

# The New Reform Bill.

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"POLITICAL POWER IS NOT AN END IN ITSELF, BUT ONLY A MEANS  
TO AN END."

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# INTRODUCTION.

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SINCE the time of the Chartist agitation, no attempt has been made to formulate a thorough scheme for the reform of the laws regulating our Electoral System, if the confused, inconsistent, and often unintelligible mass of Acts of Parliament on the Statute Book can be dignified by such a name. From the Statute of Edward I., establishing freedom of election, down to the County Electors' Act (1888), there have been between one hundred and fifty and one hundred and sixty Acts to regulate the Franchise, Registration of Electors, and Procedure at Elections, etc.; of which, no less than one hundred and sixteen have been enacted since the passing of the Reform Act of 1832—a measure intended by Lord John Russell to settle finally the question of Reform.

With the single exception of the Corrupt and Illegal Practices Act (1883), no attempt has been made to codify any section of Electoral Law. One Act of Parliament nullifies another, and a superstitious reverence for antiquated modes of draughtmanship has only made confusion worse confounded. A vote is given to every male householder, only to be taken away from him by a cumbrous and iniquitous system of registration, with an arbitrary term of qualification, and an intentionally complex arrangement of claim, objection, and revision.

It is often said that the points of the People's Charter have been embodied in English law; but, as a matter of fact, the Ballot alone has been adopted in its simple entirety. The Suffrage has been considerably lowered, and some approach has been made to the establishment of Equal Electoral Districts, but nothing whatever has been done with regard to the Payment of Members and the Duration of Parliaments. The abolition of a Property Qualification for Members has been merely a nominal reform, and can only be rendered effective by Payment of Election Expenses.

In the following draft bill an attempt has been made to put into practicable legal shape the aspirations of advanced political reformers. Its provisions include the following points:—

ADULT SUFFRAGE.  
MINIMUM RESIDENTIAL QUALIFICATIONS.  
EFFICIENT QUARTERLY REGISTRATION BY PAID OFFICERS.  
SECOND BALLOT.  
SIMULTANEOUS ELECTIONS.  
ABOLITION OF PLURAL VOTING.  
ABSOLUTE SECRECY OF THE BALLOT.  
ADEQUATE PROVISION OF POLLING PLACES.

EXTENSION OF THE HOURS OF POLLING.  
RESTRICTION ON USE OF CONVEYANCES.  
PAYMENT OF ALL ELECTION EXPENSES, AND OF NEARLY ALL THE NECESSARY COST OF CANDIDATURE.  
PAYMENT OF MEMBERS, AND OF THEIR TRAVELLING EXPENSES.  
TRIENNIAL PARLIAMENTS.

To make a complete Reform Bill, provision should also be made for the establishment of Equal Electoral Districts, automatically re-adjusted according to population after every census; the consolidation of the eighty-five statutes dealing with the Disqualification of Candidates, and of the thirty-one dealing with the procedure at an election; the further simplification and strengthening of the law relating to Corrupt and Illegal Practices; and the Abolition of the House of Lords.

Until the electorate consists of the whole adult population, and perfect freedom of choice of members, combined with the fullest control over their legislative action, has been secured through Payment of Members and their election expenses, and the Second Ballot, the people will be seriously handicapped in the promotion and enactment of those measures of social reform, which will ultimately result in the socialization of industry and the establishment of the Commonwealth on a co-operative basis, for which end alone political reform is of any value.



# The New Reform Bill.

## PRELIMINARY.

1. This Act shall come into operation on the First Day of January, 1892.

2. In this act the term "*Public meeting*" shall mean any meeting open, without ticket, to all electors in the constituency in which the meeting is held:

"*Period of election*" shall mean the period from the date of the issue of the writ by the Clerk of the Crown or the Speaker to the date of the declaration of the poll:

"*Returning officer*" shall include deputy returning officer:

"*Public funds*" shall include both national and local funds:

"*Person*" shall mean a man or woman of the age of twenty-one years or more:

"*Registration Day*" shall mean the 15th day of March, June, September, or December, respectively:

"*Qualifying Period*" shall mean four weeks.

Under the existing law, in Acts of Parliament the masculine pronoun includes the feminine.

## PART I.

### *Adult Suffrage.*

3. Every person over twenty-one years of age, who has continuously resided in or occupied the same premises for the space of four weeks next previous to any registration day, or has during that time resided in or occupied different premises in the same constituency in immediate succession, shall, with the exceptions hereinafter provided, be entitled to be registered as an elector, and when and so long as so registered, to vote at all elections taking place in the constituency in which the said premises are situated.

Provided also that none of the persons hereinafter mentioned shall be entitled to be registered as electors, namely:—

Aliens;

Persons who have been declared by legal process to be of unsound mind;

Persons actually undergoing a sentence of imprisonment or penal servitude; or

Persons scheduled for corrupt or illegal practices.

In view of the future "ending" of the House of Lords, Peers of Parliament are given the franchise like other citizens.

The law regulating the Naturalization of Aliens should be simplified and the expense reduced. The cost of a Letter of Naturalization is now £5, having been raised from £1 to that amount by the Home Secretary in 1886. A statutory declaration should be sufficient.

4. No person shall be registered as an elector who has not satisfied the conditions herein specified; but it shall be presumed, in the absence of evidence to the contrary, that every adult person satisfying the condition as to occupation or residence, is qualified to be registered as an elector.

5. No person shall be disqualified from being registered as an elector by reason of being a peer of Parliament, or a woman, or a woman under coverture, or a person in receipt of parochial relief, or a member of Her Majesty's military or naval forces; nor on the ground that any rates due in respect of the premises in which he resides are unpaid.

6. Any person registered or entitled to be registered as an elector may be a candidate at any election, whether parliamentary or otherwise, and, if elected, shall be entitled to sit; provided that no person shall be entitled to sit in both Houses of Parliament.

This section makes women eligible for membership of all representative bodies, and removes the existing disqualification of clergymen for membership of the House of Commons.

Any genuinely Democratic bill must sweep away, as is herein proposed, the whole existing tangle of complicated franchises, making simple residence for the briefest practicable period the basis of the qualification. Such a measure would add, not one million but nearer three millions of adult men to the registers, to say nothing of the nine millions of adult women. The new franchise should apply to all elections, whether for Parliament or any local public body. The creation of "faggot votes" would be impossible, and duplicate votes would be prevented (see section 23).

The number of electors now registered is 6,067,133 (H.C. 368 of 1890), but over 250,000 of these are duplicate registrations, some men having fifteen or more constituencies. The number of adult men in the kingdom is about 8,500,000, the estimated population in 1890 being 38,200,000, and the percentage of males over 21 as ascertained by the last census being 22·3. Accordingly, over two and a half millions of adult men are at present excluded from citizenship. The "Registration Bill" promised by the official Liberal leaders is expected by Mr. Gladstone to raise the number of the electorate to "seven millions" (see his article in *Lloyd's News*, 4th May, 1890, republished under the title of "Rights and Responsibilities of Labour," office of *Lloyd's Weekly News*, London. One penny). This timid and inconsistent proposal, which is denounced by Lord Hartington as revolutionary, would still leave over one and a half million adult men without the elementary right of citizenship.

The existing qualifications of Parliamentary electors, which are contained in thirty-eight statutes, are seven in number, four being peculiar to counties, and three common to both counties and boroughs:—

#### *Counties.*

1. A freehold estate of 40s. or upwards.
2. A copyhold estate of £5 annual value.
3. A leasehold for either twenty years of £50, or sixty years of £5 annual value.
4. An occupation of lands or tenements at a rental of £50 or upwards.

#### *Counties and Boroughs.*

1. The occupation of land or premises of the clear annual value of £10.
2. The occupation of a dwelling-house.
3. The occupation of lodgings of an annual value, if let unfurnished, of £10.

There are also 32,000 liverymen and freemen in boroughs who are electors under qualifications that will die out.

Manhood, or what is incorrectly called Universal Suffrage, prevails in France, Germany, Spain, most of the United States, New South Wales, South Australia, and New Zealand. The State of Wyoming alone enjoys true Universal Suffrage. In Austria, women who own property to which the franchise attaches may vote, the payment of certain taxes being the chief qualification.



## PART II.

*Efficient Quarterly Registration of Electors.*

7. The county council in every county shall appoint annually a county registration officer, who shall also be the returning officer at all parliamentary elections, under 38 & 39 Viet., c. 84, for all the constituencies in such county, and shall have power to appoint deputy returning officers.

8. Where a parish has a population according to the last census exceeding 500 in number, and (with the exception of the overseers) there is no vestry clerk or other officer whose duty it is to make out the lists of voters therein, the vestry shall appoint annually, before the 1st day of June, a local registration officer, whose duty it shall be to give the notices under the Registration Acts, and to prepare the lists of voters, claims, and objections for such parish, and do all other acts hereinafter provided for in respect of registration. The local registration officer shall be paid out of the county fund such a sum as may be approved by the Local Government Board. If in any such parish no local registration officer shall have been appointed by the 1st of June in any year, it shall be the duty of the overseers to report the fact to the county registration officer, who shall (with or without such report) immediately appoint a local registration officer for the said parish, with such remuneration, to be paid out of the county fund, as may be approved by the Local Government Board.

9. The overseers of any parish for which a local registration officer has not been appointed, may employ such persons as may be necessary for the purpose of serving notices, collecting returns, making enquiries, and otherwise aiding them in performing the duties hereinafter provided for in respect of registration.

10. On or before the 20th day of December, March, June, and September in every year, the person who is rated for each tenement shall furnish the local registration officer in every parish with a list of the adult men and women who have resided in the tenement for the period of four weeks next preceding the 15th day of December, March, June, and September in that year. Any person who shall refuse or negligently omit to make the return, or wilfully or negligently make a false or inaccurate return, may be prosecuted by the county registration officer, or by any other person, and shall be liable upon summary conviction thereof, to a fine not exceeding £5 for the first offence, and £10 for the second or any subsequent offence.

11. The local registration officer in every parish shall, on or before the last day in December in every year, make out a list of persons qualified to be registered as electors, alphabetically arranged, and another list in which the names shall be arranged in the same order in which their places of residence appear in the rate book for the parish in which the premises are situate.

12. The local registration officer in every parish shall, on or before the last day in March, June, and September in every year,

make out two supplementary lists containing the names arranged as hereinbefore provided, of

1. All persons who should be struck off the register, specifying the reasons.
2. All new names to be inserted.

13. These lists shall be printed and published by being affixed on or before the 5th day of January, April, July, and October, in every year, to the door or notice board of all churches, chapels, and places of worship, town halls, local board offices, and other municipal and parochial offices, post offices, telegraph offices, assize and county courts, public baths, wash-houses, libraries, museums, police stations, and all other buildings in the parish occupied for public purposes.

14. Any person who has not been included in the register or list may, on or before the 10th day of January, April, July, and October in every year, claim to have his name inserted. In such claim the full name and address must be inserted, and in the case of claims in respect of successive residence, all the addresses must be given in full.

The local registration officer shall provide all forms of claim free of charge.

15. Any elector may on or before the 10th day of January, April, July, and October in any year, by notice to the local registration officer, object to any person upon the register for the constituency in which such parish is situate, and in which he is an elector, on the ground, that he—

1. Is dead ;
2. Has not complied with the terms of residence or occupation ;
3. Is under the age of 21 years ;
4. Is an alien ;
5. Is a person scheduled for corrupt or illegal practices ;
6. Is a person who has been declared by legal process to be of unsound mind ; or
7. Is a person actually undergoing a sentence of imprisonment or penal servitude.

A copy of the notice of objection shall be forwarded by post by the person objecting to every person objected to.

16. The local registration officer in every parish shall, on or before the 15th day of January, April, July, and October, print and publish in the manner hereinbefore provided, the lists of claims and objections.

17. The local registration officer shall, in every quarter, obtain from the registrar or registrars of deaths in the district for which he is registration officer, a certified return showing the names in full of all adult persons who shall have died during the quarter, and the dates of their deaths ; such return shall be made up to the 10th day of January, April, July, and October in every year, and shall be delivered free of charge to the local registration officer not later than the 15th day of January, April, July, and October in every year.



18. On or before the 15th day of January, April, July, and October in every year, the local registration officer in every parish shall forward to the county registration officer lists containing the names, arranged as hereinbefore provided, of—

1. Persons who should be struck off the register, specifying the reasons ;
2. New electors to be inserted ;
3. New claimants ;
4. Persons objected to ;
5. Persons claiming in respect of successive occupation or residence in the same constituency ;
6. Persons scheduled for corrupt or illegal practices.

All forms of claim, notices of objection, and any correspondence relating to them, and the return of deaths, shall be attached to the lists.

19. On the receipt by the county registration officer of the lists forwarded to him in accordance with the preceding sections of this Act, he shall examine them, and shall give notice in writing by post to all persons, other than persons returned as dead by the registrar of deaths, whom he proposes to strike off the register, or who have been objected to, that, unless reason to the contrary be shown within seven days, their names will be struck off the register.

If no objection be raised to the new electors or claimants, the county registration officer shall insert the names on the register forthwith. In cases of claims in respect of successive occupation or residence, the county registration officer shall, if he think necessary, require a report from the local registration officer, verifying the claims or otherwise. Whenever it shall seem to the county registration officer necessary to hold a local enquiry in any parish, he shall give seven days' notice, by advertisement in one or more local newspapers, of the place, date, and time of such enquiry.

The register of voters for each parish shall be made up by the county registration officer, who shall classify it according to wards for all local elections, and according to the Parliamentary or other constituencies for other elections, and it shall come into force upon the 10th day of February, May, August, and November in every year.

The Controller of Her Majesty's Stationery Office shall issue, free of charge, upon the application of any county registration officer, all necessary registration forms, and the county registration officer shall provide the local registration officers with all forms of claim and objection free of charge.

20. If any person making a claim or objection be dissatisfied with the decision of the county registration officer with regard to such claim or objection, he may within twenty-one days call upon the county registration officer to state a case for submission to the judge of the county court for the parish in which the person claiming or objected to resides.

21. If any local registration officer be reported to the Local Government Board by the county registration officer for misconduct,



or for neglect in carrying out the provisions of this Act, the Local Government Board may order an official enquiry to be held, and if the charges of misconduct or neglect shall be substantiated to the satisfaction of the Local Government Board, the local registration officer may be dismissed, and the parish vestry shall, in such case, be forthwith convened for the appointment of a successor.

**22.** All expenses of the county registration officer in connection with the registration of voters shall be defrayed out of the county fund.

**23.** Any person whose name shall be on the register for more than one constituency, and who shall vote more than once at a general election of members of Parliament, or more than once in the same constituency at any other election, shall be liable on summary conviction thereof to a fine not exceeding £500, or to a term of imprisonment not exceeding six months.

The present arrangements for registering the crowded dwellers in populous cities are virtually those which sufficed when the Statute of Henry VI. for the first time restricted the county franchise to 40s. freeholders. The electoral registration of London's five million souls is left to no better organization than that of a rural hamlet of the last century.

At present only one in eight of London's population is on the register, as compared with one in six of the United Kingdom outside London, and one in five in many provincial boroughs. The term of occupation is absurdly long, and so arbitrarily dated, that every removal in London practically involves from eighteen months' to two years' disfranchisement.

This part supersedes the cumbrous mass of legal technicalities contained in thirteen acts of parliament, and makes the work of registration as simple, economical, and nearly automatic as possible. The present interval of more than four months between the date of claim and the date on which the register comes into force, is reduced to one month. Adult suffrage is enacted with the minimum term of residence necessary for the purposes of registration. Under the existing Registration Acts, the work of registration, which is only done *once* a year, commences in April or May, and is not concluded till the 12th October, which is the last day for the holding of the Revision Court. Under such a scheme as that proposed, the Register would be made up *four* times a year, and the four registrations would only take a few weeks longer to prepare than the one list under existing regulations. The individual voter is relieved of trouble and expense in claiming and supporting his claim, and provision is made for the punishment of misconduct or wilful neglect on the part of the registration officers. The existing system of revision of the voters' lists is abolished, and a saving effected in the item of revising barristers' salaries in England of £25,000 a year. The work of preparing the register is left to parochial officials, subject to local control, but subject also to the general supervision of an officer appointed by the County Council. There will be only one register for all elections, local as well as parliamentary.

The term of qualification in other countries is almost everywhere excessive. In Natal, for English people, three years' residence is the qualifying term; for natives, twelve years. In New Zealand, one year's residence in the colony and six months' in the constituency are required before registration. In France and Queensland, six months; and in Japan, twelve months' residence in the constituency qualifies. In the Netherlands, eighteen months' residence at home, or in the colonies, is sufficient. In the United States the provisions vary from State to State; there is generally a minimum term of residence in the State required, which varies from six months to two years, and often, in addition, a residence of one month to six months in the particular constituency.



## PART III.

*Payment of Election Expenses.*

24. The returning officer at an election shall be entitled to his reasonable charges not exceeding the sums mentioned in the schedule to this Act in respect of services and expenses of the several kinds mentioned in the said schedule, which have been properly rendered or incurred by him for the purposes of the election. The amount of such charges shall be paid out of the county fund.

The returning officer shall not be entitled to payment for any other services or expenses or at any greater rates than as in the said schedule mentioned, any law or usage to the contrary notwithstanding; nor to any charges which are not duly included in his account rendered to the county treasurer, together with all receipts and other vouchers proving the expenditure, within twenty-one days after the day on which the return is made of the person or persons elected at the election.

The schedule referred to is not printed in this Tract.

*Reduction of Security from Candidates.*

25. The returning officer shall require the sum of £10 to be deposited at the time of nomination by, or on behalf of, every candidate at a parliamentary election, and should any candidate poll fewer than one-tenth of the total votes polled or 500 votes, whichever shall be the smaller number, his deposit shall be forfeited and paid over to the county treasurer, and in any other case the deposit shall be refunded after the declaration of the poll; provided that no candidate shall be deemed to have been duly nominated until the deposit shall have been paid.

The necessity of retaining the obligation to give some security is obvious. Individuals are not wanted who thrust themselves upon the constituencies, without being the nominees of some organized body of electors, to whom the provision of the small amount of £10 would be easy. The penalty would operate as an obstacle to mere self-advertisement, but would not restrict the free choice of the electors.

The amount of security now required from candidates in this country varies from £100 to £700 in boroughs, and £150 to £1,000 in counties.

In Greece, each candidate is required to give £7 security.

In Natal, a deposit of £25 is required, and it is refunded if the candidate receives one-fifth of the votes polled by the lowest successful candidate.

*Official Notification of Polling Places.*

26. The returning officer in every constituency shall, three days before the day of election, forward by post to every elector an official poll-card, showing the names of the candidates, the number of the elector on the register, and the place at which he is entitled to poll. The poll-cards shall be transmitted through the Post Office and delivered free of charge, subject only to the regulations of the Post Office relating to inland letters. If any poll-card or form of promise to vote be printed or issued by any candidate or his agent, his election shall be void.

27. The returning officer in every constituency shall, within three days of the date of nomination, cause to be printed and posted



in convenient places throughout the constituency an official placard showing the names of all the candidates, the date of the poll, and the polling places assigned to each district.

*Free Provision of Polling Apparatus.*

28. The Controller of Her Majesty's Stationery Office shall provide an adequate number of ballot boxes, and a separate stamping instrument for each constituency, materials for voters to mark the ballot papers, and all forms, other than ballot papers, required for use at an election, and shall supply them, free of charge, within ten days of the receipt of the requisition of the returning officer for the constituency in which they are to be used. All fittings and compartments furnished for municipal or school board elections shall be used, so far as is practicable, for parliamentary elections; and all ballot boxes furnished for parliamentary elections shall be used, so far as is practicable, for municipal or school board elections.

29. The returning officer shall furnish, free of charge, all ballot papers and all forms of nomination of candidates at a parliamentary election, and he shall, free of charge, provide each polling station with copies of the register of voters, or such parts thereof as contain the names of the voters allotted to vote at such station, for use by the presiding officer and the personation agents of each candidate.

*Free Postage of Election Addresses.*

30. Every duly nominated candidate shall, on the day of nomination, furnish the returning officer with a copy of his election address, which shall not exceed in length one thousand words. The returning officer shall cause the addresses of all such candidates to be printed, and shall hand them to the Post Office, which shall transmit and deliver them, free of charge, to each registered elector in the constituency, subject only to the ordinary regulations of the Post Office relating to inland letters; provided that the address of each candidate shall be done up in a separate cover by the returning officer or his agents, and all the addresses shall be handed in for transmission on the same day.

*Free Postage of Campaign Literature.*

31. Every duly nominated candidate may once during an election period hand to the returning officer a packet of literature for each elector, folded and addressed ready for transmission through the post, the whole not to exceed two ounces in weight, which shall be transmitted through the Post Office and delivered free of charge to each registered elector, subject only to the ordinary regulations of the Post Office relating to inland letters.

These are novel provisions, intended to diminish the cost of elections, and to equalise, as far as possible, the chances of rich and poor candidates. The only exemptions from postage at the present time are petitions and addresses forwarded to the Queen, and petitions forwarded to members of parliament, or peers, for presentation in the House of Commons, or the House of Lords.

The official correspondence of Government departments is franked by having the signature of a duly authorized official stamped on each letter or packet. It is now sought to extend this practice to returning officers for election purposes.



*Free Use of School Rooms, &c.*

32. Any candidate at an election may use, free of charge, for the purpose of public meetings during the period of an election, any suitable room in any school receiving a grant out of moneys provided by parliament, after the ordinary school hours, and any suitable room in any building, the expense of maintaining which is wholly or partially payable out of any local rate; provided that three days' notice of the proposed public meeting be given to the committee or managers of such school or building; provided also that the use of the school or building shall be granted in the order of the receipt of the application by or on behalf of the candidates; provided also that no candidate shall have the use of the same hall or room on a second occasion should any other candidate desire to make use of it under the provisions of this clause; provided also that if it be proved that any such meeting was not a public meeting within the meaning of this Act, it shall be an illegal practice, and the person by whom and the candidate on whose behalf the meeting was convened shall, on summary conviction, be liable to a fine not exceeding £100.

The cost of a general election, even under the restricted scale of the Corrupt and Illegal Practices Prevention Act (1883), is still such a tax on the candidates as to re-establish the property qualification supposed to have been abolished in 1858.

In boroughs, the maximum expenditure allowed for one candidate is £350, where the number of electors does not exceed two thousand, and rises by £30 for every succeeding thousand, or part of a thousand electors. In counties, the maximum is £650 for two thousand electors, and £60 for each thousand or part of a thousand electors above that number. This scale does not include the returning officer's expenses, which, though limited by the Parliamentary Elections (Returning Officers) Act (1875), amounted to £134,000 in 1880, and £140,000 in 1886. The total expenditure, according to the candidates' returns, at the general election of 1868 was £1,383,903; in 1880, £1,650,000; in 1885, £1,026,646; in 1886, £624,000, many elections being uncontested. The returning officer's expenses would be largely reduced by this part of the act so far as his old duties are concerned, and the extra expense involved by his new duties would be minimised by having the printing, &c., done on a large scale. The schedule of charges at present allowed would be considerably modified, and the amount of personal expenditure by the candidate reduced.

By these provisions, everything practicable has been done to place the poorest candidate on an equality with the richest.

At present the expenses of elections for school boards, town councils, local boards, vestries, district boards and boards of guardians, as well as county councils, are paid out of local funds. The proposal to put the expenses of parliamentary elections on the county fund would equitably spread the cost over the whole body of ratepayers. The cost of registration is already paid locally.

In no European country, but Great Britain and Ireland, is the expense of printing ballot papers, provision of ballot boxes, voting compartments, forms of nomination and return, travelling of presiding officers, and conveyance of boxes, etc., to the place of counting votes and declaration of the poll, placed upon the candidates. In this country, the above expenses, known as "the Returning Officer's Expenses," are divided equally between the various candidates, and they create what is equivalent to a heavy "Property Qualification" for Members of Parliament. Freedom of choice can never be secured to the workers until the expense of running their own candidate is reduced to a minimum.

In France, Austria, Hungary, and Italy, the payment is made entirely



out of the State Exchequer. In the Netherlands, Portugal, Spain, Sweden, and Japan, the burden is thrown on the local rates. In Belgium and Greece, the expense is divided, the ballot boxes, desks, and permanent fixtures being provided by the State in the first instance, and stored, renewed, and repaired by the localities to which they are allotted for use; all other election expenses are paid out of the local funds. In Germany, the polling expenses are defrayed locally.

In Norway, election to the Storting is absolutely free of expense.

In Natal, the Colonial Engineer supplies all ballot boxes, papers, and stamps, together with other requisites for the polling places.

Under the Act regulating the Procedure at Parliamentary and Municipal Elections (35 and 36 Viet., c. 33), the returning officer may use, free of charge, for the purpose of taking the poll at a parliamentary election, any room in a school receiving a grant out of moneys provided by parliament, and any room the expense of maintaining which is payable out of any local rate. The Allotment (Amendment) Act of 1890 provides for the free use of rooms in board schools for public meetings to discuss the question of the provision of allotments. These precedents support the proposal to render the expense to which candidates are at present put in hiring rooms for public meetings, as far as possible, unnecessary. In many country parishes the school-room is, moreover, the only meeting place available.

#### PART IV.

##### *Simultaneous Elections.*

**33.** All writs issued by the Clerk to the Crown at a general election of members of parliament, to the returning officers of constituencies shall bear the same date, and shall on that day be issued.

The returning officer of every parliamentary constituency shall appoint the day for the nomination of candidates to be not later than the fourth day after the day on which he receives the writ, and the day for taking the first poll to be the third Saturday after the date on which the writ is issued.

At a General Election all elections will thus take place on the same day. Saturday is appointed as the universal polling-day in order to enable workers to poll without the risk of losing wages. The extension of the hours of polling (see Section 42) will enable Jewish citizens to poll after sunset.

##### *Second Ballot.*

**34.** In every Parliamentary constituency which has one representative only, the returning officer shall declare the total number of votes cast, including spoilt votes; and if any one of the candidates has obtained more than one-half of this number of votes, the returning officer shall declare this candidate duly elected, and shall proceed as provided in the Ballot Act, 1872. But if no one of the candidates has obtained more than one-half of the total number of votes cast, the returning officer shall declare the election undecided, and shall give public notice that a second poll will be taken.

**35.** In boroughs which return two representatives to parliament, the returning officer shall declare the total number of voting papers used, as hereinbefore provided, and if two of the candidates shall each have obtained more than one-half of this number of votes, he shall declare these two candidates duly elected. If none of the candidates has obtained more than one-half of the aforesaid number



of votes, the returning officer shall declare the election undecided, and shall give public notice that a second poll will be taken. If one of the candidates only has obtained more than one-half of the aforesaid number of votes, the returning officer shall declare this candidate only to be duly elected, and he shall give public notice that, in respect of one representative, the election is undecided, and a second poll will be taken for this representative.

In any satisfactory scheme of Redistribution of Seats, provision would be made for the abolition of all double-barrelled constituencies.

36. Whenever a second poll is necessary, as provided in the previous sections, it shall be the duty of the returning officer to appoint the Saturday next succeeding the first poll to be the day for taking the second poll.

37. The candidates at the second poll shall be not more than twice the number of members to be elected, and shall be the highest candidates at the first poll who shall not have given notice in writing of their retirement to the returning officer before 8 a.m. on the Thursday next preceding the day fixed for the second poll. No new candidates shall be nominated for the second poll.

38. After the second poll, the returning officer shall declare the number of votes for each candidate, and in constituencies which elect one representative only, he shall declare the candidate who obtains at the second poll the greatest number of votes, to be duly elected; and in boroughs which elect two representatives, he shall declare those two candidates who obtain the highest number of votes, to be duly elected: provided always that in case one of the representatives in boroughs, which elect two representatives, shall have been declared duly elected at the first poll, then the returning officer shall declare that candidate only who at the second poll obtains the highest number of votes to be duly elected.

*Absolute Secrecy of the Ballot.*

39. All ballot papers shall be burnt immediately after the declaration of the election of members, in the presence of the returning officer and the candidates or their agents, and a certificate of their destruction, signed by the returning officer and the witnesses, shall be forwarded to the Clerk of the Crown, or the Speaker, with the election return.

The proposal of a second ballot, contained in this part, is of extreme importance. We have suffered too long under the tyranny of the minority. The Tories obtained more than half their majority in the House of Commons in 1874, owing to splits amongst the Liberals. Without the second ballot, there can be no certainty that the representation of the majority in a constituency will obtain the seat. Until we get this reform, the Labour candidate will always be in danger of being squeezed out by the official wire-pullers, under the plea of not endangering the seat. With the second ballot he might insist on going to the poll and proving whether the electors preferred him to the official Whig. Whichever of them got the smaller number of votes could then retire, and leave the other to fight the Conservative at the second ballot.

This proposal is already the law in many continental countries.

In Austria and Hungary where no candidate obtains more than 50 per cent. of the votes polled, a second ballot is necessary and is restricted to the two competitors standing highest at the first poll.



In Germany, where no candidate has obtained a clear majority of votes, a new ballottage takes place, and the expense, which for a town of 100,000 inhabitants rarely exceeds from £15 to £20 in each case, is borne exactly as before.

In Belgium where the number of candidates exceeds that of members to be elected, a second ballot is taken if no candidate obtains more than half of the votes.

In France, a second ballot is required in all cases where no candidate has received both (a) the absolute majority of the votes polled, (b) a number equal to one-fourth of the electors on the roll. The second ballot takes place on the second Sunday following the day of the first poll. On this occasion, that candidate is elected, in whose favour the relative majority of votes is recorded whatever the number of votes may be. If an equal number of votes is given to two candidates, the elder of the two is declared elected. The State pays the same expenses at the second elections as it does at the first.

In Italy, the candidate is elected who obtains the greatest number of votes, provided that number is above one-eighth of the electors on the roll.

In the Netherlands, a second ballot takes place whenever no candidate obtains an absolute majority. The second ballot, when necessary, takes place about fourteen days after, and a mere majority of votes is sufficient. If the votes are equal, the eldest is elected; and if the ages are the same, the question is decided by lot. At the second ballot twice as many candidates as there are persons to be elected are submitted to the vote.

In Norway, a second ballot is only taken when two candidates poll the same number of votes.

The second ballot is also in operation in Portugal.

In Switzerland, an absolute majority is required, and when this is not obtained, a second ballot is taken amongst all the candidates. In the event of no absolute majority being obtained at the second ballot, a third is taken at which the number of candidates must not exceed three times the number of persons to be elected. Should it do so, those candidates who have received the lowest number of votes must retire until the limit is arrived at.

Two incidental but valuable reforms enacted by this section are the holding of all elections on one day, and the abolition of the power of scrutiny by the destruction of the used ballot papers. This will, for the first time, make it perfectly clear that the ballot is absolutely secret. It appears better to ensure this conviction of secrecy than the possible benefit of a scrutiny.

In France, Germany, Spain, Natal, and Victoria, all elections are held on one day.

### *Restriction of the use of conveyances.*

40. No conveyance shall be permitted to be used for the purpose of the conveyance of electors to or from the poll, unless the owner of such conveyance shall himself accompany it; and any person who shall otherwise lend or employ for the purpose of the conveyance of electors to or from the poll any conveyance whatever, shall be guilty of an illegal practice, and shall on summary conviction be liable to a fine not exceeding £100.

This would effectually prevent the swamping of constituencies at bye-elections by carriages lent by outsiders.

### *Adequate provision of Polling Places.*

41. The returning officer in every constituency shall appoint one or more polling places in every parish in such manner that every elector shall have his polling place within a distance not exceeding one mile from his residence: provided that it shall not be necessary to appoint any polling place in pursuance of this provision if the



number of registered electors which would be assigned to it is less than twenty. Each polling station shall be furnished with such number of compartments, in which the voters can mark their votes screened from observation, as the returning officer shall think necessary, so that at least one compartment be provided for every 150 electors entitled to vote at such polling station.

At present the limit of one mile is confined to boroughs.

#### *Extension of the Hours of Polling.*

42. At every parliamentary and municipal election the poll (if any) shall commence at eight o'clock in the forenoon, and be kept open till ten o'clock in the afternoon of the same day and no longer.

By this extension of the hours of polling the scandal of turning away voters, without allowing them to record their votes, will be rendered almost impossible. There would be less excuse than at present for voters postponing voting till the last moment. The extension is also desirable to enable Jewish electors to poll on Saturdays after sunset.

### PART V.

#### *Payment of Members.*

43. At the end of each calendar month during the whole year, the Speaker of the House of Commons shall issue to every member of the House an order on the Paymaster-General for £25; provided that in no case shall this payment be made to a member who shall be in receipt of a salary or pension of £300 per annum, or more, paid out of public funds: provided also that where a member shall be in receipt of a salary or pension of less than £300 per annum, paid out of public funds, he shall only be entitled as a member of parliament to such payment as shall make the total sum paid to him out of public funds not more than £300 per annum: provided also that a proportionate sum shall be deducted from the monthly payment to each member for every day he is absent from parliamentary duties without leave of the House.

This deduction would be made whenever a member absented himself from the ordinary sittings of the House or of any Committee, without having first obtained the leave of the House. A rule already exists forbidding absence without such leave.

#### *Free Travelling for Members.*

44. Every member of the House of Commons shall be provided by the Speaker, at the commencement of each parliament, with a free railway, steamboat, and mail coach pass of the first class, which shall entitle him to travel without payment, by any railway, steamboat, or coach carrying passengers in Great Britain and Ireland. No payment shall be made to any railway company, or to the owner of any steamboat or coach in respect of the provisions of this clause.

The proposal to pay members of parliament is not an untried and new-fangled innovation, but a reversion to old constitutional custom, both in England and Scotland. "The custom began," says Dr. Henry in his work,

"Great Britain," "with the commencement of Representation from a principle of common equity." In Scotland, the payment was made in accordance with the terms of a statute dated 1427, which has been preserved, and is supposed to have been copied from an English statute that has been lost. Professor Thorold Rogers says that in the reign of Edward I. "the member of parliament had daily wages; the knights or county members receiving more—the amount is not invariable—than the burgesses. When the Parliament was prorogued or dismissed, the writs for payment were made out, and the time during which the House sat exactly calculated." A judgment of Lord Chancellor Nottingham after the dissolution of Parliament in 1681 proves that the payment was not merely a voluntary contribution by the constituencies. Thomas King, M.P. for Harwich, presented a petition stating "that he had served as burgesse in Parliament for the said borough severall yeares, and did give his constant attendance therein; but that the said borough had not paid him his wages, though often requested so to do." Notice being given to the Corporation of Harwich, and the facts being verified, a writ was ordered to be issued, *de expensis burgensium levandis*. This was probably the last order so made. "I know no reason," said Lord Campbell, commenting on this judgment, "in point of law, why any member may not insist on payment of his wages. For this point in the People's Charter—payment of wages—no new law is required." An Act of 1541 made the payment of wages depend upon attendance in the House throughout the whole session. Payment of members is required to enable constituencies to freely choose their representatives, to give the public complete control over them, and compel them to perform their duties with diligence and efficiency. The poor candidate would thus be put upon an equality with the richest. An equitable and convenient adjustment of burdens is made by the payment of members out of the state, and the election expenses out of the local exchequers. Payment of members is the law in almost every country where representative government prevails. A Table of existing laws on the subject will be found on page 18.

## PART VI.

### *Triennial Parliaments.*

45. The present and succeeding parliaments shall have continuance for three years and no longer, to be accounted from the day on which by the writ of summons the parliament shall be appointed to meet, unless this present or any parliament hereafter to be summoned shall be sooner dissolved.

Prior to the Revolution of 1688, with the exception of a few years during the Commonwealth, the duration of parliaments was entirely within the control of the Sovereign. One of the parliaments of Charles II. sat eighteen years. The Triennial Act was passed in 1694. Its preamble declares "that frequent and new parliaments tend very much to the happy union and good agreement of King and people." The Septennial Act, one of the earliest measures of the first parliament of George I., was nominally based on a desire to relieve the country of the "grievous and burdensome" expense of elections, and also from "the violent and lasting heats and animosities among the subjects of the realm," but was really aimed at the "restless and Popish faction," which was "designing and endeavouring to renew the Rebellion within this Kingdom and an invasion from abroad." The dangers of 1714 have passed away, and the Septennial Act should therefore have been repealed more than a century and a half ago, but all attempts at repeal have been unsuccessful. The reversion to Triennial Parliaments is the least reform that can be accepted, and perhaps combines most of the advantages of Annual Parliaments without their drawbacks.

Members of the House of Representatives in the United States are elected only for two years. The members of the Lower Houses in Portugal, Sweden,



and Switzerland are elected for three years, as are also those of Victoria, New South Wales, South Australia, and New Zealand. For other countries see the table on the next page.

The precedents quoted in this tract may be found in the following authorities:—

“Summary of the Constitution and Procedure of Foreign Parliaments; compiled by *Reginald Dickinson*, one of the Committee Clerks of the House of Commons, from reports respecting the Practice and Regulations of Legislative Assemblies in Foreign Countries,” presented to Parliament in 1881;

“Problems of Greater Britain,” by *Sir Charles Dilke*.

“The American Commonwealth,” by *James Bryce, M.P.*

“Six Centuries of Work and Wages,” by *J. Thorold Rogers*.

“Constitutional History of England,” by *Sir T. Erskine May (Lord Farnborough)*.

“Lives of the Lord Chancellors,” by *Lord Campbell*.

“The Statesman’s Year Book.”

“The Government Year Book,” by *Lewis Sergeant*.

“The Colonial Office List,” &c., &c.

*Table of existing Laws as to payment of Members of Legislatures.*

The duration of the Legislatures is given in the first column.

COUNTRY.	PAYMENT TO MEMBERS OF LEGISLATURE.	OTHER ALLOWANCES.
Austria .. ..	Members of the Delegations, which meet away from home, receive 10 florins a day during the Session : in the Croatian Diet members receive about 12s. per day.	
Belgium .. .. 4 years	Deputies receive 430 francs (£17) monthly during Session, unless permanently living in the place of Session. Paid Monthly.	
Denmark .. ..	All Members of the Rigsdag receive 6 kroner (7s. 6d.) a day during Session.	Travelling expenses between Copenhagen and constituencies at opening and close of session.
France .. .. 4 years	Senators and Deputies receive 9,000 francs (£360) a year. Simple censure by the Chamber involves the loss of half salary for one month; censure with exclusion, half salary for two months.	Travelling expenses are paid to all Colonial representatives.
Germany .. .. 5 years	Members of the Imperial Parliament are not paid; but in the Prussian House of Representatives they receive £1 per day.	Free railway travelling during session.
Greece .. ..	Members receive 2,000 drachmas (£70) for each ordinary Session. Special Session, from 1,000 to 1,500 drachmas (£35 to £50). Salaried Deputies only receive balance to equal 2,000 drachmas.	
Italy .. .. 5 years	Members are not paid.	Free railway travelling and free postage.
Mexico .. ..	Members receive £600 a year.	
Netherlands ..	All Members of the States General are paid— 1st Chamber .. 8 florins a day. 2nd Chamber, 2,000 florins a year.	75 cents per hour of travel for each session.
Norway .. ..	All Members of the Storting receive 13s. 4d. a day during Session of three months.	Travelling expenses.
Orange Free State .. ..	Members receive £1 per day.	
Portugal .. .. 3 years	Deputies receive 100,000 reis (£22) a month during Session.	



COUNTRY.	PAYMENT TO MEMBERS OF LEGISLATURE.	OTHER ALLOWANCES.
Sweden .. .. 3 years	Members of the Lower Chamber receive 1,200 kroner (£66 13s. 4d.) for Session of four months; 10 kroner a day for Extraordinary Session; 10 kroner deducted for each day's absence.	Travelling expenses.
Switzerland .. .. 3 years	Members of the Federal Assembly receive 61s. a day during Session. No payment during absence.	20 centimes per kilometre (2½d. a mile) travelling expenses.
United States .. .. 2 years	Senators, Representatives, and Delegates receive \$5,000 (£1,000) per annum. Paid monthly.	20 cents. a mile for travelling, once per session each way, from residence to seat of Congress.
Bermuda .. ..	Members of the Privy Council and of the two Houses of the Legislature receive 8s. for each day's attendance.	
Canada .. ..	\$6, or £1 5s. a day to Members of both Houses, provided Session does not exceed 30 days. If it exceeds 30 days the allowance is \$600 (£120) a Session. Deduction of \$5 a day for absence.	10 cents. a mile travelling expenses, once a session, from residence to place of session.
Natal .. .. 4 years	Members are not paid.	Members residing over two miles from the Council Chamber receive £1 a day travelling allowance.
New Zealand .. .. 3 years	£1 a day during Session, subject to actual attendance. No payment under this head to the Speaker, Chairman, Ministers, or Members residing in the town where the Legislature meets, or within 15 miles of it.	Free travelling to and from Parliament.
Newfoundland .. .. 4 years	Legislative Council, ) President, \$240 per Session .. .. } Members, \$120 House of Assembly, Speaker .. \$923 Members (Outpost) .. .. \$300 Members (Capital) .. .. \$200 Deduction for Non-Attendance.	
New South Wales .. .. 3 years	By an Act passed in 1889, Members of the Lower House receive £300 per annum.	
South Australia .. .. 3 years	£200 a year to Members of both Houses not in receipt of official salaries.	
Queensland .. .. 5 years	£2 2s. for each day's attendance, not to exceed £200 a year.	Travelling allowance.
Victoria .. .. 3 years	£300 a year to Members not in receipt of official salary.	

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