if names were used instead of letters. Suppose, then, there were three candidates—Mr. Hyne, Mr. McMaster, and Mr. Watson. A voter might give his first vote to Mr. Hyne, and place the numbers 2 and 3 against the names of Messrs. McMaster and Watson respectively. But all the voters would not vote that way; a second voter might place the figure 3 against the name of Mr. Hyne, and so on. The candidate who received the least number of votes would retire, and if neither of the other two received an absolute majority of the votes polled the contingent vote would be counted, and the candidate who then had the majority would be declared elected. The amendment would be a great improvement on the present system, and he was inclined to support it; but he thought that a second poll would cause a lot of ill-feeling and inconvenience.

The CHIEF SECRETARY said the suggestion made by the Treasurer could be adopted quite easily, and would meet all the objections. There seemed to be a strong feeling on the part of many members against a second ballot. It was certainly a disagreeable thing to candidates, and the larger the constituency the more disagreeable it would be. But there was also a strong desire on the part of hon. members to secure, if possible, that members should be returned by a majority and not by a minority. After listening to the debate, and profiting by it, as he hoped he had done, he thought the matter could easily be carried out, if the hon. member who had introduced the amendments would pass at once from the clause defining an absolute majority of votes to the one which provided that electors might give contingent votes. The latter clause was applicable to all electorates of all kinds. They should then pass on to the next clause, limiting it to cases where there was only one member to be returned. Where no candidate received an absolute majority of votes that clause would stand as it was, and then, having got as far as that, they should provide for the application of a similar system to double electorates. The system which he suggested should be applied to double electorates was that where two members were to be returned, and there were not more than four candidates, the two candidates who received the greatest number of votes should be elected; that where there were more than four candidates they were to be reduced to four, in the same way as in single electorates they were to be reduced to two. Having done that they could then let the contingent votes count for those four candidates who received the greatest number of votes. That was very simple, and would meet the objection raised by the hon. member for Bulimba as to the want of uniformity in dealing with single and double electorates.

Mr. HAMILTON said he thought that uniformity might be best obtained by having a second poll in each case. If the system of contingent voting was adopted, the candidate who was in the minority might be elected on counting the contingent votes. For instance, suppose that A, B, and C were three candidates at an election, A and B holding the same political opinions, and that the number of voters was 300. Suppose A received 80 votes, B 120, and C 100. Then, although A only received 80 votes, yet if he got 120 contingent votes given to B, he would be elected. If A was a clever electioneering agent, he would probably say to his supporters that he did not want them to give their contingent votes to B, and B would therefore get no contingent votes, with the result that A, who only polled 80 votes in the first instance, would be elected.

The CHIEF SECRETARY: A would be out of it, and the election would be between B and C.

Mr. HAMILTON said he fancied the system would be manipulated in the way he had indicated by a clever electioneering agent.

Mr. SAYERS said he could not see his way to support the amendments as they were originally introduced, because it was only in double electorates that a second poll would have to be taken, and it was only the candidate with a very long purse who could afford to go to a second poll. He believed it was right that the majority should rule. There was no doubt that, at the first election, a great many people would not understand how to vote, and would simply do as they had done previously.

An HONOURABLE MEMBER: No harm would be done.

Mr. SAYERS said that certainly they would be no worse off. But it was possible that a candidate who thoroughly understood the system would get elected. At any rate, he was not very much frightened of that occurring, because he knew from the many elections which he had seen that facsimiles of the ballot-paper were issued by both sides, and voters were pretty well drilled as to the way in which they should vote. There might be a few independent electors who went to the ballot-box and would not listen to anybody, but, as a rule, most of the voters were instructed in the proper way of voting. So that he did not think there would be any danger in the system proposed. Anyhow, if there was any danger, he was prepared to face it. But he thought that the electors, as a rule, were quite intelligent enough to understand the proposed system of voting. The expense would limit the number of candidates likely to be brought forward at a general election, and on that ground he could not support the amendments. Though he believed in the contingent vote and the majority returning the member, he did not believe in the second poll.

Mr. O'SULLIVAN said that if he understood the proposal he was thoroughly opposed to it; not on account of its technicalities, but because it was a proposal for the representation of majorities alone. The hon. member for Maryborough quoted from Mill, but the quotation intended to deal with the representation of minorities, and had no application to the proposal before the Committee. Could any hon. member tell him why minorities should not be represented as well as majorities?

Mr. HYNE: They will be represented under this scheme.

Mr. O'SULLIVAN said that was impossible. Suppose there were four candidates in the field, and the first candidate, A, got in, the numbers would then be counted for B, the next on the list; and why should they not be counted for D, the last on the list? By the election of A the majority were represented, and if the second vote was given to the last candidate the minority would be represented. There was one thing he did not understand, and he would like to ask whether the second vote was of the same value as the first? Suppose he voted for the man at the top of the poll and he got in, and gave his second vote for the man second on the poll, would his second vote be of the same value as the first?

The CHIEF SECRETARY: No; it does not count at all.

Mr. O'SULLIVAN said he understood that under the proposed scheme he would have a right to vote for one man and give a number or a contingent vote for the next, and that gave him a second vote as well as a first.

An HONOURABLE MEMBER: No.

Mr. O'SULLIVAN said he would like to see some chance given to minorities to be represented, as he agreed with Mill and other authorities that minorities had as much right to be represented in a secondary way as majorities. He admired the ability and industry the hon member for Ipswich had displayed; but it was not nice of the Chief Secretary to let a private member come in and capsize his Bill. The hon. gentleman allowed a private member to come in and take the bone out of his mouth and chew it himself. If it was a good measure they should treat it in the same way, no matter where it came from; but he was doubtful whether it was a good measure, as it would increase the expenses of elections and cause a number of mistakes to be made. The Chief Secretary was fond of novelty, and took up new things from any part of the House without examining them; but he (Mr. O'Sullivan) was not so fond of those new ideas. He thought their electoral laws for the last thirty years had worked pretty well; there had been very little abuse under them, and they should let well enough alone. He was opposed to the proposal and would vote against it.

The CHIEF SECRETARY said the hon. member for Stanley had asked for some explanation of the proposals. He was anxious the hon. member should understand it, as he was sure the hon. member would vote for it if he understood it, because it was so reasonable and sensible. Suppose there were three candidates for a seat, A, B, and C. The hon. member might want to get A in, and he would vote for him. He might, however, be practicularly anxious to keep B out, and while he voted for A, and struck out the names of B and C, he would put the figure 2 opposite C's name. If A was at the bottom of the poll the contest would be between B and C, and the hon. member's contingent vote for C would count for C. If A was at the top of the poll the hon. member's contingent vote would not be counted, as he could not vote for two; but as matters stood now, if A was not at the top of the poll the hon. member's vote would not count for anybody.

Mr. O'SULLIVAN: You are only making it more confused.

The CHIEF SECRETARY said he could not make it plainer than that. The hon. member understood a thing very well when he wanted to.

Mr. DRAKE said the hon. gentleman had referred to a peculiar difficulty that presented itself when the proposal was under discussion last year. He had looked up last year's *Hansard* and found the difficulty was that supposing in a double constituency there were more than four candidates, and the first man secured an absolute majority of votes, according to the proposal

made last year that man would be declared elected, and the second count would be to decide who should be his colleague. In that second count of original and contingent votes the result might be that two of the other candidates would each get more votes than the man first elected had polled. The idea of the proposal—that those elected should secure a majority of the votes polled—would, in such a case, entirely miscarry, because one man declared elected would have received a less number of votes than a candidate who was rejected. The only way that could be cured would be by declaring that at the first count, unless two of the candidates had an absolute majority of the votes polled, they should all be recounted, the original and contingent votes together, and the two who had the largest number should be elected.

The CHIEF SECRETARY : That is what is proposed.

Mr. BARLOW said the hon. gentleman had just brought up the rock on which they split last year; and he (Mr. Barlow) then expressed his admiration at the ability with which the hon. member bowled them all out. Hon. members had then overlooked the fact that each man cast two votes. The scheme was now modified so that unless two candidates obtained an absolute majority the progressional count would go on until an absolute majority was obtained.

The CHIEF SECRETARY: When a man has an absolute majority he cannot come in last.

Mr. DRAKE : The others can get more.

The CHIEF SECRETARY said only one could get more.

Mr. DRAKE : That is a fallacy.

The CHIEF SECRETARY said suppose there were 1,000 voters. That would give 2,000 votes as the possible number. One candidate got 501 votes. It was impossible for two other men to get the same.

Mr. DRAKE : Two other men can get 700.

The CHIEF SECRETARY said it was impossible. It was impossible that a man for whom the majority of electors voted should not be elected. If the majority voted for a man it was impossible for him to be defeated.

Mr. DRAKE said the hon. gentleman did not seem to see that if there were 1,000 electors casting two votes one man might have 550 votes, and it was possible for two others to have 750.

Mr. BARLOW said they were getting on to the old rock, which had nothing to do with the question before them. They were now going to have a progressional count in the double electorates.

Mr. GLASSEY said when they were tinkering with the electoral law it would be better to make the whole thing as complete as possible. Hon. members said they were anxious that the majority should rule. So was he; but if the Bill passed with the amendments indicated, would they arrive at that result? He thought not, because a very large minority of competent men would still have no vote. Circumstances over which they had no control precluded them from having a vote. He said, therefore, if hon. members were in earnest and desired that the majority of the male adults of the community should rule, why not amend the law to secure that object. He believed it was essentially necessary that the majority should rule, and he would support any amendment framed with that object in view. Where the difficulty came in last year with a similar proposal to the amendment before them, was on account of the prolongation of the contests and the unnecessary expense. That was a fatal objection, and he was glad it was to be obviated; but surely the time had arrived for considering whether it was not desirable to frame some machinery which would give every man in the community a vote when he had been resident in some portion of the colony for six months. The proposal before them was simply tinkering legislation with no finality, which would lead to more irritation and more agitation, and would keep open the sore feeling engendered through a large number of people having no voting power at all. The Committee should take that matter into consideration, stop tinkering legislation and frame amendments in such a way as to give every man a vote, and then pass a law which would ensure that the majority should rule.

Mr. ANNEAR said the hon. member was going back to a subject they had discussed some nights ago. Every hon. member, he was sure, was desirous of seeing that every man had a vote; but they were discussing now the principle upon which members should be returned, and not the electoral rolls. He could not think of a more unenviable position for a man to occupy than that of a minority representative. The proposed amendment removed that objection, and secured the principle of majority representation. He would now state figures in connection with four elections that had taken place in single electorates—one at the general election, and three since; and would show very clearly how some hon. members represented minorities. The first was the Bundanba election in 1888. There were four candidates: Mr. Thomas Glassey, Mr. Lewis Thomas, Mr. Shillito, and Mr. Boyce. Mr. Glassey got 323 votes; Mr. Thomas, 294; Mr. Shillito, 293; and Mr. Boyce, 40. That was 323 votes against 627, leaving the hon. member for Bundanba in a minority of 304.

Mr. GLASSEY: Those were heads.

Mr. ANNEAR said it would not be long, if the hon. member was alive, before he would go before those heads again. He heard such was not the hon. member's intention, but he trusted it was.

Mr. GLASSEY : It is.

Mr. ANNEAR said the Burke election took place on 9th August, 1890, and the junior member, Mr. Hoolan, polled 490 votes; Mr. Brown, 431; and Mr. Sim, 295. There were 490 votes against 726, thus leaving the junior member for Burke in a minority of 236. At the election for Burnett, Mr. Cadell polled 318 votes, the Hon. B. B. Moreton 267, and Mr. Burnes 245; the totals being 512, as against 318, thus leaving Mr. Cadell in a minority of 132. At the recent Bundaberg election, Mr. Hall polled 452 votes; Mr. Duffy, 353; Mr. Curtis, 170; and Mr. Skyring, 14; or 537 votes against 452, leaving Mr. Hall in a minority of 85. Those figures would show that it was absolutely necessary, if an electorate was to be represented by the majority of votes, that the amendment should pass. At first sight the amendment appeared somewhat complicated, but that had been removed by the alteration in it suggested by the Chief Secretary. He should give the amendment, when amended as proposed, his most hearty support.

Mr. POWERS said he should like to hear how the system would work out in double electorates. It would be perfectly easy in single electorates to get the vote of the majority, but the Chief Secretary and the hon. member for Ipswich were not agreed as to the way in which that would be arrived at in the double electorates.

The CHIEF SECRETARY said he had drafted an amendment and sent it to the printer. It would be laid before hon. members on resuming after tea.

Mr. BARLOW said he was not a racing man, but he might be allowed to borrow an illustration from the turf. Supposing the names of four or five horses were laid before a man, and he was asked, "How do you think these horses will come in?" The man must be a fool if he could not put 1, 2, 3, 4, and 5 against them. All that the voter had to do was to express his preference for one man over another. The rest would be done by the returning officer.

Mr. GLASSEY said that if the clause passed it would be known in future as the totalisator clause.

Mr. BARLOW said he should support the clause as drafted by the Chief Secretary. He believed it would meet all reasonable requirements, but it was useless to discuss it until they had it before them.

Mr. BLACK said he would assume that in a double electorate there were four candidates, none of whom had got an absolute majority. Was he to understand that the secondary vote had as much value as the primary vote—that the secondary vote would be added to the primary vote, and that the election would be decided on the result?

The CHIEF SECRETARY said he did not understand the hon. member's question.

Mr. BARLOW said he thought he did. He would take a case where there were seven candidates for a double electorate—as there would no doubt be unless some change was made in the financial question. Four of those candidates had been placed first on the primary vote. The secondary vote contingent to the remaining three, which were now wasted, would be applied to those four, and the result would be ascertained.

Mr. BLACK said he failed to see how the secondary votes given to the defeated candidates were to be identified in the ballot-box.

Mr. BARLOW said they would be identified by the figures on the papers indicating their preference for one or other of the four candidates. If they indicated their sympathy for Smith, and refused it to Robinson, Smith would get the contingent vote.

Mr. SMITH said that the amendments of the hon. member for Ipswich would remedy a defect which existed in their electoral law. The spirit of their Constitution was that the majority should rule; but the means by which that object were to be attained were defective. It had been acknowledged that some hon. members of the Committee did not represent a majority of the electors in their districts, and every member should represent a majority of the voters in his district, the House representing a majority of the people of the colony. The amendment might lead to a little confusion, and voters might not at once grasp the position, and might make mistakes in recording their votes; but if mistakes were made in placing the numbers on the ballot-paper that did not make the voting-papers informal, and therefore no harm would be done by accepting the proposal of the hon. member for Ipswich. It would be a step in the right direction, and would cause members to be returned by majorities. It was said that minorities had a right to representation, but that was contrary to their system—that was that the representatives in Parliament should represent the majority of the electors outside, and that their voice should be the voice of the majority. If mistakes were made at first, the voter would soon learn better. He would soon learn that if he made mistakes it might be the means of putting in a man whom he did not wish to get in. He would be very happy to support the amendment.

The CHIEF SECRETARY said he had stated that a clause to give effect to the proposal of the hon. member for Ipswich, in cases where two members were to be returned, would be circulated in the evening. That clause was now in the hands of hon. members, and was, he thought, plain enough without any explanation. It was as follows:—

"When two members are to be returned, and there are more than four candidates, if there are not two candidates who receive an absolute majority of votes, all the candidates except those four who receive the greatest number of votes shall be deemed defeated candidates.

"Every vote given for a defeated candidate shall be counted for that one of the remaining four candidates for whom the elector has indicated that he desires his vote to be counted.

"The votes so counted for such remaining candidates shall be added to the votes originally given for them, and the candidates who receive the greatest number of votes, including the votes so counted, shall be returned."

That was applying exactly the same principle to double electorates as was applied to single ones.

Mr. O'SULLIVAN: In what way will the votes given to defeated candidates be counted?

The CHIEF SECRETARY said they would be counted in the way indicated on the ballot-papers. If there were seven candidates, the three at the bottom of the poll would be struck off. As the system at present stood, the men who voted for those candidates lost their votes altogether; their votes had no effect whatever on the election. But under the amendment their votes would be counted for the other candidates.

Mr. O'SULLIVAN: In what way?

The CHIEF SECRETARY said they would be added to the votes of those candidates the voters preferred, as shown by the marking of their voting papers.

Mr. O'SULLIVAN said the amendment provided that any votes given to the three defeated candidates would count for the other four. Suppose there was only one vote given the other four, who would get it?

The CHIEF SECRETARY: The one the voter has marked by a number.

Mr. BLACK said it seemed to him, according to the amendment, the party who ran the most candidates would have the best chance of putting their man in.

The CHIEF SECRETARY: Why?

Mr. BLACK said they would suppose that one political party ran two candidates, and the other side ran five. If none of the candidates received an absolute majority, and numbers 5, 6, and 7 were struck off, all the votes given to those candidates would go to candidates 3 and 4.

The CHIEF SECRETARY: Then the majority of the electors would get two candidates in. That would be the result, and that is what ought to be the result.

Mr. BLACK said if that was intended let it be understood. But what about the votes of those candidates who could at present forfeit their deposits on failing to poll one-fifth of the votes?

The CHIEF SECRETARY: They will still forfeit their deposits.

Mr. BLACK: Will their votes count?

The CHIEF SECRETARY: They will if they are marked.

Mr. BARLOW said it would be a very foolish proceeding for any party to set up five or six candidates in order to get the secondary votes when they would get the primary votes by concentrating them on one candidate. With regard to the remarks of the hon. member for Stanley, he would just say that if there were three candidates, whom he would designate 1, 2, 3, and

number 3 was at the bottom of the poll, all the votes given to that candidate were absolutely thrown away under the present system; but under the scheme now proposed they would count for candidates 1 or 2 by putting the figure 1 or 2 against their names on the ballot-paper. Instead of having his vote entirely thrown away, he had an opportunity of saying, "I cannot get in No. 3 and now I want No. 2." If there were seven candidates, and 1, 2, 3, and 4 were above the rest after the first poll, according to the proposed amendment 5, 6, and 7 would have no show of being elected themselves, but the contingent votes given by those who supported them could count for 1, 2, 3, or 4. If those who voted for 5, 6, and 7 recorded no figures or contingent votes for the other candidates, their votes would not be invalidated, but they would be wasted.

Mr. DRAKE said that no human being could venture to foretell what the result of the amendment would be; but it appeared pretty clear that it would encourage organised political parties to split their votes, as it would give them a double chance; the chance, first of all, by splitting their votes to get in the man they most desired to see elected, and, if they failed in that, the chance on the second count to get in the man they thought next best.

The CHIEF SECRETARY: That is the object of it.

Mr. DRAKE said if that was so, it would operate to the advantage of party organisation, and to the same extent to the disadvantage of the independent candidate. He rose principally to point out what appeared to him to be a defect in the amendment as it was now before them. He would take the case of a single electorate for the purpose of illustration, though his remarks would apply equally well in the case of a double electorate. Suppose in a single electorate there were four candidates, and after the first count not one received an absolute majority of votes, only the first two at the top of the poll would be left in the running, and the last two would be struck out. His contention was that that was unfair to the third candidate, because on the second count the third candidate might be elected. If they accepted the principle that when a man had once given an original vote, and that vote failed, his contingent vote was to count as equal to his original vote, then under the scheme proposed the third man would not have an equal chance of getting in with the first two. To illustrate the difficulty he took the initials in the case of the recent Bundaberg electorate—H, D, C, and S. As the numbers went it would, under the proposed system, be a contest on the second count between Hall and Duffy; but see what would happen under a different state of things. Assuming that there were 1,000 votes between the four candidates, and that H got 265 votes, D 255, C 245, and S 235. Neither having obtained an absolute majority of votes, there would be a re-count. If they struck out C and S, it would simply be a contest between Hall and Duffy, but if they commenced at the bottom of the list and struck out Skyring, the contest between the other three might result in this way: Supposing the 235 votes were divided in this way—50 to Hall, 70 to Duffy, and 115 to Curtis? Hall would then stand at 315; Duffy, 325; and Curtis, 360. So that on the second count Hall would be the man to go out, and Curtis would be at the top of the poll. If the principle was to be accepted, why should not the third man have a chance, as in the case he made out Curtis, the third man, would be the candidate who represented as nearly as possible an absolute majority of the electors?

The CHIEF SECRETARY said that objection was urged before. They must start somewhere. They proposed to start with the principle that if nobody got an absolute majority they should take the first two, and then on a re-count see which of them got the most votes. That was a sensible and intelligible principle. It would do complete justice in a large majority of cases, and it was better than the present system, which left so much to chance. Being a matter in which human nature was concerned, they could not get absolute perfection, but they could get a working rule. Two of all the candidates were preferred to the others. The question then would be, which of those two men was preferred by the whole body of electors.

Mr. DRAKE said he could understand the argument of the hon. gentleman being very strong if it were applied to the second ballot, because it caused a tremendous lot of trouble and expense. If it were necessary to have a succession of ballots in order to find out who was the candidate who had an absolute majority, he could understand that the argument would be unanswerable, but seeing that it was simply a matter of counting up the ballot-papers, apart from the election, he could not see why they should not push the principle to the extent of giving each man an equal chance. All that had to be done after the ballot was taken was that the papers had to be counted and re-counted by the returning officer. Surely there could be no objection to that? It would only take the returning officer a few minutes longer to strike off the lowest on the list, divide the votes of the lowest, and then strike off the next lowest and divide his votes, and so on. It was simply a matter of a little trouble and a few minutes' time.

The HON. J. R. DICKSON said would the hon. gentleman say where the amendment was to be introduced?

The CHIEF SECRETARY: It will come in at the end.

The HON. J. R. DICKSON said he understood the 1st paragraph was to be retained. Then where did the next clause come in?

The CHIEF SECRETARY said to give effect to the scheme of the hon. member the 1st clause would come in first. Then would follow the 2nd. After that would follow the one on the second page with the marginal note referring to the counting of contingent votes. Then would follow the next one limiting it to the case where there was only one candidate to be elected. Then would follow the clause dealing with the return of two members, and then No. 4. That made a complete scheme of the whole.

Mr. DONALDSON said he was not in the House during the earlier part of the afternoon, when the principal discussion took place on the amendment; but the proposal was nothing new, inasmuch as they had a very full discussion on the question last year. He was one who thought that they ought to exercise very grave consideration before they departed from the law as it now stood and as it was generally understood by the electors. The scheme before them was one that had not been in use here, and with which the people were not familiar. He generally viewed with grave suspicion any experiments being tried in such an important matter as that. He believed if they did adopt the scheme it would certainly assume quite a different direction to that which hon. members generally believed it would. He believed it would give the minority vote throughout the whole of this colony an enormous advantage over what it had at the present time.

The CHIEF SECRETARY: How can it possibly do that?

Mr. DONALDSON said supposing there were two parties—say the Ministerial and Opposition proper—and a third, the labour party, for whom it appeared the Bill had been introduced.

Mr. BARLOW: No.

Mr. DONALDSON said he had given that as his opinion before. He believed it was for that reason, chiefly, that it had been introduced. Now, supposing the Ministerial and Opposition party, in a single electorate, each ran a candidate, and the labour party also ran a candidate. They knew they were in a minority, but by giving their second vote to either of the other two party candidates they could give the one they voted for a majority.

The CHIEF SECRETARY: Why not?

Mr. DONALDSON said why not go straight to the poll? There were different parties. Let them single out their candidate. If people would be foolish enough to run half a dozen candidates where three would be enough, they must take the consequences. The people of a district had a perfect right to say who should represent them, although he might not be returned by an absolute majority of the votes polled.

Mr. BARLOW said that meant that the biggest cheque was to rule the district.

Mr. DONALDSON said no great harm had ever occurred under that system in England, and it could not occur in America, where candidates did not come forward freely, because they were nominated by the bosses of the rings with which they were associated. It was not their desire to have such a scheme as that. He did not think the proposed scheme would remedy the evil complained of, and they had much better remain under the system at present in operation. If they held the next general election under the proposed scheme, and the labour organisations worked as well as he believed they would, he was afraid the result would be quite contrary to what appeared to be contemplated at the present time.

The CHIEF SECRETARY said—supposing one party in an electorate numbered 600 electors and another party numbered 400, which party ought to win the election? Surely the party numbering the 600 electors. Supposing the 600 could not agree among themselves which was the best man, but that they were all agreed that B, who was the candidate of the 400, ought not to get in; under the proposed system the whole 600 would be able to vote against B, and keep him out. They might not care whether A, C, or D got in, but certainly B should not. The 600 would be able to keep out a man whom only 400 favoured.

Mr. DONALDSON said he was afraid the hon. gentleman would have a sad experience under the scheme if it became law.

The CHIEF SECRETARY said he did not frame laws to suit his own purposes. If he were the first victim of a good Elections Act he should be very glad to be a martyr in a good cause.

Mr. DONALDSON said he had not wished to cast any reflection upon the hon. gentleman. What he had been trying to give expression to was that the scheme would work very differently from what was expected by those who supported it. He felt confident that the labour party would turn it to their own advantage to a much greater extent than hon. members believed. He would take North Brisbane as an illustration. There were the two present members and an Opposition candidate—say, himself. He should get a larger number of independent votes than either of the sitting members, and quite as large a number of splits. There was a fourth candidate put up by the labour party, and although the labour candidate might be in a hopeless minority, he felt confident that he (Mr. Donaldson) would get nearly the whole of the contingent votes of the labour party; and it would be on the contingent vote that he would get his majority, not on the actual vote that was given in his favour in the first instance.

The CHIEF SECRETARY said that could not happen with only four candidates. The first ballot would decide the election.

Mr. DONALDSON said that could be obviated by running a second labour candidate.

Mr. MACFARLANE said he did not think the fears of the hon. member for Bulloo were likely to be realised. The whole thing was so plain that it was impossible for a candidate to be returned by a minority of the voters. The working of the scheme would be far simpler than the hon. member imagined. All difficulties would disappear when it was once put into operation, and people would understand it just as well as hon. members there understood it now.

Mr. DONALDSON said one would imagine that the present system of voting was very simple, but if they looked at the number of informal votes at municipal and parliamentary elections they would see that many mistakes were made. A man once rode fifty miles to vote for him, and he had done so by scratching out his name. Let them look at the number of informal votes in local option ballots.

Mr. BARLOW: That is a very complicated paper.

Mr. DONALDSON said the voting was done in the reverse way, and a great number of mistakes were made. The proposed system might seem very simple to hon. members, but it would puzzle the electors.

The CHIEF SECRETARY: They need not do anything unless they like; and if they do wrong, it does not matter.

Mr. DONALDSON said the case would be very different with the organised votes, and they would go very solid. People on one side who were in a minority would throw their first vote for their man, and failing to return him they would throw their second vote, which in reality had become a primary vote, for the next man; so that the minority had two chances.

The CHIEF SECRETARY said supposing there were three candidates, and a larger number of voters in favour of A than B or C, and a larger number in favour of B than C. Then as C was clearly defeated, if those who had voted for C preferred B to A, why should not B get in?

Mr. DONALDSON: He should have succeeded on the first ballot.

Mr. DRAKE said supposing there were two parties, as the Chief Secretary had said a little while ago—one having the support of 600 men, and the other that of 400 men—as the hon. gentleman had said, why should not the 600 men get their man in? But the proposed system would do something beyond that. If it was the Government that had 600 supporters, and the labour party that had 400 supporters, the Government should be able to put in their man. But under the Bill the Government might have two candidates, one of whom was a large capitalist that they wanted to get in, but who was pretty weak. On the first count it might come out that the labour man got 400 votes, the Conservative 250, and the other 350. None of them would have an absolute majority, and the Conservative might get in by means of the contingent votes for the other Government candidate. The Bill would offer greater inducements to split votes in order to get in the least popular candidate.

Mr. PAUL said he did not see why they should fall back upon a system that had been adopted only in France and Germany, where they could not say representative government had been a success. There was no doubt that the system had been introduced to "euchre" the labour party, and he thought the alterations would have the effect of sending them in. There were a certain number of men who sailed very close to the wind, and did not openly avow themselves to be labour candidates, though there was very little difference. At an election all the second votes of the labour party would be given to the man who sailed close to the wind, and he would get in.

The CHIEF SECRETARY: Why not, if they prefer him?

Mr. PAUL said they would be preferring a man who was more dishonest than those who openly said what they believed, and who, therefore, belonged to an undesirable class. He did not believe always in majorities, but thought that minorities should be represented as well. In times of great political excitement majorities were not always right, and the man who was in a minority was often the man of most common sense. Those were the men who had stood by the liberties of England—men who fought against majorities until they gained their point. It would be a great mistake if they adopted that system, because in times of great political excitement the best men would not always be returned.

Mr. BARLOW said it had been repeatedly said that the amendments had been brought in for the benefit or otherwise of the labour party. Nothing could be more absurd. If the labour party were in a majority, nothing on earth could prevent them getting their man in. On the other hand, if there were two other candidates, one being a supporter of the present Government and the other a supporter of the Opposition, or whatever it is called, and the labour party were in a minority, they would have an opportunity of arbitrating. The amendments were simply brought in to secure that the member representing a constituency in Parliament should represent a majority of the electors, and should not get in by splitting interests, and by the chicanery of electioneering agents when candidates were put up to allure electors to throw away their votes. He never considered what the effect of a thing might be upon his seat. If it was right, he would take his chance. If they were in a minority through having refused to follow the labour party through dangerous paths they must take the consequences.

Mr. ALAND said that no one believed the hon. member for Ipswich brought forward the clauses in order that a certain party might not be successful; at the same time he thought it would be better to travel on the old ground. The present system had worked very well in the past; and he was sure that not one-half of the electors would understand the new method proposed.

The CHIEF SECRETARY said that a great many systems worked very well until defects were found. When defects were found, and it was apparent that people were prepared to take advantage of those defects, it was time to stop the gap. They had done very well in the past, but they had begun to find out that the present system might be made to work very badly in the future; and it was better to lock the door before the steed was stolen.

Mr. DONALDSON: When did you find that out?

The CHIEF SECRETARY said it was when they found a succession of members returned by minorities. He thought there were about ten in that Chamber.

Mr. O'SULLIVAN: You were yourself.

The CHIEF SECRETARY said he was once, and once only, and he had felt very much disposed to resign on that occasion, and stand for re-election.

Mr. AGNEW said that as names had been mentioned, he would take the Bundaberg election as an example, and show the pernicious effect the amendment would have. Leaving Skyring out of the question, the labour candidate was first, and Duffy and Curtis were running in the one interest. If the present suggestion had been law, and if Duffy's committee had been loyal, they would have induced all their supporters to put the figure "2" opposite Curtis's name; and if Curtis's supporters had not been equally loyal to Duffy, they would have put no number at all opposite Duffy's name, and the result would have been that though Duffy topp'd Curtis sky-high, still in the counting Curtis would have got all Duffy's contingent votes.

HONOURABLE MEMBERS: No, no!

Mr. BARLOW said he would suppose the Bundaberg election to occur under the present system with three candidates, leaving Skyring out of the question. There was Hall at the top of the poll, Duffy second, and Curtis next with 170 votes. To all intents and purposes those 170 votes were absolutely lost; and the object of the clause was to raise them from the dead, so to speak, and give the persons who cast those votes an opportunity of arbitrating between Duffy and Hall. Supposing Hall had polled one vote more than Duffy, and the 170 votes had been equally divided between Hall and Duffy, then the result would have been the return of Hall by one vote, and those men who lost their votes on Curtis would have had an opportunity, by placing the figure "2" against the name of Duffy or Hall, as the case might be, of saying which of those two gentlemen they preferred after Curtis. The result of that would have been the return of one of those gentlemen by a majority of all the people who voted at that election.

Mr. POWERS said that the hon. member for Ipswich had explained the proposal as it stood, but what he wanted to get at, and what the hon. member for Enoggera had asked was: Why should C be debarred from having his contingent votes given to him? If in the case of the Bundaberg election Mr. Hall's 400 men wanted to go for Curtis as the contingent man, why should not those 400 contingent votes be counted to Mr. Curtis as well as Mr. Curtis's 179 for Mr. Duffy? If the contingent votes were to be counted they ought to be counted for the third, and not merely for the first two.

The SECRETARY FOR RAILWAYS (Hon. T. O. Unmack): The third man is defeated before the contingent votes come in.

Mr. POWERS said that was only because they were going to provide for it by an unfair Act of Parliament. If the contingent votes had all been reckoned, Mr. Curtis might have been returned by the contingent votes. The question was whether it was fair to divide them only between the first and second candidates, and that question had not been answered.

The CHIEF SECRETARY said that the argument of the hon. gentleman was based on the assumption that a man ought to have his primary and his secondary votes counted together. The secondary vote could not be counted unless his first was useless. When only one member was to be elected they could only have one vote counted at a time, and they took his primary vote. Under the present system if his candidate was not returned his vote was absolutely lost; and the amendments provided that

if he did not get in the man he wanted he should be entitled to say which of the other two men he preferred.

Mr. DRAKE said that the contention of the hon. member for Burrum was not the same as his. What the hon. member for Burrum was contending for was to find out what was the real wish of the electors with regard to the various candidates. That could be done by giving a certain proportionate value to the contingent vote, and not making it equal to the primary vote. In that way, by taking all the primary and contingent votes for each man, they would be able to find out exactly the order in which the candidates stood in the favour of the electors. What he had been contending for was where there were four candidates, and none of them had an absolute majority, on the recount the number of votes given for the candidate lowest on the list should first be distributed; and then, on the next count, the number of votes for the candidate next lowest on the list should be distributed. The difference between that and the system proposed by the hon. member for Ipswich was that under the latter C would always be left out in the first count, whereas if he were allowed to remain in as he proposed, he might be the successful candidate. Seeing it was merely a matter of counting ballot papers, he could see no reason why the third candidate should be absolutely put out of it. He had taken four candidates, H, D, C, and S. If S were the lowest, his secondary votes would be divided among the remaining three, and C might be the successful candidate.

The CHIEF SECRETARY said that what the hon. member proposed was perfectly feasible. It was an arbitrary way of solving the difficulty. The proposal of the hon. member for Ipswich was also arbitrary, but it was one which had commended itself to all countries having parliamentary government, except Great Britain and the colonies. That proposal was that the two men at the head of the poll should be those between whom the contest should lie. That was an intelligible principle, because those were the men who were preferred in the constituency generally to all the rest. It was arbitrary, but it was the best thing they could get. What the hon. member suggested was that the electors who voted for the man who was least liked in the constituency should have the greatest voice, and he did not see why that should be. If they took the third man's votes and counted them first, that might bring the fourth man to the head of the list. It was just as likely that if the third man's votes were taken in that way they would bring the fourth man up, as that the fourth man's votes would bring the third man to the top. They must have a starting point, and go on by degrees. The amendments proceeded upon definite principles. Where a man did not get an absolute majority of votes, the contest should be between the two men polling most votes, the secondary votes given to those below them being counted for those two men. That was why that principle commended itself in preference to the other, which was a principle entirely of chance.

Mr. PLUNKETT said that he agreed with the contention of the hon. member for Burrum and the hon. member for Enoggera. The real object was to see that the majority should be represented, and he could not see why they should draw the line at two candidates. He would take the case of four candidates at an election in which 1,200 votes were polled. A got 500 primary votes; B, 300; C, 250; and D, 150. Under the amendment C and D would drop out, but if all the secondary votes were taken, A might get, in addition to his 500 primary votes, 12 of the second, 4 of the third, and 4 of the fourth, or a total of 520 votes. B might have, besides his 300 primary votes, 100 second, 80 third, and 24 fourth, making a total of 504 votes. C might have, besides his 250 primary votes, 140 second, 120 third, and 20 fourth, or a total of 530; whilst D might have, besides his 150 primary votes, 150 second, 100 third, and 100 fourth, making a total of 500; so that the man who got only the third greatest number of primary votes would head the poll.

The CHIEF SECRETARY: If you take the views of the hon. member for Enoggera.

Mr. PLUNKETT said they were his own views. Under the amendment of the hon. member for Ipswich, C, who actually got the greatest number of votes, both primary and contingent, would be left out altogether.

Mr. BLACK said it was quite evident that hon. members had a difficulty in understanding the proposed scheme; and if they could not understand it they could not expect that it would be intelligible to the public outside. If it were adopted numbers would really not know who their supporters were. They heard the other day that at the Bundaberg election the candidate who only polled fifteen votes asked those who supported him to have a drink, and that no less than eighty persons followed him. Very much the same sort of thing was likely to occur under the scheme now suggested. They had got on very well under the present system, and he did not see why they should introduce a scheme which would be unintelligible to the electors.

The CHIEF SECRETARY said he did not like to hear it stated that that scheme would be unintelligible to the electors.

Mr. BLACK: We do not understand it.

The CHIEF SECRETARY said he thought some members affected not to understand it, and they put ingenious puzzles, because they did not want it to pass. How could it be put plainer than it had been put by the hon. member for Ipswich? If electors had intelligence enough to estimate the chances of a lot of horses, and number them 1, 2, 3, 4, 5, they had intelligence enough to record their votes under the scheme before the Committee. If they had not intelligence enough to do that, it did not matter very much whether they had much weight in an election or not. There might be difficulties under that scheme, but there were difficulties under every scheme. The choice was between that scheme—which would certainly secure that men with the majority of votes should represent the constituencies—and the present system, which left it entirely to chance.

Mr. BLACK said why should those electors who voted for an unsuccessful candidate have two votes, while those who voted for the candidate highest on the poll had only one vote?

The CHIEF SECRETARY: They have not.

Mr. BLACK said they had; they had a primary vote and a secondary vote. Why should that be allowed?

The CHIEF SECRETARY said no man was allowed two votes. No man was allowed more than one vote. Under the present system if a man voted for a candidate who was not first on the poll, his vote stood for absolutely nothing.

Mr. BLACK: He has had his vote and used it.

The CHIEF SECRETARY said the man had used his vote, and it was wasted. Nevertheless, contrary to his wish, a man was returned although he did not poll an absolute majority of the votes. He (the Chief Secretary) confessed that he could not see why a man against whom a majority of the electors had recorded their votes should sit as their member. If any reason could be given for that it would add weight to the arguments which were urged against the amendment.

Mr. BARLOW said that result was one of the incidents of the ballot. He was just old enough to remember that under the old system of elections the votes were recorded in a book, and every half-hour the result of the poll was posted up outside the polling-booth; and if people saw that the man they wanted to get in was getting the worst of it they rallied to his support. But under the ballot system they were working in the dark. The hon. member for Mackay had asked why should a man who voted for a candidate at the bottom of the poll have a second vote? But the man who voted for a candidate who polled the greater number of votes had equally a second vote.

Mr. BLACK: It does not count.

Mr. BARLOW said there was no occasion to count it the second time, because the voter had fired off one barrel and hit what he wanted; but in the other case it was different. Under the scheme proposed, every elector who voted at the Bundaberg election would have given an alternative vote, and the member elected would have represented a majority of the electors. Was it right that a member should sit in the House as the representative of a constituency—whether it was a labour, conservative, or farming constituency—against the will of the majority of the electors who had voted? Such a member was only there because the majority of the electors could not help it.

Mr. DRAKE: They should not split their votes.

Mr. BARLOW said what did people outside know about the flaring placards they saw on the walls—such as "Smith, the friend of the people," "Jones, and a big loaf," and all that nonsense and rubbish? He contended that those persons who had wasted their votes were entitled to say which of the two candidates having the highest number of votes should be elected.

Mr. DONALDSON: One vote may prevent them from exercising their second vote.

Mr. BARLOW said there was a good deal of truth in that; and there was a good deal of truth in the contention of the hon. member for Enoggera; still, the contention of the Chief Secretary was stronger. The object of the scheme was to allow the secondary votes of the third, fourth, or fifth candidates to be counted for those who stood highest on the poll, but who had not received an absolute majority of votes. Probably the more perfect way would have been to have counted the votes for Skyring on to Curtis, and the votes for Curtis on to the other candidates; but that could not be done. It was a nicety which they were not prepared to go into. The adoption of the scheme proposed in the amendment would have the effect of inducing the voters to concentrate their votes on the leading men instead of splitting their votes. For instance, the supporters of Mr. Hall in the Bundaberg election would have said, "We must have no nonsense about this, we must vote for Hall, because if he is not in the first lot he will be out of it altogether;" and in like manner the supporters of Mr. Duffy would have said, "We must have no nonsense about this, because if he does not get a second place he will be out of it altogether;" so that, instead of the votes being split, they would be concentrated.

Mr. DRAKE: What you do with one hand you undo with the other.

Mr. BARLOW said he was not responsible for that; he wished to pass the clause, which he believed would be for the benefit of the country, in the way that would be acceptable to the majority of the Committee. He could not push it to extremes. What more did a man want if he was returned? Would a man who was returned go to the returning officer, and say, "I think the electors have made a mistake, I should like to try again in order that they might have an opportunity of reconsidering their decision?" Such a thing had never been heard of. A man would maintain the position he had got. As he had explained, the object of the scheme was to enable persons who had thrown away their votes to arbitrate between the two candidates at the top of the poll.

Mr. AGNEW said his contention was that the candidate who got the second highest number of votes might by the contingent votes be returned at the head of the poll. Suppose there were three candidates—A, B, and C—and A scored 400 and B 300. If A's men were loyal to B, and were induced to record their contingent votes for him, what would be the result on the second count?

The CHIEF SECRETARY: No result.

Mr. AGNEW said the result would be that A would be displaced when the secondary votes of those who voted for him were counted for B.

HONOURABLE MEMBERS: They do not count.

Mr. AGNEW said they did, and if they did not it was only another proof that the electors would not be able to understand it, when he did not understand it after the explanations he had heard. He regretted he had not been present during the debate in the afternoon, but he had listened patiently to the discussion since 7 o'clock, and he had no hesitation in saying that the clause if passed would lead to a lot of misunderstanding.

The CHIEF SECRETARY said he regretted that some hon. members had not been present during the afternoon, because questions were now being raised that had been explained, and the explanations of which had been accepted by everybody before the adjournment for tea. The hon. member for Nundah appeared to think that a man's contingent vote would count in competition with his primary vote, but that was not so. Take the case of three candidates—A, B, and C; and the people who voted for A gave their second vote for B. A and B were at the head of the poll, and the contest on the second count was between A and B. The secondary votes given to B by those who voted for A would not count at all. The second votes of those who voted for the first two candidates would not count at all. It was only the secondary votes of those whose votes were thrown away on the candidate absolutely out of the contest that would reckon on the second count.

Mr. HAMILTON said that many hon. members said the scheme was unintelligible, but the electors would have sufficient intelligence to know which candidate they considered next best to the man they would like to put in, and that was all they would have to know. The majority of electors in a constituency should have a man to represent them, and, under the present law, that was not always the case. Under the amendment the majority would rule. Say, at the next election Mr. Lissner and himself were the candidates of the labour party; or C or G—which would be more appropriate—was the candidate of the communistic party. The majority of the voters in the constituency might be in favour of the labour party; but as a result of the organisation of the communistic party G might be at the top on the first count and Mr. Lissner second. He (Mr. Hamilton) would be thrown out, but under the scheme proposed the votes of those supporters of the labour party who said, "You cannot get Hamilton,

we will have Lissner," would be counted on the second count for Mr. Lissner and he would be returned, and the party having a majority in the constituency would be represented, while the communistic candidate G would be defeated.

Mr. SAYERS said the discussion had mainly been upon single electorates; but he would like some further explanation of the effect of the scheme in double electorates. Take a case where there were 3,000 voters and one man received 1,600 votes.

An HONOURABLE MEMBER: He is elected.

Mr. SAYERS said he understood from the hon. member for Ipswich that that was not the case, and he wanted that point clearly explained before he voted for the amendment. If there was a chance on the second count of the man who got 1,600 votes being put out he would not be prepared to support the amendment.

The CHIEF SECRETARY said the point as to how the principle was to be applied to double electorates was another question altogether, and it was scarcely convenient to discuss it then. Two methods might be suggested: One was, first to reduce the number of candidates to four, then add the secondary votes of those who had voted for the defeated candidates, and let those who got the highest number of votes be elected whether they got an absolute majority or not. It had, however, been pointed out that a man who had an absolute majority in the first instance might find himself in a minority, and that was not satisfactory. That might be the effect of drawing the line below the first four and letting the secondary votes given by those who voted for the other candidates be divided amongst those four. The other mode was that if one candidate got an absolute majority of all the voters he should be at once declared elected, and they should then deal with the others. He confessed he had not made up his mind as to which was the better of those two ways of applying the principle to double electorates, but that was not the question at present before the Committee.

Mr. PALMER said hon. members were arguing as if every voter would put the figures 2, 3, or 4 to some other candidates, but suppose they did not put any numbers against the names at all.

The CHIEF SECRETARY: Then we shall be as we are.

Mr. PALMER said the question would then be to find under which thimble the pea was. There would be a great division of opinion in the electorates. Many persons would insert the numbers on the ballot-papers and many would not, and that would make matters still more complicated.

Mr. BARLOW said the argument of the hon. member equally applied to a man staying away from the poll. If a man was too ignorant or too lazy to avail himself of his privileges, he must take the consequences. They had nothing to do with that. They had to make machinery by which the voice of the constituencies as a whole could be ascertained. If the electors did not choose to avail themselves of it they could not help it.

Mr. DONALDSON said it was just possible for parties to be very equally balanced, and by giving the second vote they gave an additional privilege to the men who voted for the candidate at the bottom of the poll. They fired their first shot, and if it missed they had a second. The people who voted for the candidate at the head of the poll, had not the right of exercising their second vote at all.

Mr. BARLOW said the hon. gentleman's argument was that the man at the head of the poll should go in, although he did not represent a majority of the electors; that he should sit in Parliament although a considerable majority of the electors would, if they had their way, take him out of the House and never let him come in again.

Mr. GLASSEY said the principal value of the scheme if it was carried would be to consolidate, to a large extent, the organisations that existed at the present time. He thought it was the duty of the legislature to make laws as simple and complete as possible. The question arose: Was the electoral law so complete and simple that it enabled each person to exercise his vote? He did not think it was. At every election there were numbers of informal votes, and that was a conclusive proof to him that the system was not as simple as it ought to be. The question was whether the scheme now proposed would simplify or complicate matters? He did not object to the principle by any means. He thought that any principle that could be established whereby the true voice of the people could be heard was the correct principle; but was that the best method they could adopt for ascertaining the views of the people? He thought it would still further complicate matters and prevent the illiterate members of the community from voting at all. They had already discussed an amendment having for its object the disfranchisement of illiterate persons, and he ventured to say that the clause, if carried into effect, would bring about the disfranchisement of a considerable number of desirable persons, because numbers of persons would not be in a position to vote until such time as a school of instruction had been established to instruct them in the method of voting. Instead of simplifying our present electoral law, it would simply still further complicate matters. That was apparent on the face of it. Perhaps all persons knew how to strike out a single name and leave another name standing; but they would not be in a position to mark 1, 2, 3, or 4 on the ballot-papers, in case their own candidate was rejected. In that case, those men would be obliged to vote openly.

The CHIEF SECRETARY: Why

Mr. GLASSEY said because they would not be in a position to vote in the ordinary way. They would not understand how to vote, and they would have to get assistance. Why should they establish any method which would prevent persons exercising their full rights? A few evenings ago they had discussed fully the educational test, and in consequence of the opposition shown the proposal to establish an educational test it was withdrawn. Now they found it was introduced under cover of something else. The same thing was practically being established. If that complicated machinery was adopted, he felt sure that large numbers of persons would not be able to exercise their franchise.

Mr. BARLOW said he liked to hear the hon. member for Bundanba, who was at the head of one of the most perfect organisations that ever existed in the colony, speaking in the way he did. He (Mr. Barlow) would almost stake his existence that at the general elections, if that measure passed, columns of the *Worker* would be full of facsimile ballot-papers, with the numbers 1, 2, 3, and 4 marked against the names of the candidates; and each member of the hon. member's organisation would have one of them in his hat, and walk straight into the polling-booth fully competent to exercise his rights. When they were spending £260,000 a year in education, was it not absurd to say that

any large portion of the population was so densely ignorant that they could not understand a simple system like that? He could not believe it. He sympathised, of course, with those people who had not had as great advantages as himself, but he knew that as soon as ever the candidates were declared for one of those electorates persons would be practising on the ballot-papers from morning to night. He did not say that with the slightest unkindness or intention of casting a slur on anybody, but he was quite certain that the system would be thoroughly understood apart altogether from that little dodge known as the "double shuffle." Most hon. members knew what that was.

HONOURABLE MEMBERS: What is it?

Mr. BARLOW said those hon. members who did not know could inquire from those who did. He was not going to educate the rising youth of the colony in the "double shuffle" business. He could assure hon. members that there would not be the slightest difficulty, apart altogether from that electoral chicanery, in people educating themselves in the use of those figures. Most people understood all about horse-racing; but for his own part he just knew one end of a horse from another, and he would burn his fingers if he interfered with that subject, but he generally found it was pretty well understood by the people generally. He was certain there were a great many persons, who could neither read nor write, who understood all about the mysteries of horse-racing and the state of the odds, just as well as he (Mr. Barlow) understood the electoral scheme that he was propounding.

Mr. GLASSEY said the figures were pointed out to them.

Mr. BARLOW said the figures on the ballot-papers would also be pointed out by the organisation. The hon. member was pleading for the ignorance of the members of that organisation.

Mr. GLASSEY said he was pleading for simplicity.

Mr. BARLOW said could simplicity go further than to put 1, 2, 3, or 4 against certain names?

Mr. ALAND: Yes; by leaving it as it is.

Mr. BARLOW said that if left as it was the vote was not spoiled, nor was it spoiled if mistakes were made with the figures. It was merely a privilege which might be availed of or not. He should not like the confession to go forth from that Chamber that the people of Queensland, in the year 1892, were so ignorant that they could not put those figures against the names on a ballot-paper.

Question—That the new clause proposed to be added be so added—put; and the Committee divided:—

AYES, 34.

Sir S. W. Griffith, Sir T. McIlwraith, Messrs. Cowley, Hodgkinson, Unmack, Tozer, Smith, Casey, Dickson, Grimes, Barlow, Macfarlane, Salkeld, Annear, Philp, Hamilton, Palmer, Dunsmure, Corfield, Stevens, Little, Murray, Crombie, Perkins, Stevenson, Wimbie, Hyne, Campbell, Mellor, McMaster, Watson, Stephens, Allan, and Foxton.

NOES, 13.

Messrs. Drake, Aland, Donaldson, Black, Plunkett, Lissner, Hall, Glassey, O'Sullivan, Hoolan, Isambert, Powers, and Sayers.

Question resolved in the affirmative.

Mr. BARLOW moved that the following new clause stand part of the Bill:—

When a poll is taken at an election a candidate shal not, except as hereinafter provided, be elected as a member unless he receives an absolute majority of votes.

Question put and passed.

Mr. BARLOW moved that the following new clause stand part of the Bill:—

Notwithstanding the provisions of the seventy-third section of the principal Act, an elector may, if he thinks fit, indicate on his ballot-paper the names of any candidate or candidates for whom he does not vote in the first instance, but for whom he desires his vote to be counted in the event of any candidate or candidates for whom he votes not receiving an absolute majority of votes; and, if he indicates more than one such candidate, may indicate the order in which he desires that his vote or votes shall be counted for any such candidate or candidates.

Such indication shall be made by writing the figures 2, 3, or any subsequent number, opposite to the names of the candidates for whom he does not vote in the first instance, but for whom he desires his votes to be so counted, and the order indicated by such numbers shall be taken to be the order in which he desires his votes to be so counted.

He said it was merely a clause enabling the figures to be put in, and did not involve any criticism.

Mr. DRAKE said he thought the clause would require some alterations to make it consistent with clause 5, because in a double constituency a voter who voted for the candidate who had received an absolute majority of votes would be entitled to have his contingent votes counted in the event of only one of the members having obtained an absolute majority of votes.

The CHIEF SECRETARY said he was under the impression that in a double electorate when once a candidate received an absolute majority of votes he should be declared elected. If a man received 501 votes out of 1,000 he could not represent a minority. However, if the whole four were subject to the re-counting, unless a man obtained one-third of the whole number of possible votes, that is, of twice the number of electors, he was not safe. There would be less difficulty if a man were declared elected when he obtained an absolute majority; and then they could take the second count between the next two men.

Mr. BARLOW said if 500 men voted for a candidate out of 1,000 they could have him.

Mr. DRAKE said the matter was considered of such importance last year that the Government did not proceed further with the Bill. If the amendment were carried in its present form it would be possible for a man who had been rejected to have polled more votes primary and contingent than the candidate who was accepted.

The CHIEF SECRETARY: The primary votes are of more value than the contingent votes.

Mr. DRAKE said they should state the value of primary and contingent votes. If they adopted the principle stated by the hon. member for Burrum, they would really arrive at the wishes of the electors. The clause at present would actually demonstrate that the man who sat for a constituency had not received as many votes as a candidate who had been rejected, which seemed dead against the principle upon which the amendment had been recommended to the Committee—that the member should represent an absolute majority.

Mr. BARLOW said hon. members should discard from their minds at present the idea of a ballot-paper. Let them suppose that the electors of North Brisbane were ranged up like a regiment of soldiers in front of Parliament House, and that when the name of each candidate was called out the electors in favour of him stepped forward. Then if 501 out of 1,000 voted for A, that would be the choice of the majority. The rock they split upon last year was not the question of an absolute majority so much as that of calculating the secondary votes, and certainly

the hon. member for Enoggera then exploded the fallacy they were labouring under, since each man had two votes. It would be better to take the majority in the first case, and then proceed as in a single electorate. No scheme could be made absolutely perfect, and he was not going to detain the Committee with the details of another scheme, although he might do so on a future occasion.

New clause put and passed.

Mr. BARLOW moved the following new clause, to follow the clause last passed :—

When one member only is to be returned at an election, if there is no candidate who receives an absolute majority of votes, all the candidates except those two who receive the greatest number of votes shall be deemed defeated candidates.

The vote of every elector who has voted for a defeated candidate shall be counted for that one (if any) of the remaining two candidates for whom he has indicated that he desires his vote to be counted.

The votes so counted for such remaining candidates shall be added to the votes originally given for them, and the candidate who receives the greatest number of votes, including the votes so counted, shall be elected.

Mr. DRAKE said he thought it right to consider whether it would not be better, supposing there were four candidates, for instance, to exclude only the lowest after the first count, in order to give the one who came third a fair chance. That would be a better system if the object was to find out the wishes of the electors. Suppose A, B, C, and D contested an election, D polling the lowest number of votes. If D's resurrected votes were distributed between A, B, and C, it might happen that either A or B would be next lowest, and C, who originally stood third on the list, would be elected.

Mr. POWERS said it should be borne in mind that before long there would probably be three parties—the Government, the Opposition, and the labour party; but the Bill seemed to recognise only two parties—the Government and the labour party. The hon. member for Enoggera had pointed out that the candidate who came third had no chance under the clause. That was his objection also; and he would like to hear the Chief Secretary on the matter.

The CHIEF SECRETARY said he could add nothing to what he had already said on the point. What the hon. member suggested was admirable in theory; but it could not be done in practice.

Mr. DRAKE said the indication of preference in the first count might be very slight as between B and C. Suppose there were 1,000 votes polled, and A received 265, B 255, C 245, and D 235; that would be a difference of only ten between any candidate and the one below him. Under the present system A would be elected, because he had 265 votes; but that system was disapproved of, because hon. members desired that the man elected should represent an absolute majority of the voters. If they were going to throw overboard the principle that the excess of votes that a particular candidate got was an indication that he was the favourite candidate in the electorate, why should they raise that principle again, and say that the numbers given for A and B indicated that the constituents thought so much more of them that C should not have another chance? He was not convinced by any arguments he had heard.

Mr. SALKELD said that there was reason in the objection of the hon. member for Enoggera. If a number of ballots were necessary, in a case where there were five or six candidates, until the number was reduced to two there might be something in the objection; but seeing it was only a question of counting the contingent votes, there was no reason why they should not knock off the lowest on the list, and distribute his secondary votes amongst the other candidates. If no one had an actual majority then the next lowest should be knocked off, and so on until one candidate had an actual majority. If A, B, C, D, and E were all candidates, C might get the contingent votes of D and E, which would put him far ahead of A or B; but it was proposed to knock out C, the very man who could beat either A or B single-handed. It could all be done by the same machinery. The returning officer could manage the whole thing, and for the sake of giving him a couple of hours' extra work he did not see why they should mutilate a Bill and prevent the object being attained, which was stated to be the reason for introducing the whole thing.

The SECRETARY FOR RAILWAYS: How could C beat the other two single-handed when he is third on the poll? He tried, and there is the result——

Mr. SALKELD said that the hon. gentleman was running away from the thing altogether. He would take the case of an election where 1,130 votes were given for five candidates. A got 250, B 240, C 230, D 210, and E 200. Individually C, D, and E, might be below A and B, but their views might be pretty much the same, and they might represent a party with 640 votes, whilst A and B only represented 590. If the contingent votes of E were first distributed, and then those of D, it was quite possible that C would be at the head of the poll. A might represent one class of the electors, and B another, whilst C, D, and E represented a third party; and although they represented a majority of the electors, they would have no chance of using their contingent votes to return C. If three or two second ballots were necessitated, he could understand the omission of C, but not in the case of the contingent votes being taken into account. He would take the case of the Bundaberg election, as the most recent. He had been told that, leaving Mr. Hall out of the question, if the other three candidates had run Mr. Curtis would have beaten either of the others, and yet he would have been struck out. Why not remedy that by knocking off the lowest candidates one at a time? The Chief Secretary or the hon. member for Ipswich could easily alter the clause so as to provide that that should be done.

The CHIEF SECRETARY said that there was no trouble in altering the phraseology to meet the views of the hon. member, but the question was whether it was a desirable thing to do. As the clause stood, it was an adaptation of the principle of the second ballot. That was the foundation of it all, and the two men who were at the head of the poll were the men who were to compete in the second count. Such a case as that referred to by the hon. member might only happen once in 500 times. The clause as it stood was much simpler. What the hon. member wished might be attained by making the clause read in this way—

"If there is no candidate who receives an absolute majority of votes, the candidate who receives the least number of votes shall be deemed a defeated candidate. The vote of every elector who has voted for such defeated candidate shall be counted for such one of the remaining candidates as he has indicated. If there is still no candidate having an absolute majority of votes, the next lowest candidate shall be deemed a defeated candidate, and the votes given for him shall be counted for the remaining candidates, and so on from time to time until there are only two candidates; and of these two the one who has the greatest number of votes shall be declared elected."

Question—That the clause proposed to be added be so added—put; and the Committee divided :—

AYES, 30.

Sir S. W. Griffith, Sir T. McIlwraith, Messrs. Tozer, Hodgkinson, Cowley, Unmack, Hyne, Stephens, Little, Wimble, McMaster, Mellor, Philp, Perkins, Crombie, Murray, Stevens, Corfield, Dunsmure, Casey, Annear, Battersby, Watson, Barlow, Macfarlane, Foxton, Black, Grimes, Dickson, and Smith.

NOES, 10.

Messrs. Drake, Powers, Glassey, Hoolan, Hall, Sayers, Lissner, Plunkett, O'Sullivan, and Isambert.

Question resolved in the affirmative.

Mr. BARLOW, in moving that the following new clause be inserted after the clause last passed, namely—

When two members are to be returned, and there are not more than four candidates, the two candidates who receive the greatest number of votes shall be elected—

said the principle of that clause was, that where there were only four candidates there should be no counting of the contingent votes, but that the two at the head of the poll should be elected whether they received an absolute majority of votes or not.

Clause passed as printed.

The CHIEF SECRETARY said he would now move the new clause which had been circulated among hon. members, with a slight modification. It was as follows :—

When two members are to be returned, and there are more than four candidates, if there is no candidate who receives an absolute majority of votes, all the candidates except those four who receive the greatest number of votes shall be deemed defeated candidates.

Every vote given for a defeated candidate shall be counted for that one of the remaining four candidates for whom the elector has indicated that he desires his vote to be counted.

The votes so counted for such remaining candidates shall be added to the votes originally given for them, and the candidates who receive the greatest number of votes, including the votes so counted, shall be elected.

If only one candidate receives an absolute majority of votes he shall be elected.

In that case all the other candidates except those two who receive the next greatest number of votes shall be deemed defeated candidates.

The vote of every elector who has voted for a defeated candidate shall be counted for that one (if any) of the remaining two candidates for whom he has indicated that he desires his vote to be counted.

The votes so counted for such remaining candidates shall be added to the votes originally given for them, and the candidate who receives the greatest number of votes, including the votes so counted, shall be elected.

Mr. DRAKE said he did not know whether he quite understood the clause as it had been read, but he would ask if the hon. gentleman had made provision in it for a candidate who had received an absolute majority on the first count?

The CHIEF SECRETARY: Yes; he is declared elected.

Mr. DRAKE said he understood the last clause passed to provide that the two candidates who received the greatest number of votes should be elected.

Mr. BARLOW: That is where only four start.

Mr. DRAKE asked if he was to understand by the clause now proposed that where one candidate received an absolute majority of votes he was to be elected, and the contest for second place was to be between the next two?

The CHIEF SECRETARY: Yes.

New clause, as read, put and passed.

Mr. BARLOW said he had a formal clause to propose to follow the last new clause as passed. It read—

When two or more candidates, neither of whom is elected, receive an equal number of votes, the returning officer shall decide by his casting vote which of them have or has the greatest number of votes.

New clause put and passed.

The CHIEF SECRETARY said he had a clause to propose to provide that where an elector indicated more than one secondary vote, they should be counted successively in the order in which he indicated them on the ballot-paper.

Mr. BLACK: If he puts the figure 1 to the name of the candidate he votes for, that will render his ballot-paper informal.

The CHIEF SECRETARY: Oh, no!

Mr. BLACK: It will.

Mr. BARLOW said the Chief Secretary would find a clause drafted to meet that in the amendments he (Mr. Barlow) had prepared.

The CHIEF SECRETARY said that as the successive counting of the secondary votes was sufficiently implied, and as the votes could only be counted once, it would be unnecessary to move the clause he had mentioned. With respect to the point raised, that if a man wrote the figure 1 against the name of the candidate he intended to vote for it might render the ballot-paper informal, he would propose a clause to meet that. He proposed that the following new clause be inserted after the last new clause as passed :—

If an elector writes the figure 1 opposite the name of the candidate for whom he votes, the ballot-paper shall not be rejected for that reason only.

New clause, as read, put and passed.

Mr. POWERS said he had given notice of an amendment dealing with the questions that might be asked of electors. The Act provided that certain questions might be asked of the resident elector, and the question arose whether similar questions should not be asked when the qualification was a property one. He therefore proposed the following new clause :—

The presiding officer may, if he thinks fit, and shall if required by any candidate or scrutineer, put to any person claiming to be an elector, before he votes, and not afterwards, the following questions or any of them in addition to any of the questions set forth in the principal Act :—

1. Do you claim to be an elector and vote in respect of the qualification of possession or ownership of a freehold estate of the clear value of not less than one hundred pounds above all encumbrances, situated within this electoral district?
2. Are you now the registered owner or one of the registered owners of the freehold estate in respect of which you claim a vote by reason of your possession or ownership?
3. Would the freehold estate or the interest in respect of which you claim a vote in this electoral district, in your opinion, realise by sale at the present time one hundred pounds above all encumbrances on it?

No person required to answer the questions hereinbefore prescribed, or any of them, shall be permitted to vote until he has answered the same to the satisfaction of the presiding officer, and in such a manner as to show that he is entitled to vote, nor unless he answers the second and third of such questions in the affirmative if the answer to the first question is in the affirmative.

Then the consequences of giving a wrong answer would be the same as if the questions in respect of residence qualification had been asked. He hoped the Government would make no objection to accepting the amendment, because if the freehold qualification did not exist, the person claiming to vote should not be allowed to vote.

The CHIEF SECRETARY said the present system was that a man applied to have his name put on the electoral roll. The

claim was investigated, and, if in order, the name was put on the roll, and it remained there for twelve months. After that period the name might be struck off the roll if the man ceased to have the qualification. In the meantime he was on the roll, whether he continued to hold the qualification or not. That was the system, but the hon. member proposed to adopt another system: To turn the returning officer into a revising magistrate, and the polling-booth into a revision court. That was perfectly impracticable, and if it were to be done it should apply to all electors, and the question should be, "Do you still hold the qualification for which you appear on the electoral roll?" If that was done all round it would be intelligible but absolutely unworkable. The present system was to have a roll which was in force for twelve months, and the elector was identified as being on the roll. If he was there he was entitled to vote. The Government could not accept the amendment.

Mr. PAUL said the amendment, if carried, would cut at the very root of all enterprise. What freehold property was there that had not got advances on it to enable people to develop resources? He was surprised at the hon. gentleman making such a proposal.

Mr. POWERS said the freehold qualification must be of the clear value of £100. Surely it was not unreasonable to ask a man whether he still held his qualification. Although a vote might be claimed on the property qualification, who knew whether the claimant had not parted with the property, and how could that be ascertained except by asking a question? The name might have been on the roll for five years and the property have changed hands soon after the man got on the roll. Surely if a man lost his vote when his residence ceased, he ought to lose it also when his property qualification ceased? He had been unsuccessful in abolishing the property qualification, and the least they might do would be to prevent a man voting when he ceased to hold that qualification. As to the objection of the member for Leichhardt, the property must be free of all encumbrances and of the value of £100. If it was not worth that at the time the name was put on the roll the elector got on under false pretences.

The COLONIAL SECRETARY: Have you calculated how many days it would take in each electorate to ask all these questions?

Mr. POWERS said he had not, nor had he calculated how long it would take to answer all the questions respecting residence qualification, or the questions relating to bribery and corruption, but it must be remembered they were only put when there was reasonable cause for putting them. An election could not be got through in a week if all those questions were put in every instance.

Mr. SALKELD said the law empowered the returning officer to stop a residence vote when the person claiming it ceased to hold the qualification; and he could not see why the same law should not be applied to the property qualification. With regard to the delay that might occur, they knew perfectly well that the questions were only asked in exceptional cases. If all the questions were put—and he did not know of such a case—then the election would not be got through in the day, and it would have to proceed next day. Why should a man who got on the roll through holding a freehold be exempt for twelve months, although he might have sold his qualification? The residence qualification was the only vote many men had, but the property vote was a sort of supplementary vote, and it would not be such a hardship to lose it. He believed himself that the resident electors only should decide elections, but there certainly could be no justification for not putting the two classes of electors on the same footing. If they were living in the locality in August they could not be prevented from voting during the whole of the current year and the next year as well. A man must know perfectly well whether he still possessed his property qualification or not, and if he did not he certainly ought not to be on the roll. He hoped the Government would accept the amendment. If not, it would show that they were meting out one measure of justice to the freehold voter and quite a different one to the residence voter.

The COLONIAL SECRETARY said the question asked of the voter under the present system was not whether he possessed this qualification, but "Have you been, within the last nine months, a *bonâ fide* resident for a period of one month?" It would be utterly impossible to work the system proposed by the hon. member for Burrum. Returning officers were unpaid officers, and were most difficult to get, and to ask them to judge between contending parties as to the value of property would be simply ridiculous.

Mr. SALKELD said the question was put to an elector with a residence qualification only, and if he had ceased to be a resident within the electorate he was not allowed to exercise his vote, although his name was on the roll. In the case of a freehold qualification, the fact of a man's name being on the roll was enough to entitle him to vote, whether he still possessed the qualification or not. No questions could be asked him, and if he had disposed of his qualification he could not be put off the roll for the next twelve months. The proposal, he contended, was not inquisitorial in its nature, nor would it turn the returning officer into a court of revision. The freehold voter was simply asked whether he still possessed his qualification, and whether it would realise, if sold at the present time, £100.

Mr. SMITH said that under the 3rd subsection of section 63 of the principal Act the question was put, "Are you disqualified from voting?" He imagined that that referred to freehold property as well as to residence.

Mr. BARLOW said he would point out to the hon. member that that question was put only to persons who had taken certain positions in the Government service which expressly disqualified them from voting. On taking office they were to accept the disqualification, although their names were on the roll.

Mr. HOOLAN said the amendment, he took it, was intended to act as a check against those who claimed the freehold vote with fraudulent intentions. It would not cause inconvenience at the polling-booths, because it would only be applied where votes were offered under suspicious circumstances. The very knowledge that questions of that kind would be put by the presiding officer would prevent people from obtaining property votes by fraudulent means, and also from exercising the vote when they no longer possessed the qualification. It would also afford an easy means of pulling up people who had exercised the property vote fraudulently, and punishing them for it, if the law so provided. There was no doubt it would be very beneficial legislation. Only that very day, at the electoral court at Ipswich, a man applied to be put on the Bundanba roll in respect of a property qualification. He was registered in the Real Property Office as the owner of £230 worth of

property in that electorate; but according to the evidence given before the revision court, the man was selling that property, and yet he claimed the right to exercise the vote. The property had already been transferred in the divisional board office, but because the man's name was still on the books of the Real Property Office, he claimed to have his name entered on the roll, where it would remain unchallenged for twelve months or two years. Up to 3 o'clock in the afternoon there had been sixteen or eighteen property qualifications knocked over and costs registered against them. A number of people from Brisbane, Ipswich, and elsewhere applied to be admitted to the Bundanba roll, claiming to have property qualifications in the electorate by virtue of which they were entitled to have a vote. There were forty-four objections lodged, and as far as the revision had proceeded up to 3 o'clock, a whole lot of them had been tumbled over. A large number of respectable people were actually trying it on. The Hon. F. T. Brentnall, a member of the Upper House, was in the witness-box trying to prove his claim—as a partner. This gentleman, who claimed to have such sway in Brisbane and in the colony, was asking to be put on the roll in respect to a property qualification in a district where he did not possess one farthing's worth of property. That question had come on just at the time when they could produce such instances, and probably by to-morrow evening there would be thirty or forty of those attempted frauds to cite as illustrations. It cost a great deal of money to object to those tremendous frauds that were attempted to be perpetrated on the electoral rolls, and they could not be stopped unless the Government took the matter in hand. If the presiding officer had a right to ask those questions, property voters would be very chary about putting in claims for votes on account of property that did not possess the necessary qualification, and in some cases did not go within £90 of it. There had been sworn evidence that several highly-respectable people had sent in claims to the electoral registrar at Ipswich when their property was not worth £10. The amendment was very necessary, but he did not suppose the hon. member would carry it.

Mr. DRAKE said he would vote for the clause. It was quite right that, if questions were to be asked in respect to residence qualifications, they should be asked in respect to freehold qualifications. The questions asked in regard to residence qualifications seemed to indicate that if a man had resided in a place for one month in the last nine months he had not forfeited his residence qualification. If a man was required to state whether he had or had not forfeited his qualification as a resident, why should he not be asked similar questions in regard to any other qualification? There was another matter that seemed connected with this. If a man were struck off the roll, or his right was challenged in respect to his freehold qualification, there was no provision by which he could show that he had another equally good qualification. For instance. a man might have been living for years upon an allotment that he had bought during the land boom, and which might have deteriorated in value sufficient to bring it down below the £100. Why should he not be able to claim the residence qualification, when in the first place he had made the freehold his qualification?

Mr. FOXTON said he thought the remarks of the hon. member for Enoggera were a complete answer to the proposal of the hon. member for Burrum. If a man had been living twenty years on an allotment in respect to which he had a freehold qualification, and the value of that allotment deteriorated so that he was unable to say it was worth £100, he would still be entitled to a vote on his residence qualification. There were thousands of cases of that sort throughout the colony, in which the owner of the land would be disfranchised if its value fell below £100. Surely it would be a monstrous thing if those men were not allowed to substitute their residence qualification.

Mr. POWERS said the hon. gentleman had argued in favour of the suggestion of the hon. member for Enoggera, and not against the clause he proposed, which might be followed by one embodying the suggestions of the hon. member for Enoggera. That clause might say that if a man had resided on the property for which he claimed the qualification of ownership, he should be allowed to vote, if he could prove residence, in the event of it losing its value.

Mr. FOXTON: How long would that take?

Mr. SALKELD said he thought the question with regard to the value of the property might be left out. With regard to the other matter, he thought there should be some machinery whereby a man already on the roll under one qualification should be permitted to remain on the roll under any other qualification he might possess, on giving due notice to the registrar. At present, if a man was on the roll under a freehold qualification, and wished to sell the freehold on which he had resided for years, he could not get his freehold qualification changed for a residence qualification without first having his name struck off the roll. That meant that he would not be on the roll again till the end of another quarter.

Mr. BARLOW said he wished to draw attention to the question, "Are you now the registered owner or one of the registered owners?" He believed that if a person bought a piece of land for £300, and paid £100 and gave a bill for £200, though the title remained in the vendor's name, still the purchaser had a freehold estate in possession—an equitable interest which entitled him to be registered as a voter.

Mr. GLASSEY said it was clear that any amendment intended to liberalise the Bill was not going to meet with much support. He thought the amendment now before the Committee would act as a wholesome check upon persons who were supposed to have votes for property when, as a matter of fact, they had no property. Two claims had been considered that day in connection with his own electorate; and it appeared that a public man in the city of Brisbane had put in a claim for property held by another man. All he desired was that, as long as the property vote existed, the proprietor should be placed on exactly the same footing as the residence voter. He agreed with the hon. member for Enoggera that if a man was living on his own property and that property depreciated in value he should be enabled to vote under a residence qualification, and no longer as a proprietor. The amendment proposed by the hon. member for Burrum provided a reasonable check upon such persons as those to whom he had referred; yet the Chief Secretary got up and in a few words said the Government could not accept the amendment, If a person said he possessed those qualifications the presiding officer would allow him to vote. It did not follow, because the presiding officer asked the questions and received the answers, that he would therefore know the value of the property. The intention of the clause was that the presiding officer was to ask those questions, and having done that he had performed his duty. If the

man voted he did so on his own responsibility and at his own risk. The presiding officer had to ask questions of persons who might have got on to the roll in a fraudulent manner, and who remained there in a fraudulent manner.

The CHIEF SECRETARY said that he would call attention to the general absurdity of the proposal. As the amendment was worded every residence voter would be disqualified. He had given the hon. member for Burrum credit for what he supposed he had meant, but what he actually proposed was that every man claiming to vote on a residence qualification should be prevented from voting. That would be the effect if the clauses passed as they stood.

Mr. GLASSEY: They are subject to alteration.

The CHIEF SECRETARY said that the only way to alter them was to tear them up and write them out afresh. It was scarcely fair to bring proposals of that sort before the Committee. The presiding officer was to ask if a man voted on a freehold qualification, and he would not be allowed to vote unless he answered in the affirmative. That was actually the proposal of the hon. member for Burrum! He would not discuss the thing in detail; it was too absurd. He hoped they would not occupy any more time about it. The hon. gentleman had already had nearly two days to himself on the Bill; and that was nearly enough for one private member.

Mr. POWERS said that he wanted to know whether a man was the registered owner or not. Objection had been made to the presiding officer having to be satisfied; but he would point out what was asked with regard to a residence qualification. Section 68 provided—

"No person required to answer the questions hereinbefore prescribed, or any of them, shall be permitted to vote until he has answered the same in writing, signed by him, to the satisfaction of the presiding officer, and in such a manner as to show that he is entitled to vote, and at that polling-place, nor unless he answers the first and fourth of such questions in the affirmative."

The amendment made the same provision with regard to the freehold qualification. He was sorry so much time had been wasted about those things; but the Chief Secretary had, when the question had first been raised, altered the wording from "possession" to "ownership" in the Bill, and that made the questions all the more necessary.

The HON. J. R. DICKSON said that they should look at the practical effect of asking all those questions in the conduct of an election. Anyone who had been in a polling-booth at an election would know that the presiding officer would occupy a considerable time if he had to write down all those questions; while perhaps a whole crowd of electors would be waiting for their voting-papers. If that surplusage were added to the other questions prescribed by the principal Act, an election would certainly take two or three days to get through with it. What was the worth of the opinion of an elector as to the value of his property? It was subject to fluctuation, and though a man might conscientiously say that the land was worth more than £100 to him, he might have no knowledge of what it would bring in the market. The hon. member for Bundanba had stated that the Bill was a Bill to restrict voters; but his condemnation should have been extended to those clauses, because they would restrict the voting power of electors. While he admired the ingenuity of the hon. member for Burrum, and his great facility in drafting, his ability was misdirected on the present occasion.

Question—That the new clause proposed to be added be so added—put; and the Committee divided:—

AYES, 8.

Messrs Hoolan, Glassey, Hall, Salkeld, Powers, Drake, Macfarlane, and Isambert.

NOES, 34.

Sir S. W. Griffith, Sir T. McIlwraith, Messrs. Unmack, Black, Dickson, Hodgkinson, McMaster, Paul, Cowley, O'Sullivan, Crombie, Stephens, Little, Watson, Murray, Hyne, Dunsmure, Tozer, Perkins, Plunkett, Stevenson, Lissner, Wimble, Grimes, Mellor, Corfield, Luya, Aland, Sayers, Foxton, Allan, Philp, Annear, and Barlow.

Question resolved in the negative.

The House resumed; and the CHAIRMAN reported the Bill with further amendments.

The report was adopted, and the third reading of the Bill made an Order of the Day for to-morrow.

MESSAGES FROM THE LEGISLATIVE COUNCIL.

INDECENT ADVERTISEMENTS BILL.

The SPEAKER reported that he had received a message from the Legislative Council forwarding, for the concurrence of the Assembly, a Bill to suppress indecent advertisements.

FIRST READING.

On the motion of Mr. FOXTON, the Bill was read a first time; and the second reading made an Order of the Day for Thursday, 21st July.

LEPROSY BILL.

The SPEAKER reported that he had received a message from the Legislative Council returning, with amendments, the Bill to provide for the treatment of leprosy and the detention and isolation of lepers, in which amendments they requested the concurrence of the Assembly.

On the motion of the COLONIAL SECRETARY, the message was ordered to be taken into consideration to-morrow.

CRIMINAL LAW AMENDMENT BILL.

The SPEAKER reported that he had received the following message from the Legislative Council:—

"The Legislative Council, having had under consideration the amendments made by the Legislative Assembly in the Criminal Law Amendment Bill, beg now to intimate that they disagree to the amendment in clause 4, line 9 (now line 16), because it would lead to great uncertainty in the administration of justice, and in many cases it might be impossible for the Crown to produce a witness who had once been discharged from further attendance; and agree to the other amendments."

On the motion of the CHIEF SECRETARY, the message was ordered to be taken into consideration to-morrow.

AUDITOR-GENERAL'S REPORT.

SAVINGS BANK SECURITIES.

The SPEAKER said: I have also to report to the House that I have received from the Auditor-General, in compliance with the provisions of the Savings Bank Act of 1870, a statement showing how the funds of the Savings Bank were invested on the 30th June last.

The CHIEF SECRETARY moved that the papers be printed.

Question put and passed.

ADJOURNMENT.

The CHIEF SECRETARY said: Mr. Speaker,—I move that the House do now adjourn. After dealing with the messages from the Legislative Council to-morrow, we shall take the second reading of the Copyright (Fine Arts) Registration Bill, and then proceed with the Railways Construction (Land Subsidy) Bill.

Mr. BLACK said: Mr. Speaker,—I notice the Chief Secretary mentioned that the Copyright (Fine Arts) Registration Bill and the Merchandise Marks Bill would be taken to-morrow.

The CHIEF SECRETARY: No; I did not mention the Merchandise Marks Bill. I said the Railways Construction Bill.

Mr. BLACK: The second item on the paper to-day is the Queensland Constitution Bill, and a large number of members of this House and a large section of people in the colony are very anxious that that Bill should be brought in as early as possible. I think that, considering the importance of that question, precedence might have been given to that measure. The Government, I know, have the power to delay as they may think fit the consideration of that Bill; but, on behalf of those who consider that measure as of great importance, I would certainly suggest that the Government should not put it down to the bottom of the list, as they have the power to do, without giving some satisfactory reason for it. That Bill should be brought on for discussion at as early a date as possible.

The CHIEF SECRETARY said: Mr. Speaker,—I am anxious that there shall be a full House when that Bill comes on, as I consider it one of the very greatest importance. There are several members representing the Central districts and some representing the Northern districts absent from the House this week, and I think they ought to be here when the Bill comes on for discussion. The measure should be discussed in a full House, and will, I hope, be most carefully considered. I did not like to bring it in to-morrow in the absence of hon. members I have referred to, but there is not the slightest intention on the part of the Government to put off the consideration of that Bill indefinitely. I can assure the hon. member of that.

Question put and passed.

The House adjourned at twenty minutes to 11 o'clock.