

BIBLIOGRAPHY OF PROPORTIONAL REPRESENTATION IN TASMANIA.

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(Read 12th May, 1913.)

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INTRODUCTION.

Proportional representation was introduced in Tasmania by the Electoral Act of 1896, in which a form of the Hare system was used for two of the electorates of the House of Assembly.

The causes which led to the adoption of the Hare system were thus stated by the late Mr. Justice Andrew Inglis Clark in the following paragraphs, contributed by him to the report by Messrs. J. G. Davies and R. M. Johnston on the elections for the Senate and House of Representatives in Tasmania in 1901⁽¹⁾:—

The Clark-Hare system of voting was introduced into the electoral law of Tasmania in consequence of the frequent fail-

(1) See Bibliography No. 16.

ure of the ordinary system of voting to secure a proportionate representation of the preponderating opinions of the electors on political questions either in single or plural electorates. Under the first Electoral Act, which provided for the election of the members of a bicameral Legislature, the city of Hobart, by the "block vote," elected five representatives to the House of Assembly as one electorate, and the city of Launceston elected three representatives to the same branch of the Legislature in the same manner.

Under that system it was discovered that a majority of the electors, in each of the two electorates, could elect all the representatives, and leave a very large minority totally unrepresented in the Legislature. To remedy this evil those two electorates were divided into eight single electorates. But under this system it was discovered that when three or more candidates presented themselves for election, it very frequently happened that the successful candidate was elected by a minority of the total number of votes recorded. The same thing sometimes occurred in the rural electorates, which were all single electorates, but the number of candidates in the rural electorates did not often exceed two. It was also discovered that the division of the cities of Hobart and Launceston into eight single electorates reduced the area of each electorate, and the number of voters to such small dimensions that the agents and canvassers of the several candidates could easily interview every resident elector and ascertain very closely the number of purchasable or otherwise controllable votes.

After the representation of the cities of Hobart and Launceston was increased to six and four members, those electorates were divided into five electorates, each of which returned two members. At the same time, two rural electorates, each returning two members, were created. Under this plan it was discovered that the majority of electors in the total number of the electorates which returned two members frequently secured a much larger representation in Parliament than that to which it was proportionately entitled, and thereby gave a preponderance of voting power in the Legislature to a political party which had secured only a minority of the total number of votes recorded at a general election. In several instances neither of the successful candidates in a double electorate was elected by a majority of votes. The lastmentioned result was frequently produced by a large number of the electors voting for only one candidate out of the five or six who were in the field.

With a view of avoiding these serious defects, the cities of Hobart and Launceston were converted into two electorates under the Clark-Hare system, which enables every section of political opinion which can command the requisite quota of votes to secure a number of representatives proportionate to its numerical strength. It also utilises every vote recorded if the elector chooses to exercise the whole of his power to indicate his preferences. If any vote is not used to help in the election of a representative, it is because the voter has chosen

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to indicate his preferences for a less number of candidates than the number of representatives to be elected in the electorate in which he votes.⁽²⁾

(*) The following table shows the constitution of the House of Assembly from 1856 :—

The House of Assembly from 1856.

| Period. | Districts returning One Member. | Districts returning Two or more Members. | Total Number of Members. | Reference. | Remarks. |
|-----------|---------------------------------|--|--------------------------|---|---|
| 1856-1870 | 22 | Hobart, 5 members Launceston, 3 members | 30 | Electoral Act, 1856 (19 Vict. No. 24), Section 4 Electoral Act, 1857 (21 Vict. No. 32), Schedule | The mode of voting in the multi-member districts was by striking out names so as to leave a number less than or equal to the number to be elected |
| 1870-1885 | 32 | ... | 32 | Electoral Act, No. 4, 1870 (34 Vict. No. 12), Sections 2, 4, 7, 8 | Hobart and Launceston were divided into single-member districts, and two more members given to the North-West Coast |
| 1885-1893 | 20 | 8 two-member districts | 36 | Electoral Act, No. 7, 1885 (49 Vict. No. 12), Schedule 1 Electoral Act, 1890 (54 Vict. No. 13), Schedule 2 | One more member was given to Hobart and one to Launceston, and Hobart was divided into three districts and Launceston into two, each returning two members. The country districts were redistributed, and East Devon, Kingborough, and Wellington were made two-member districts. In the two-member districts the voting was by striking out names so as to leave one name or two |
| 1893-1896 | 21 | 8 two-member districts | 37 | Electoral Act Amendment Act, 1893 (57 Vict. No. 8), Section 3 | A member was given to the West Coast |
| 1896-1898 | 27 | Hobart 6 members Launceston, 4 members | 37 | Electoral Act, 1896 (60 Vict. No. 49), Schedule 2 | Hobart and Launceston were each made one district. The two-member districts in the country were divided into single-member districts |
| 1898-1901 | 28 | Hobart, 6 members Launceston, 4 members | 38 | Electoral Act Amendment Act, 1898 (62 Vict. No. 68), Section 3 | A second member was given to the West Coast |
| 1901-1907 | 35 | ... | 35 | Electoral Act, 1901 (1 Ed. VII. No. 57), Section 6 | |
| 1907 | ... | 5 six-member districts | 30 | Electoral Act, 1907 (7 Ed VII. No. 6), Section 13 | |

The Electoral Bill of 1896 was brought in by Mr. Clark, then Attorney-General in Sir Edward Braddon's Ministry. The Bill applied Hare's method to two electorates—Hobart (6 members) and Launceston (4 members), leaving the rest of the country in single-member electorates. The rules for transferring surpluses originally proposed (Appendix 1 below) were those of Hare, but in answer to critics who thought that these rules left too much to chance, Mr. Clark proposed the modifications from which the rules of the Act have come to be known as the Hare-Clark system, and by which the most important part of the element of chance was removed. (Appendix 2.)

The element of chance in the transfer of surpluses had been noticed by Miss Fawcett in 1872 (Henry Fawcett and Millicent Garrett Fawcett, *Essays and Lectures*, London, 1872, pp. 336-368), by H. R. Droop in 1881 (*On Methods of Electing Representatives*, Journal of the Statistical Society, XLIV., June 1881, pp. 141-196, at p. 182), by Sir John Lubbock in 1890 (*Representation*, London, 1890) and others; and had been discussed by Mr. Clark himself as long ago as 1874, in a paper in *The Quadrilateral*.⁽³⁾ Sir John Lubbock pointed out that the element of chance might be reduced if rules such as those afterwards employed by Mr. Clark were used; but he did not think it necessary to use such rules. Mr. Clark's contribution to the rules, although anticipated by Sir John Lubbock, was original, so far as I can learn, and these rules are still commonly known as the Hare-Clark rules. Mr. Clark's principal claim to be remembered in connection with the Hare system is not, however, derived from these arithmetical details, but from his having been the means of using the Hare system for the first time in a Parliamentary election in a British country.

The Electoral Act of 1896 contained a provision that it should remain in force only until 31st December, 1897, but it was afterwards extended, and it remained the electoral law of Tasmania until repealed by the Electoral Act of 1901. The elections held under it were: for the State House of Assembly: Hobart (6 members) and Launceston (4 members), 20th January, 1897 (see Bibliography, Nos. 3, 4, 6, and Hobart *Mercury*, 21st January, 1897; Hobart (6 members) and Launceston (4 members), 9th March, 1900 (see *Mercury*, 10th and 12th March, 1900); for the Commonwealth House of Representatives (5 members) and Senate (6 members), the whole of Tasmania being one con-

(³) See Bibliography No. 1.

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stituency for each House, 29th March, 1901 (see Bibliography Nos. 16, 17, and *Mercury*, 30th March, 1st April, 5th April, 1901).

The quota used in the Act of 1896 was the quota originally used by Hare, although the quota now usually admitted to be the correct quota—the Droop quota—had been proposed as early as 1872, and had been used in New Zealand in the Representation Bill of 1889 and by Sir John Lubbock in 1890.

The Hare system came under discussion again in 1899, when the Electoral Bill of that year (Bibliography No. 7) was before the House of Assembly. Mr. Clark meanwhile had become a justice of the Supreme Court of Tasmania, and the Bill was brought in by Mr. D. C. Urquhart. It was proposed to apply the Hare system to the whole of Tasmania, which was to be divided into seven districts returning from four to seven members each, and new and more elaborate rules for dealing with surpluses (see Appendix 3) were to be used. There was little discussion now of arithmetical details, and the debates were mainly of the political effects and difficulties of the system. The supporters of the system urged that it provided representation for minorities. It is noticeable to one familiar with present-day discussions that there was little mention of the proportional representation of parties; but this was scarcely to be expected, for there were then no definite parties as we have now. The opponents of the system argued that it was not understood; that electors did not want it; and, in particular, that the country districts (other than the West Coast) were against it; that there were no principles or parties to be represented; and that large districts were difficult to canvass. The bill was withdrawn by the Government, and the Electoral Act of 1896 (in which, as previously mentioned, the Hare system was used only in Hobart and Launceston) was continued until 1901.

In 1901 Sir Elliott Lewis introduced an Electoral Bill⁽⁴⁾ in which the Hare system (with the rules of the Act of 1896) was to be used for the whole of Tasmania. The Hare system was opposed on much the same grounds as in 1899, and the Government gave way, and reverted to the single-member system throughout Tasmania.

The electoral law was again under consideration in 1906. It was desired that Commonwealth and State should use joint electoral rolls, and the most convenient

(4) See Bibliography No. 15.

way to arrange for this was to adopt the five divisions for the House of Representatives as districts for the House of Assembly. The House of Assembly had hitherto had 35 members, but it was thought that 30 would now be sufficient. Mr. J. W. Evans, for these and other reasons, brought in an Electoral Bill, in which Tasmania was divided into five districts, each returning six members, to be elected under the rules of the Electoral Act of 1896. This Bill was withdrawn, and another was introduced, which became law next year as the Electoral Act of 1907. In this Act, new rules for transferring surplus votes and the votes of excluded candidates were used, and the Droop quota was introduced in place of the Hare quota used in the Act of 1896. These rules embody what is called the fractional method of transfer; they are based on a device published by Mr. J. B. Gregory, of Melbourne, in 1890⁽⁵⁾, and used independently by Miss A. M. Martin, of Adelaide⁽⁶⁾. The rules are the same as those proposed in the Proportional Representation Bills, 1902, 1905, and 1906 of South Australia, and are similar to the rules in the Parliamentary Elections Bill, 1900, of Victoria, and to the rules in the Commonwealth Electoral Bill introduced in the Senate on 24th January, 1902.^(6a) Their form is understood to be due to Professor E. J. Nanson and Mr. John Mackey, of Melbourne. The name "Hare-Clark" is sometimes used of these rules, but this is a misnomer. The frame of the rules is entirely different from Mr. Clark's; his provisions for dealing with surpluses are merged in a neater method, in which all chance disappears; the Hare quota of the Act of 1896 is abandoned, and, moreover, the rules are based on proposals made by Mr. Gregory some years before Mr. Clark's Bill was under discussion.

Under the Act of 1907 the following General Elections for the House of Assembly have been held:—30th April, 1909 (see Bibliography No. 26); 30th April, 1912 (see Bibliography No. 30; and 23rd January, 1913 (an official report on which is now in preparation; see also Bibliography Nos. 35, 36, 37).

In 1912 the Tasmanian Workers' Political League adopted in the "Launceston Voting System" for pre-elec-

⁽⁵⁾ See Bibliography No. 4, p. 16.

⁽⁶⁾ See Bibliography No. 5, p 19, and also *Effective Voting the Basis of Good Municipal Government: An Exposition of the Principles and Practice of Proportional Representation*. Issued by the Proportional Representation Committee of Ontario, Toronto, 1898, pp. 23-24.

^(6a) A clear explanation of the rules is contained in a memorandum circulated with the draft Bill.

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tions⁽⁷⁾, a further modification of the original Hare system. Instead of a single transferable vote, the Launceston Voting System gives several votes (but a less number than the number of members to be elected), and there is provision for transferring surplus votes and the votes of lowest candidates. The idea of using several votes is borrowed from the Brandt system, due to Mr. P. J. Brandt, of Melbourne, used by the Labour Party in Victoria for its pre-elections; but in the Brandt system there is no quota or surplus, and the votes of lowest candidates are transferred until only the number required to be elected remain. The object of having several votes in place of only one is to make the quota larger, and so ensure that the elected candidate shall have received support from a considerable body of the voters; also, the provision for several votes prevents the struggle for the first choice which has been found to be an undesirable feature of the single transferable vote. The rules of the Launceston Voting System are printed in Appendix 5.

BIBLIOGRAPHY.

1874.

1. [ANDREW INGLIS CLARK.] Hare's System of Representation.

(*In The Quadrilateral*, Vol. I., No. 11, Nov. [1874], pp. 249-251).

This is an unsigned article, but I am informed by Mr. William Burn, of Hobart, the only survivor of the four members of "The Quadrilateral," that the author was Andrew Inglis Clark.

The leading features of the system; the probable effects of adopting it. Reference to the objection to Hare's method of dealing with a surplus, and suggestion that of the candidates not yet elected the one who has the greatest number of first choices shall be entitled to as many votes from papers on which he is marked second as he requires for election.

1896.

2. Tasmania: "The Electoral Act, 1896" (60 Vict. No. 49).

For an account of this Act, see the Introduction. The speech of Mr. Attorney-General Clark in moving

(7) See Bibliography p. 34.

the second reading of the Bill (1896, No. 3) is reported in the Hobart "Mercury" of 13th August. The debate on the amendment to Clause 115, substituting the Clark method of dealing with surpluses for Hare's method proposed in the Bill when introduced is reported in the "Mercury" of 20th August. The rules originally proposed and Mr. Clark's rules in the form finally adopted in the Act are printed in Appendices 1 and 2.

3. R. M. JOHNSTON (Government Statistician, Tasmania). Observations on the Working Results of the Hare System of Election in Tasmania.

(In Papers and Proceedings of the Royal Society of Tasmania, 1897, pp. 69-96 and two diagrams. Also issued as a pamphlet by Government Printer, Hobart, 1897, pp. 1-32 (including title and analysis) and two diagrams, 8vo.)

1. The chief merit of the Hare system is the large electoral division, permitting the units of any body of opinion as large as a quota to unite and obtain a member. 2. The merits of the preference and transferable vote. 3. Popular exaggerated estimates of the influence upon results of the distribution of surpluses, illustrated by the experience of the election of 1897 in Hobart and Launceston. 4. General questions arising out of this election:—modification of the Hare system introduced by A. I. Clark; proportion between surpluses and all votes in the 1897 elections; the value of the element of chance remaining with the Clark-Hare method; the relative values of the preferences at the 1897 elections; what is the best index of general favour (the aggregate of all preferences better than the first choices); the effect of marking only three preferences; the proportion of invalid ballot-papers (3.65 per cent. in Hobart), and the nature of the defects (53 per cent. not due to the peculiarities of the Hare system); improved form of ballot-paper; suggestions for the conduct of the scrutiny. 5. How to simplify the ballot for those who cannot read or write. 6. Reply to critics of the method of distribution of surpluses used by the returning officers at the 1897 election. Table: Analysis of the voting at the 1897 election in Hobart, showing the various counts and the final result. Table showing the values of the effective preferences for each candidate at this election, with diagram. Table showing the first, second, and third preferences recorded for each candidate at the same election, with diagram. Illustration of the method of marking ballot-papers, and explanation of the various counts of a scrutiny.

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1897.

4. W. JETHRO BROWN. The Application of the Hare System in Tasmania.

(In Papers and Proceedings of the Royal Society of Tasmania, 1897, pp. 79-92 (supplementary pages). Also as a pamphlet, The Hare System of Election in Tasmania, reprinted from the "*Tasmanian News*," May 13th, 14th, 15th, and 16th, 1897, "*Tasmanian News*" Office, Hobart, 8vo., pp. 1-13. Also in Law Quarterly Review, Jan., 1899, XV., 51-70 [see 9]. Also in The New Democracy, A Political Study [see 10]).

Discussion of the modifications of Hare's proposals adopted in the Electoral Act of 1896—the country not one constituency but divided into districts, the elector to give preferences to at least three candidates, the provisions for transfer of surpluses. Account of the election in Hobart in 1897, and copy of R. M. Johnston's analysis of the voting (see 3).

Reprinted in 19a.

1898.

5. CATHERINE HELEN SPENCE. Effective Voting: Australia's Opportunity. An Explanation of the Hare System of Representation.

(Adelaide: Shawyer and Co., 1898, pp. 1-28, 8vo.)

The time occupied in the scrutiny at the election in Hobart in 1897 (p. 13). Analysis of the voting (as in 3), and remarks (pp. 19-22).

1899.

6. R. M. JOHNSTON (Government Statistician, Tasmania). Further Observations on the Hare System.

(Government Printer, Tasmania, n.d. (? 1899), 12 pp., 8vo.)

A comparison of the Hare system with the single-member system, exemplified by elections in Tasmania. An example showing that the Hare system gives proportional representation.

7. Tasmania: House of Assembly. The Electoral Bill, 1899 (Bill 4).

See Introduction. The debates on the second reading, in which the continuance of the Hare system was discussed, are reported in the "*Mercury*" of 14th, 15th, and 16th June, 1899. The debates in Committee, on

the clauses of the Bill involving the Hare system are reported in the "Mercury" of 23rd June, 30th June, 19th August, and 24th August. On 3rd August, 1424 electors of Hobart in a petition asked that the Hare system "introduced without the consent of the electors, and limited to one Parliament, be not continued without their consent." The Bill was reported with the provisions as to the Hare system intact, but was afterwards withdrawn by the Government ("Mercury," Sept. 20), and the Electoral Act of 1896 was extended. The rules proposed in this Bill are printed in Appendix 3.

8. HERBERT NICHOLLS. An Election under the Clark-Hare System.

("Mercury" Office, Hobart, 1899, 12 pp., 8vo.)

The various stages of the counting explained; the rules used for transferring surpluses are those proposed in the Electoral Bill, 1899 (see 7 and Appendix 3).

9. W. JETHRO BROWN. The Hare System, with Special Reference to its Application in Tasmania.

(In Law Quarterly Review, Jan., 1899, XV., 51-70).

See 4.

10. W. JETHRO BROWN. The New Democracy. A Political Study.

(London: Macmillan & Co. Ltd., 1899, xii., 215 pp., 8vo.)

Chapter III., pp. 32-67, The Hare System, with Special Reference to its Application in Tasmania. See 4.

11. W. JETHRO BROWN. The Electoral Bill of 1899: Brief Explanation of certain Clauses relating to Voting under, by W. Jethro Brown, M.A., LL.D. Presented to both Houses of Parliament by His Excellency's Command. 4 pp. Fo.

(In Papers of the Parliament of Tasmania, Vol. XLI., 1899, No. 26.)

12. R. M. JOHNSTON (Government Statistician, Tasmania). Hare System. Explanatory Observations regarding the Clark-Hare Mode of Quota-Surplus Transfer (60 Vict. No. 49, Tas.).

(No imprint [Government Printer, Hobart]. 1899. 4 pp. Fo.)

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1900.

13. T. R. ASHWORTH and H. P. C. ASHWORTH. Proportional Representation applied to Party Government. A New Electoral System.

(Melbourne, &c., George Robertson & Co. Proprietary Ltd., 1900, viii., 223 pp., 8vo.)

The elections of 1897 are referred to in Ch. VI.

14. E. J. NANSON. The Real Value of a Vote and How to Get It at the Coming Federal Elections.

(J. T. Picken, Printer, Melbourne, 1900, 32 pp., 8vo.)

A series of articles reprinted from the Melbourne "Age" and the Melbourne "Argus." At pp. 15, 20, the Hare quota, used in the Electoral Act of 1896, is shown to be too high, and the Droop quota is shown to be the true quota.

1901.

15. Tasmania: *House of Assembly*. The Electoral Bill 1901 (Bill 5).

See Introduction. The debate on the second reading is reported in the "Mercury" of October 10. The proposal for five seven-member districts was defeated by 22 votes to 9 ("Mercury," October 11). The opponents of the system, who were largely country members, used much the same arguments against the Hare system as in 1899. The West Coast districts were said to be in favour of the system, and the Government brought in an amendment proposing that the West Coast should be a five-member district, and that the rest of Tasmania should be divided into single-member districts ("Mercury," 13 November). Finally on 26th November the Government proposed 35 single-member districts, and this became law ("The Electoral Act, 1901").

16. J. G. DAVIES, Returning Officer, Tasmania, and R. M. JOHNSTON, Statistician of Tasmania. Commonwealth of Australia. The Senate. Hare-Clark System of Voting. Laid upon the Table by Command, and ordered to be printed, 13th December, 1901. 8 pp. Fo.

(In The Parliament of the Commonwealth of Australia (First Session of the First Parliament). Printed Papers presented to Parliament. Vol. II., Paper No. 46.)

Statement by Mr. Justice Clark of the causes which led to the introduction of the Hare system in Tasmania (see Introduction). Results of Election

for Tasmanian members of the Senate and House of Representatives held March, 1901. Invalid Ballot-papers.

Reprinted in 19 and 19a.

17. Commonwealth of Australia: *The Senate*. Federal Election for Senate: State of Tasmania. (Return showing Primary Votes and Subsequent Counts.) Return to Order. Laid on the Table and ordered to be printed, 27th February, 1902. 4 pp. Fo.

(In the Commonwealth of Australia (First Session of the Parliament). Vol. I. Journals of the Senate and Printed Papers having Special Reference to the Senate. Paper 54.)

1907.

18. Tasmania: "The Electoral Act, 1907" (7 Ed. VII. No. 6).

See Introduction.—The debates on the Bill (1906, No. 37) and on the Constitution Amendment Bill (by which the number of constituencies was altered) are reported in the "Mercury" of 26th September, 27th September, and 5th October, 1906.

The rules of this Act are printed in Appendix 4 below.

19. Great Britain: *House of Commons*. Miscellaneous, No. 3 (1907). Reports from His Majesty's Representatives in Foreign Countries and in British Colonies respecting the Application of the Principle of Proportional Representation to Public Elections. Presented to the House of Commons by Command of His Majesty, in pursuance of their Address dated June 18, 1906.

(In Great Britain. Parliament. Sessional Papers, Miscellaneous No. 3 (1907), Cd. 3501.)

At pages 64-105 are a memorandum dated the 7th day of February, 1907, by the Chief Secretary of Tasmania, the Electoral Bill, 1906, as passed by the House of Assembly, and the Report (see 16) by J. G. Davies and R. M. Johnston on the election of 1901 for the Senate in Tasmania.

19a. Great Britain: *House of Lords*. *Select Committee on Municipal Representation Bill*. Report from the Select Committee of the House of Lords on Municipal Representation Bill (H.L.); together with the Proceedings of the Committee, Minutes of Evidence, and Appendix.

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(*In Great Britain. Parliament. House of Lords Papers and Bills, 1907, No. 132.*)

In the Appendix there are reprints of the papers by Messrs. R. M. Johnston and W. Jethro Brown in 1897 (3 and 4) and the report by Messrs. J. G. Davies and R. M. Johnston in 1901 (16).

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20. P. C. DOUGLAS (Under-Secretary and Chief Electoral Officer of Tasmania). Tasmania: The Hare-Clark System of Election Modified by the Use of the Droop Quota and of Gregory's Fractional Method of Transfer as prescribed by the "Electoral Act, 1907." Explanation and Illustrations: Being a Summary of an Address given at a Public Meeting of the New Town Branch of the Australian Natives' Association. Published by direction of the Hon. the Chief Secretary.

(*Government Printer, Hobart, 1908, 32 pp., and tables, 8vo.*)

21. R. M. JOHNSTON (Government Statistician, Tasmania). The Electoral Act, 1907: The New Hare System of Election in Tasmania. Practical Illustration of the Working of the System.

(*Government Printer, Tasmania, 1908, 20 pp. and specimen counting-sheet.*)

22. JOHN H. HUMPHREYS. A Comparison of the Belgium "List" Method of Proportional Representation with the Single Transferable Vote.

(*In Representation. The Journal of the Proportional Representation Society. First Year (1908), No. 7, October, 1908, pp. 67-81.*)

On pp. 78-79 the element of chance in the transfer of surpluses, and the rules used in Tasmania to avoid it, are discussed.

23. Tasmania: Chief Electoral Office for the State. "The Electoral Act, 1907." Hints to Returning Officers, Assembly District.

(*One sheet, folded in three. Fo.*)

Instructions for the scrutiny. Plan showing arrangement of furniture.

1909.

24. J. McCALL. P. R. in Tasmania (The Recent Elections).

(*In Representation. The Journal of the Proportional Representation Society. Second Year (1909), No. 14, September, 1909, pp. 154-160.*)

A summary of the memorandum presented to the Royal Commission on Systems of Election (see 28).

25. PROFESSOR E. J. NANSON. An article in the Melbourne "Age" of 8th May, 1909.

(*Quoted in Representation. The Journal of the Proportional Representation Society. Second Year (1909), No. 12, May, 1909, p. 101.*)

The results of the election of 30th April, 1909, discussed.

26. P. C. DOUGLAS. Under-Secretary and Chief Electoral Officer; E. L. PIESSE, Assistant Returning Officer for Districts of Denison and Franklin; W. A. B. BIRCHALL, Parliamentary Draftsman, Assistant Returning Officer for Districts of Denison and Franklin. Tasmania. General Election for House of Assembly, April 30, 1909. Report on the System of Proportional Representation used in accordance with "The Electoral Act, 1907." 26 pp., and 8 folded scrutiny-abstracts. Fo.

(*In Papers of the Parliament of Tasmania, Vol. LI., 1909, No. 34.*)

The rules for conducting the scrutiny. The Droop quota compared with the Hare quota. The conduct of the scrutiny. General observations on the election; the representation secured by the Labour Party proportional to the number of its supporters. Comparison of the rules used with those proposed in the Municipal Representation Bill passed by the House of Lords in 1908; discussion of the element of chance in transferring surpluses according to the Hare-Clark rules, the rules of the English Bill, and the rules of the Electoral Act of 1907; re-scrutiny of the papers used at the election according to the rules of the English Bill; the Gregory fractional method of transfer recommended to be retained in Tasmania. Recommendations for amendment of the Electoral Act of 1907.

Appendix: Rules of the Electoral Act of 1907. Rules of the Municipal Representation Bill (English), 1908. Tables relating to the General Election, 30th April, 1909: I. Number of Electors on Rolls and Number who Voted; II. Number and Percentage of Informal Ballot-papers; III. Sources of Informalities of Ballot-papers; IV. Exhausted Ballot-papers; V. Number of Choices recorded for all Candidates; VI. Number of Choices recorded for each Candidate; VII. Analysis of the Votes at the end of the Scrutiny; VIII. Average Value as a Fraction of a Vote of each Choice recorded;

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IX. Number of Examinations of Papers; X. Comparison with Number of Examinations required by Rules of the Municipal Representation Bill; XI. Comparison of Number of Packets into which Papers were sorted according to Rules of the Electoral Act of 1907, and according to the Rules of the Municipal Representation Bill; XII. Table showing the Number of Votes of which the Distribution might have been altered if the Rule (b) (i) of the Municipal Representation Bill, 1908, for the transfer of surpluses had been used in place of the Rules of the Electoral Act of 1907; XIII. Re-scrutiny according to the Rules of the Municipal Representation Bill: Table showing the approximate Number of Votes at all Counts of which the Distribution was altered by the use of Rule (b) (i). Scrutiny Abstracts for Bass, Darwin, Denison, Franklin, and Wilmot. Re-scrutiny according to Rules of Municipal Representation Bill: Scrutiny Abstracts for Bass, Darwin, Denison, Franklin, and Wilmot.

The report, without the appendix, is reprinted with the Report of the Royal Commission on Electoral Systems, Great Britain, 1910 (see 27). Review in "Representation" (The Journal of the Proportional Representation Society), Second Year (1909), No. 15, December, 1909, pp. 180-3.

1910.

27. Great Britain: *Royal Commission on Systems of Election*. Report of the Royal Commission appointed to enquire into Electoral Systems, with Appendices. Presented to Parliament by Command of His Majesty.

(In Great Britain. Parliament. Sessional Papers, 1910, Cd. 5163.)

The adoption of the single transferable vote in Tasmania is referred to in § 120 (p. 33). The principal provisions of the Electoral Act of 1907 (see 18), and the report on the general election of 30th April, 1909 (see 25), without the appendix, are reproduced at pp. 54-63.

28. Great Britain: *Royal Commission on Systems of Election*. Minutes of Evidence taken before the Royal Commission on Systems of Election. Presented to Parliament by Command of His Majesty.

(In Great Britain. Parliament. Sessional Papers, 1910, Cd. 5352.)

The Hon. John McCall, Agent-General for Tasmania, presented a memorandum on the single transferable vote used in Tasmania, and gave evidence before the Commission (Questions 3008 to 3057, pp. 188-191). A summary of the memorandum was published in "Representation," September, 1909 (see 23).

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APPENDIX 1.

The Electoral Bill, 1896.

(As introduced into the House of Assembly.)

Bibliography
No. 2.

Clause 115. In every case in which more than one candidate is to be elected for any district, the returning officer shall deal with the ballot-papers as follows:—

1. He shall first arrange the ballot-papers by placing in a separate parcel all those which have the figure 1 set opposite to the name of the same candidate, and in so doing he shall reject all ballot-papers which have not the official signatures or stamps on the back thereof, or which have anything written or marked thereon by which the voter can be identified, and all ballot-papers on which no number has been placed by the voter to indicate the candidate for whom he wishes to vote, and all ballot-papers on which the same number has been placed against more names than one; but he shall not reject any ballot-paper whereon the number of candidates marked in the order of the voter's preference is fewer than, or in excess of, the number of members to be elected.
2. He shall then proceed to ascertain the "quota" of votes necessary for the election of a candidate by dividing the aggregate number of all the ballot-papers contained in all the parcels by the number of members to be elected, and the result disregarding any fractional remainder shall be the "quota."
3. He shall then proceed to count the number of ballot-papers in each parcel, and every candidate who has a number of first votes equal to or greater than the quota shall be declared elected, and every ballot-paper which has been once counted in the quota for a candidate who is declared elected shall be set aside as of no further use.

All the ballot-papers in each parcel which are in excess of the quota shall be set aside to be counted for other candidates as hereinafter provided, and on all such ballot-papers so set aside the name of any candidate for whom the requisite number of ballot-papers has already been counted shall be deemed to be cancelled, and the returning officer shall then severally transfer such ballot-papers to the candidates indicated thereon respectively as the next in the order of the voter's preference, and the votes thus transferred shall be deemed to have been given for the candidates to whom they shall be transferred as herein directed, and shall be deemed to be first votes.

This process shall be repeated until no candidate has more than a quota of first votes, or votes deemed first; and in every case in which the name of only one candidate, or the names of a less number of candidates than the number of members to be elected, have

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been marked on any ballot-paper with a figure set opposite thereto as hereinbefore directed, and the candidate or candidates whose names have been so marked thereon have received the required quota of votes exclusive of such ballot-paper, then the names of the other candidates shall be deemed to have been numbered on such ballot-paper in the order in which they are printed thereon, and shall be so numbered by the returning officer for the purpose of being thereafter used by him in the next or any subsequent counting of votes for which they may be available.

4. If, after all the ballot-papers have been counted and respectively assigned to the several candidates as hereinbefore directed, it is found that no candidate, or an insufficient number of candidates, has obtained the quota of votes necessary for his or their election, then and in such case the candidate who has obtained the lowest number of votes shall be excluded from the poll, and all the ballot-papers previously counted for such candidate shall be deemed to have been unused and to have his name cancelled thereon, and they shall be respectively transferred to and counted for the other candidates who have not received the requisite quota of votes and who are indicated on such ballot-papers respectively as the next in the order of the voter's preference.
5. The same process of excluding the candidate lowest on the poll and transferring to other candidates the ballot-papers previously counted for the excluded candidate shall be repeated as often as may be necessary until the requisite number of candidates have received the necessary quota of votes, or until the number of candidates has been reduced to the number of members to be elected.
6. If at any time after the first counting of the ballot-papers it becomes necessary to exclude the lowest candidate from the poll as hereinbefore directed, and it shall be found that two or more candidates have the same number of votes and occupy together the lowest position on the poll, then and in every such case whichever one of such candidates was found to have received the least number of votes upon the first counting of the ballot-papers shall be deemed to be the lowest on the poll; and if at any time it becomes necessary to exclude from the poll one or more of any number of candidates who have received the same number of votes upon the first counting of the ballot-papers, the returning officer shall decide which one or more of such candidates shall be excluded from the poll.
7. When, by successive applications of the directions hereinbefore contained, the number of candidates is reduced to the number of members to be elected the candidates constituting such reduced number shall be declared elected.

APPENDIX 2.

*The Electoral Act, 1896.*Bibliography
No. 2.

Clause 102. Every election under this Act shall be conducted in the manner following:—

* * * * *

3. In every case in which more than one candidate is to be elected for any district, each elector shall have one vote only, but may vote in the alternative for as many candidates as he pleases, provided he votes for not less than one-half of the number of members to be elected; and his vote shall be deemed to be given in the first place for the candidate opposite whose name upon the ballot-paper is placed the figure 1; but in the event of its not being required to be used for the return of such candidate, it may be transferred to the other candidates in succession, in the order of priority indicated by the figures set opposite their respective names; and the elector shall insert opposite to the names of the candidates for whom he wishes to vote, the figures 1, 2, 3, and so on, in the order of his preference. He shall not strike out from the ballot-paper the name of any candidate.

* * * * *

Ascertaining the Poll.

Clause 115. In every case in which more than one candidate is to be elected for any district, the returning officer shall deal with the ballot-papers as follows:—

- I. He shall first arrange the ballot-papers by placing in a separate parcel all those which have the figure 1 set opposite to the name of the same candidate, and in so doing he shall reject all ballot-papers which have not the official signatures or stamps on the back thereof, or which have anything written or marked thereon by which the voter can be identified, and all ballot-papers on which no number has been placed by the voter to indicate the candidate for whom he wishes to vote, and all ballot-papers on which the same number has been placed against more names than one; and all ballot-papers whereon the number of candidates marked in the order of the voters' preference is fewer than one-half the number of members to be elected.
- II. He shall then proceed to ascertain the "quota" of votes necessary for the election of a candidate by dividing the aggregate number of all the ballot-papers contained in all the parcels by the number of members to be elected, and the result, disregarding any fractional remainder, shall be the "quota."
- III. He shall then proceed to count the number of ballot-papers in each parcel, and every candidate who has a number of first votes equal to or greater than the quota shall be declared elected, and every

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ballot-paper which has been once counted in the quota for a candidate who is declared elected shall not be counted for any other candidate.

- IV. As many ballot-papers in each parcel as are in excess of the quota shall be set aside in the manner hereinafter directed to be counted for other candidates as hereinafter provided, and on all such ballot-papers so set aside the name of any candidate for whom the requisite number of ballot-papers has already been counted shall be deemed to be cancelled, and the returning officer shall then severally transfer such ballot-papers to the candidates indicated thereon respectively as the next in the order of the voter's preference, and the votes thus transferred shall be deemed to have been given for the candidates to whom they shall be transferred as herein directed, and shall be deemed to be first votes.
- V. The ballot-papers which are set aside from any parcel after the first count of votes as hereinbefore directed shall be selected from that parcel in such manner that they shall include as nearly as practicable in respect of each candidate the same proportion of ballot-papers having the figure 2 set opposite to his name as the number of such ballot-papers included in the whole parcel bears to the total number of ballot-papers in the whole parcel; and if any doubt or dispute shall arise as to the number of ballot-papers which should be included in respect of any candidate among the ballot-papers set aside from any parcel, the decision of the returning officer shall be final.
- VI. If in any case the number of ballot-papers transferred to another candidate as the second in the order of preference indicated thereon shall exceed the number required to give the quota of votes to that candidate, the excess to be transferred to other candidates shall be selected from the total number of the ballot-papers previously transferred as aforesaid in such manner that the excess shall include as nearly as practicable in the case of each candidate the same proportion of ballot-papers having the figure 3 set opposite to his name as the number of such ballot-papers included in the total number of ballot-papers previously transferred as aforesaid bears to such total number; and if any doubt or dispute shall arise as to the number of ballot-papers which should be included in such excess in respect of any candidate, the decision of the returning officer shall be final.

This process shall be repeated until no candidate has more than a quota of first votes, or votes deemed first.
- VII. If, after all the ballot-papers have been counted and respectively assigned to the several candidates as hereinbefore directed, it is found that no candidate,

or an insufficient number of candidates, has obtained the quota of votes necessary for his or their election, then and in such case the candidate who has obtained the lowest number of votes shall be excluded from the poll, and all the ballot-papers previously counted for such candidate shall be deemed to have been unused and to have his name cancelled thereon, and they shall be respectively transferred to and counted for the other candidates who have not received the requisite quota of votes and who are indicated on such ballot-papers respectively as the next in the order of the voter's preference.

VIII. The same process of excluding the candidate lowest on the poll and transferring to other candidates the ballot-papers previously counted for the excluded candidate shall be repeated as often as may be necessary until the requisite number of candidates have received the necessary quota of votes, or until the number of candidates has been reduced to the number of members to be elected.

IX. If at any time after the first counting of the ballot-papers it becomes necessary to exclude the lowest candidate from the poll as hereinbefore directed, and it shall be found that two or more candidates have the same number of votes and occupy together the lowest position on the poll, then and in every such case whichever one of such candidates was found to have received the least number of votes upon the first counting of the ballot-papers shall be deemed to be the lowest on the poll; and if at any time it becomes necessary to exclude from the poll one or more of any number of candidates who have received the same number of votes upon the first counting of the ballot-papers, the returning officer shall decide which one or more of such candidates shall be excluded from the poll.

X. When, by successive applications of the directions hereinbefore contained, the number of candidates is reduced to the number of members to be elected, the candidates constituting such reduced number shall be declared elected.

* * * * *

APPENDIX 3.

The Electoral Bill, 1899.

Clause 127. In the case of every electoral district in which more than one candidate is to be elected, and in which there is more than one polling-place, the deputy returning officer of each polling-place shall, as soon as practicable after the close of the poll, and in the presence of such of the scrutineers as choose to be present, open the ballot-boxes and deal with the ballot-papers as follows:—

1. He shall first arrange the ballot-papers by placing in a separate receptacle or parcel all those which have

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the figure 1 set opposite to the same candidate, and in so doing he shall, upon the proper recording-sheet, mark the preferences 1, 2, 3, respectively by a 1 in the proper column under the name of the candidates for whom these preference votes are declared in each ballot-paper, as in Appendix A. At the same time he shall reject all ballot-papers which have not the official signatures or stamps on the back thereof, or which have anything written or marked thereon by which the voter can be identified, and all ballot-papers on which no number has been placed by the voter to indicate the candidate for whom he wishes to vote, and all ballot-papers on which the same number has been placed against more names than one, and all ballot-papers whereon the number of candidates marked in the order of the voter's preference is less than three of the number of members to be elected:

II. He shall then proceed to ascertain the aggregate number of No. 1, 2, and 3 preferences for each candidate, as indicated upon recording-sheet:

III. Ballot-papers which have been rejected as invalid shall not be counted as votes:

* * * * *

V. The deputy returning officer shall then separately make up the ballot-papers of the various candidates respectively, recording on the inner wrapper of each candidate's ballot-papers the aggregate number of preferences 1, 2, and 3. He shall then securely bind in One parcel the several candidates' separate parcels of ballot-papers, sealed with his own seal and the seal of such scrutineers as desire to affix their seals, and shall transmit to the returning officer of the district such parcel so sealed as aforeaid, and shall also transmit at the same time to the returning officer of the district in separate parcels securely fastened—

- (a) The unused and spoiled ballot-papers;
- (b) The certified copies of rolls supplied to the said deputy returning officer on which the fact of any person having received a ballot-paper has been noted; and
- (c) An account, in which such deputy returning officer shall charge himself with the number of ballot-papers originally delivered to him, the number thereof delivered and used by voters, and the number not so delivered or left unused, and the number set aside for separate custody (which account is hereinafter referred to as the ballot-paper account).

Every such ballot-paper account shall be verified as well by the signatures of the said deputy returning officer and the poll clerk (if any), also by the signatures of such of the scrutineers as shall be present and shall consent to sign the same:

- vi. If at any time after the first counting of the votes it becomes necessary to exclude the lowest candidate from the poll as hereinafter directed, and it shall be found that two or more candidates have the same number of votes and occupy together the lowest position on the poll, then and in every such case whichever one of such candidates was found to have received the least number of first preference votes shall be deemed to be the lowest on the poll; and if at any time it becomes necessary to exclude from the poll one or more of any number of candidates who have received the same number of votes upon the first counting of the ballot-papers, the returning officer shall decide which one or more of such candidates shall be excluded from the poll.
- vii. When, by successive applications of the directions hereinafter contained, the number of candidates is reduced to the number of members to be elected, the candidates constituting such reduced number shall be declared elected.

Clause 128. In the case of any electoral district for which more than one candidate is to be elected, and there is more than one polling-place, the Returning Officer General, as soon as he shall have received the full reports of the deputy returning officers (to be transmitted to him as hereinbefore directed) showing the total number of preference votes, 1, 2, and 3 respectively, polled in every district polling-place at such election in respect of each candidate shall proceed as follows:—

- i. He shall first compute and ascertain the total number of first preference votes polled at such election, and shall divide such total number by the number of members to be returned for such district, rejecting any fractional remainder which may appear after such division, and the number of the said quotient found by such division shall be the quota or number of votes entitling the candidates respectively for whom such quota shall be given to be returned at the said election as members to serve in Parliament:
- ii. He shall then proceed to compute the number of 1st, 2nd, and 3rd preference votes recorded in favour of each candidate, and every candidate who has a number of first preference votes equal to, or greater than, the quota shall be declared elected.
- iii. As many first preference votes for any one candidate as are in excess of the quota shall, in the manner hereinafter directed, be counted for other candidates who have not received a quota as hereinafter provided, and the Returning Officer General shall then severally transfer such excess first preference votes to such candidates, and the votes thus transferred shall be deemed to have been given for the candidate to whom they shall be transferred as hereinafter directed, and shall be deemed to be first votes. All excess votes transferred as directed by this subsection are hereinafter referred to as transfer excess votes of the first order:

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- iv. The first preference excess votes set aside for transfer to candidates who have not yet been excluded shall be distributed in a proportion to be determined by reference to the total number of second preferences of such candidates: that is to say, the number of votes to be transferred to a candidate shall bear as nearly as practicable the same proportion to the surplus for distribution as the said candidate's second preferences on the whole election bear to the second preferences on the whole election of all the candidates who are not yet excluded; and, if any doubt or dispute shall arise as to the number of transfer votes which should be included in respect of any candidate, the decision of the Returning Officer General shall be final:
- v. If in any case the number of excess votes transferred to a candidate shall exceed the number required to give the quota of votes to that candidate, the excess shall be transferred to other candidates, and shall be distributed in a proportion to be determined by a reference to the total number of the third preferences of such candidates; that is to say, the number of votes to be transferred to a candidate shall bear as nearly as practicable the same proportion to the surplus for distribution as the said candidate's third preferences on the whole election bear to the third preferences on the whole election of all the candidates who are not yet excluded; and, if any doubt or dispute shall arise as to the number of transferred votes which should be included in respect of any candidate, the decision of the returning officer shall be final. All excess votes transferred as directed by this subsection are hereinafter referred to as transfer excess votes of the second order:
- This process shall be repeated, if necessary, until no candidate has more than a quota of first votes, or votes deemed first.
- vi. If, after all the votes have been respectively assigned to the several candidates as hereinbefore directed, it is found that no candidate, or an insufficient number of candidates, has obtained the quota of votes necessary for his or their election, then, and in every such case the candidate who has obtained the lowest number of votes, shall be excluded from the poll, and all the votes previously counted for such candidate shall be transferred to the remaining candidates who have not yet been excluded, and shall be distributed among them in the manner hereinbefore provided for the distribution of transfer excess votes of the first order (Subsections iii. and iv.):
- vii. If in any case the number of any lowest candidate's votes transferred to another, as directed in the previous subsection, shall exceed the number required to give the quota of votes to that candidate, the excess shall be deemed to be a transfer excess of

the second order, and shall be transferred and distributed among the remaining candidates not yet returned in the manner hereinbefore provided for the distribution of transfer excess votes of the second order (Subsection v.):

- VIII. The same process of excluding the candidate lowest on the poll at each stage, and transferring to other candidates the unused or the transfer votes of the first and second order, shall be repeated as often as may be necessary until the requisite number of candidates have secured the quota of votes, or until the number of candidates has been reduced to the number of members to be elected.

Clause 130. In the case of every electoral district in which more than one candidate is to be elected, and in which there is only one polling-place, the returning officer himself shall supervise all the operations and processes involved in dealing with ballot-papers, and in balloting for the various candidates, as hereinbefore provided in the case of districts where there is more than one polling-place, and shall himself supervise all the processes involved in counting the votes and ascertaining the final results of the election, as hereinafter provided—

- I. He shall, as soon as practicable after the close of the poll, and in the presence of such of the scrutineers as choose to be present, open the ballot-boxes and deal with the ballot-papers as in the following subsections:—
- II. He shall arrange the ballot-papers by placing in a separate receptacle or parcel all those which have the figure 1 set opposite to the same candidate, and in so doing he shall, upon the proper recording sheet mark the preference 1 by a mark 1 in the proper column under the name of the candidate for whom the No. 1 preference vote is declared in each ballot-paper. At the same time he shall reject all such defective ballot-papers as are described in Subsection One of Section One hundred and twenty-eight:
- III. He shall then compute and ascertain the total number of first preference votes polled at such election, and shall determine the quota entitling each candidate to be returned at the said election as a member to serve in Parliament, in the same manner as hereinbefore provided in Section One hundred and twenty-nine, Subsection One; and every candidate who has a number of first preference votes equal to or greater than the quota shall be declared elected, and shall as such be excluded from the subsequent operations of the poll:
- IV. He shall then in proper order proceed to deal with the transfer and distribution of transfer excess votes of the first and second order, and with the unused votes of candidates who as the next lowest in turn are excluded from the poll, in the same manner as hereinbefore provided (Section One hundred and twenty-nine, Subsections Three to Eight)

for districts in which more than One candidate is to be elected, and where there is more than One polling-place, but with the following modifications:—

In the case of transfer excess votes of the first and second order, as hereinbefore described, and in the cases of the transfer votes of the next in turn lowest excluded candidate, their distribution at each successive count or stage shall include as nearly as practicable in respect of each of the other candidates not yet returned or excluded the same proportion of the particular number of total transfer votes as the aggregate number of all second preferences, or, if not available because of exclusion, the next in order preference available, polled by the particular candidates whose votes are being so transferred.

* * * * *

APPENDIX 4.

The Electoral Act, 1907.

Mode of Voting.

Clause 119. At every election votes shall be recorded in manner following:—

Bibliography
No. 18.

- I. No name shall be struck out from any ballot-paper:
- II. In every case in which only One member is to be elected for any district the voter shall mark his ballot-paper in the manner following:—

(a) He shall place the number 1 within, or substantially within, the square opposite the name of the candidate for whom he votes as his first preference;

(b) He shall also (where there are more than Two candidates) give contingent votes for at least Two of the remaining candidates, by placing within, or substantially within, the squares respectively opposite their names the numbers 2 and 3, so as to indicate the order of his preference;

(c) He may, in addition, indicate the order of his preference for as many more of the other candidates (if any) as he pleases, by placing within, or substantially within, the squares respectively opposite their names other numbers next in numerical order after those already used by him:

- III. In every case in which more than One candidate is to be elected for any district the voter shall mark his vote upon the voting-paper in the manner following:—

(a) He shall place within, or substantially within, the squares respectively opposite the names of Three candidates the numbers 1, 2, and 3, so as to indicate the order of his preference;

- (b) He may, in addition, indicate the order of his preference for as many more candidates as he pleases, by placing within, or substantially within, the squares respectively opposite their names other numbers next in numerical order after those already used by him.

Rules for the Scrutiny.

(Schedule 4.)

In this schedule, unless the contrary intention appears—

- “Returning officer” means the returning officer for the district:
- “Quota” means the number of votes sufficient to elect a candidate:
- “Surplus” means the number of votes which a candidate has obtained, at any stage of the scrutiny, over and above the quota:
- “First choice recorded for a candidate” means a voting-paper on which the number 1 is placed in a square opposite the name:
- “Second choice recorded for a candidate” means a voting-paper on which the number 2 is placed in the square opposite his name:
- “Transfer value” means that portion of a vote which is unused by—
 - (a) An elected candidate who has obtained a surplus;
 - (b) A candidate excluded on account of his being lowest on the poll, and which is therefore transferred to the candidate next in the order of the voter’s preference. The transfer value of all votes is either 1 or some fraction of 1.

Method of Counting Votes where One Member only has to be returned for a District.

1. The number of first choices recorded for each candidate shall be counted, and all informal ballot-papers shall be rejected.

2. The candidate obtaining an absolute majority of votes shall be elected.

An absolute majority of votes means a number greater than One-half of the whole number of ballot-papers other than exhausted and informal ballot-papers. The casting vote of the returning officer shall be included in reckoning an absolute majority of votes.

3. If no candidate has an absolute majority of votes, the candidate who has the fewest votes shall be excluded, and each ballot-paper counted to him shall (unless exhausted) be counted to the unexcluded candidate next in the order of the voter’s preference.

4. If no candidate then has an absolute majority of votes, the process of excluding the candidate who has the fewest votes and counting each of his ballot-papers (unless exhausted)

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to the unexcluded candidate next in the order of the voter's preference, shall be repeated until one candidate has an absolute majority of votes.

5. Every ballot-paper, not rejected as informal, shall be counted in every count until it becomes exhausted, when it shall be rejected in all further counts. When a candidate is excluded, any ballot-paper counted to him shall be deemed to be exhausted if there is not indicated upon it a consecutive preference for one unexcluded candidate.

6. If on any count Two or more candidates have an equal number of votes and One of them has to be excluded, the returning officer shall decide which is to be excluded, and if in the final count two candidates have an equal number of votes, the returning officer shall decide by his casting vote which shall be elected, but otherwise no returning officer shall vote at any election.

Method of Counting Votes where more than One Member has to be Returned for a District.

1. The number of first choices recorded for each candidate shall be counted, and all informal voting-papers shall be rejected.

2. The aggregate number of such first choices shall be divided by one more than the number of candidates required to be elected, and the quotient increased by one, disregarding any remainder, shall be the quota, and (except as hereinafter provided in Rule 10) no candidate shall be elected until he obtains a number of votes equal to or greater than the quota.

3. Any candidate who has, upon the first choices being counted, a number of such votes equal to or greater than the quota shall be declared elected.

4. Where the number of such votes obtained by any candidate is equal to the quota, the whole of the voting-papers on which a first choice is recorded for such elected candidate shall be set aside as finally dealt with.

5. Where the number of such votes obtained by any candidate is in excess of the quota, the proportion of votes in excess of the quota shall be transferred to the other candidates not yet declared elected, next in the order of the voters' respective preferences, in the following manner:—

- i. All the voting-papers on which a first choice is recorded for the elected candidate shall be re-examined, and the number of second choices, or (in the case provided for in Rule 12) third or next consecutive choices, recorded for each unelected candidate thereon shall be counted:
- ii. The surplus of the elected candidate shall be divided by the total number of votes obtained by him on the counting of the first choices, and the resulting fraction shall be the transfer value:
- iii. The number of second or other choices, ascertained in paragraph i. to be recorded for each unelected candidate, shall be multiplied by the transfer value:
- iv. The resulting number, disregarding any fractional remainder, shall be credited to each unelected candidate, and added to the number of votes obtained by him on the counting of the first choices.

6.—(a) Where, on the counting of the first choices or on any transfer, more than one candidate has a surplus, the largest surplus shall be first dealt with. If then more than one candidate has a surplus, the then largest surplus shall be dealt with, and so on: Provided that, if one candidate has obtained a surplus at a count or transfer previous to that at which another candidate obtains a surplus, the surplus of the former shall be first dealt with.

(b) Where two or more surpluses are equal, the surplus of the candidate who was the highest on the poll at the count or transfer at which they last had an unequal number of votes shall be first dealt with; and if they have had an equal number of votes at all preceding counts or transfers, the returning officer shall decide which candidate's surplus shall be first dealt with.

7.—(a) Where the number of votes obtained by a candidate is raised up to or above the quota by a transfer as aforesaid, he shall thereupon be declared elected. And in such a case, notwithstanding the fact that he may have reached the quota, such transfer shall be completed, and all the votes to which he is entitled therefrom shall be transferred to him, but no votes of any other candidate shall be transferred to him.

(b) Where the number of votes obtained by a candidate is raised up to, but not above, the quota by a transfer as aforesaid, the whole of the voting-papers on which such votes are recorded shall be set aside as finally dealt with.

(c) Where the number of votes obtained by a candidate is raised above the quota by a transfer as aforesaid, his surplus shall be transferred to the candidates next in the order of the voters' respective preferences, in the following manner:—

- I. The voting-papers on which are recorded the votes obtained by the elected candidate in the last transfer shall be re-examined, and the number of third, or (in the case provided for in Rule 12) next consecutive choices recorded for each unelected candidate thereon counted:
- II. The surplus of the elected candidate shall be divided by the total number of voting-papers mentioned in paragraph I., and the resulting fraction shall be the transfer value:
- III. The number of second (or other) choices, ascertained in paragraph I to be recorded for each unelected candidate, shall be multiplied by the lastmentioned transfer value:
- IV. The resulting number, disregarding any fractional remainder, shall be credited to each unelected candidate, and added to the number of votes previously obtained by him.

8.—(a) Where, after the first choices have been counted and all surpluses (if any) have been transferred as hereinbefore directed, no candidate, or less than the number of candidates required to be elected, has or have obtained the quota, the candidate who is lowest on the poll shall be excluded, and all the votes obtained by him shall be transferred to the candidates next in the order of the voters' respective preferences, in the same manner as is directed in Rule 5.

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(b) The votes obtained by such excluded candidate as first choices shall first be transferred, the transfer value of each vote in this case being 1.

(c) The other votes of such excluded candidate shall then be dealt with in the order of the transfers in which, and at the transfer value at which, he obtained them.

(d) Each of the transfers which takes place under the two previous clauses of this rule shall be deemed for all purposes to be a separate transfer.

9.—(a) Where the number of votes obtained by a candidate is raised up to or above the quota by any such transfer as aforesaid, he shall thereupon be declared elected. And in such case, notwithstanding the fact that he may have reached the quota, such transfer shall be completed, and all the votes to which he is entitled therefrom shall be transferred to him, but no other votes shall be transferred to him.

(b) Where the number of votes obtained by a candidate is raised up to, but not above, the quota by any such transfer as aforesaid, the whole of the voting-papers on which such votes are recorded shall be set aside as finally dealt with.

(c) Where the number of votes obtained by a candidate is raised above the quota by any such transfer as aforesaid, his surplus shall be transferred to the candidates next in the order of the voters' respective preferences in the same manner as is directed in Rule 7, Clause (c): Provided that such surplus shall not be dealt with until all the votes of the excluded candidate have been transferred.

(d) Where any surplus exists it shall be dealt with before any other candidate is excluded.

10. The same process of excluding the candidate lowest on the poll and transferring to other candidates his votes shall be repeated until all the candidates, except the number required to be elected, have been excluded, and the unexcluded candidates, who have not already been so declared, shall then be declared elected.

11. Where at any time it becomes necessary to exclude a candidate, and two or more candidates have the same number of votes and are lowest on the poll, then whichever of such candidates was lowest on the poll at the last count or transfer at which they had an unequal number of votes shall be first excluded, and if such candidates have had an equal number of votes at all preceding counts or transfers the returning officer shall decide which candidate shall be first excluded.

12. In determining what candidate is next in the order of the voter's preference, any candidates who have been declared elected or who have been excluded shall not be considered, and the order of the voter's preference shall be determined as if the names of such candidates had not been on the voting-paper.

13. Where on any transfer it is found that on any voting-paper there is no candidate opposite whose name a number is placed, other than those who have been already either declared elected or excluded, such voting-paper shall be set aside as exhausted.

APPENDIX 5.

Bibliography
No. 34.

Rules for Conducting Pre-election Ballots, according to the Launceston Voting System (based upon the Multiple Transferable Vote).

Section 4.—Mode of Voting.

(a) Where three or four candidates are to be elected the voter places within the squares opposite the names of the two candidates whose return he chiefly desires, the number 1; and in addition indicates the order of his preference for the remaining candidates by placing within the squares opposite their names the numbers 2, 3, 4, and so on.

(b) Where five or six candidates are to be elected the voter places within the squares opposite the names of the three candidates whose return he chiefly desires, the number 1; and in addition indicates the order of his preference for the remaining candidates by placing within the squares opposite their names the numbers 2, 3, 4, and so on.

(c) Where seven or eight candidates are to be elected the voter places within the squares opposite the names of the four candidates whose return he chiefly desires, the number 1; and in addition indicates the order of his preference for the remaining candidates by placing within the squares opposite their names the numbers 2, 3, 4, and so on.

(d) Voters must vote or show a preference for at least six candidates, otherwise their voting-papers will be informal. In the event of less than six candidates offering, a vote or preference must be must be shown for each candidate.

Section 5.—Definitions.

In the following section, unless the contrary intention appears—

“Returning officer” means the returning officer for the district.

“Quota” means the number of votes sufficient to elect a candidate.

“Surplus” means the number of votes which a candidate has obtained at any stage of the scrutiny, over and above the quota.

“First choice for a candidate” means the number 1 placed in the square opposite his name.

“Second choice for a candidate” means the number 2 placed in the square opposite his name.

“Next available candidate” on any paper means the candidate not yet elected or excluded (and not already marked by the returning officer) to whom the next consecutive choice is to be credited.

“Transfer value” means that portion of a vote which is unused by—

(a) An elected candidate who has obtained a surplus; or

(b) A candidate excluded on account of his being lowest on the poll, and which is therefore transferred to the candidate next in the order of the voter's preference. The transfer value of all votes is either 1 or some fraction of 1.

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Section 6.—Method of Counting Votes.

1. The ballot-papers shall first be examined and all informal papers rejected.

2. Wherever during the process of the count the rules provide for a transfer of surplus votes from one candidate to other candidates, all the voting-papers concerned in the said transfer shall be shuffled before the transfer is commenced.

3. The number of first choices for each candidate shall be counted, and on each paper a mark shall be made opposite the name of each candidate who receives one of such choices. Each candidate shall be credited with one vote for each such choice given to him.

4. The aggregate number of such first choices shall be divided by one more than the number of candidates required to be elected, and the quotient increased by one, disregarding any remainder, shall be the quota, and (except as hereinafter provided in Rule 9) no candidate shall be elected until he obtains a number of votes equal to or greater than the quota.

5. Any candidate who has, upon the first choices being counted, a number of such votes equal to or greater than the quota shall be declared elected.

6. Where the number of such votes obtained by any candidate is in excess of the quota, the surplus shall be transferred to the next available candidate in the following manner:—

- (i) All the voting-papers on which a first choice is recorded for the elected candidate shall be re-examined and the number of second, or next consecutive, choices, recorded therein for each unelected candidate shall be counted.
- (ii) The surplus of the elected candidate shall be divided by the total number of votes obtained by him on the counting of the first choices, and the resulting fraction shall be the transfer value.
- (iii) The number of second, or next available choices, ascertained in paragraph (i) to be recorded for each unelected candidate shall be multiplied by the transfer value, and the resulting number, ignoring fractions, shall be the share of the surplus to which that candidate is entitled, if required.
- (iv) For each unelected candidate the returning officer shall select at random from the papers on which a second, or other choice has been found for that candidate under paragraph (i) a number of papers equal to the number calculated as his share of the surplus under paragraph (iii).
- (v) If on crediting a candidate with a number of votes equal to the number calculated as his share under paragraph (iii) the candidate would not have a number of votes in excess of the quota, the returning officer shall place a mark opposite his name on each of the papers selected under paragraph (iv), and one vote shall be credited to him for each such paper.

- (vi) But if on crediting a candidate with a number of votes equal to the number calculated as his share under paragraph (iii) the candidate would have a number of votes in excess of the quota, the returning officer shall select at random from the papers selected under paragraph (iv) a number of papers sufficient to give the candidate a quota, and no more. On each of the papers thus selected the returning officer shall place a mark opposite the name of the candidate, and one vote shall be credited to him for each such paper. On each of the remainder of the papers of such candidate selected under paragraph (iv) the returning officer shall place a mark opposite the name of the next available candidate, and shall credit one vote to such next available candidate, provided that as soon as a candidate reaches the quota he shall be declared elected and no more votes shall be credited to him.

7. Where on the counting of the first choices more than one candidate has a surplus, the largest surplus shall be dealt with first. If then more than one candidate has a surplus, the then largest surplus shall be dealt with, and so on.

8.—(a) Where, after the first choices have been counted and all surpluses (if any) have been transferred as hereinbefore directed, less than the number of candidates required to be elected have obtained the quota, the candidate who is lowest on the poll shall be excluded, and all the votes obtained by him shall be transferred to the next available candidates on the ballot-papers from which he has obtained his votes—that is, the papers on which his name has been marked by the returning officer.

(b) The returning officer shall in all cases make a mark on the ballot-paper opposite the name of the candidate to whom he transfers a vote.

(c) Whenever, during the transfer of an excluded candidate's votes another candidate reaches the quota, he shall be immediately declared elected, and the remainder of the excluded candidate's votes shall be transferred to the next available candidate on the remainder of the excluded candidate's papers.

9. The same process of excluding the candidate lowest on the poll and transferring to other candidates his votes shall be repeated until all the candidates, except the number required to be elected, have been excluded, and the unexcluded candidates, who have not already been so declared, shall then be declared elected.

10. Where at any time it becomes necessary to exclude a candidate, and two or more candidates have the same number of votes and are lowest on the poll, then whichever of such candidates was lowest on the poll at the last count or transfer at which they had an unequal number of votes shall be first excluded, and if such candidates have had an equal number of votes at all preceding counts or transfers the returning officer shall decide which candidate shall be first excluded.

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11. In determining which candidate is next in the order of the voter's preference, any candidates who have been declared elected, or who have been excluded, shall not be considered, and the order of the voter's preference shall be determined as if the names of such candidates had not been on the voting-paper.

NORE.—If, during the process of the count, the returning officer uses pencils of different colours in marking the names on the ballot-papers, it will be found to greatly facilitate counting operations. For instance, a candidate credited with primary votes (first choices) could be marked with blue pencil; a candidate credited with transferred surplus votes could have a red mark made opposite or across his name; whilst a candidate credited with transferred votes from an excluded candidate could have a green mark or two red marks made across his name.