

LEGISLATIVE COUNCIL.

DOUGLAS, THURSDAY, FEBRUARY 18TH, 1892.

CRIMINAL LAW AMENDMENT BILL.

On clause 30.

Deemster DRINKWATER: With reference to "summary conviction" in sub-section one, I think it was considered before that to give a magistrate, and him alone, such a power as this was greater than we should like to give, and I propose to add, by way of amendment, that the sentence on summary conviction is not to be carried out until the approval of the Governor has been obtained; and if the Governor does not approve, of course provision will have to be made for another kind of punishment.

The CLERK of the ROLLS: I think when we had the Bill here before, we agreed to alter that

Deemster DRINKWATER: That is so.

The ARCHDEACON: I raised an objection, when this question was previously before us, that a child under 10 years of age, and who has not committed an offence before, must be sent under this bill to the General Gaol Delivery.

The CLERK of the ROLLS: I think that sub-section two makes it worse rather than better, because if he is nearly 16, and has never before been charged, he may be sent to a reformatory, and kept there until he is 21 years of age.

Deemster DRINKWATER: That is so. He might be just 16.

The ATTORNEY-GENERAL: The alteration might be made in the first sub-section by inserting the words: "Provided that no such sentence shall take effect until approved by the Governor."

The CLERK of the ROLLS: If you give the magistrates power to pass a sentence, it is not a pleasant position to put the Governor in to negative the sentence, and say that it shall not be.

Deemster DRINKWATER: But the magistrates would know that such a restriction was imposed by the statute.

Criminal Law Amendment Bill.

The CLERK of the ROLLS: It is a tremendous power to give.

The ARCHDEACON: It is given in England; is it not?

Deemster DRINKWATER: I dare say it is.

The ARCHDEACON: I object to youthful offenders being sent to the General Gaol Delivery if it is possibly to avoid it, because of the extra exposure.

Deemster DRINKWATER: They hardly ever are.

The ARCHDEACON: The second sub-section necessitates it.

Deemster DRINKWATER: No. They may go before a Deemster—a Judge of the High-Court.

The GOVERNOR: I think that the section is better, that sub-section two should be left out.

The CLERK of the ROLLS: In sub-section two, I move to leave out the words which occur after "penal servitude," viz, "or imprisonment." That would exclude trifling cases which were punishable only by imprisonment. I would, of course, leave "penal servitude" in.

Deemster GILL: But, then, you want to make provision for cases punishable by imprisonment only.

Deemster DRINKWATER: Yes, and there are a large number of them.

The ATTORNEY-GENERAL: Leave out the magistrates altogether, and give the power only to a Deemster or to the General Gaol Delivery.

The CLERK of the ROLLS: That would suit me as well.

The GOVERNOR: Personally, I am a little against his Honour the Clerk of the Rolls on this question. I think that there is a great advantage in giving the magistrates power to send a child to a reformatory school. I think that the more we do to keep children out of prison the better for them, and there are many cases—and here the Vicar-General would bear me out—there are many cases in Douglas where we may arrest a career of crime, by sending a child to a reformatory school. I agree that it would be a very great misfortune if such a power were exercised without very great discretion, but so far as my experience goes, it has always been exercised in this Island with the greatest discretion. I do not think there has been any instance of a child being sent to a reformatory school,

unless there were serious and obvious reasons for it, and to take that power away, would, I think, be a very great misfortune in the interests of the future of this Island. A great many of the boys are sent to the Liverpool trainingship Akbar, and are there prepared for a sea-faring life. There the boys are under the guidance of a Manx chaplain, and he pays particular attention to the Manx boys. Indeed, last year, when he was on his holidays, he brought the Manx boys over to see their relations. He also brought them to see me, and the boys seemed to be as happy as possible in their life. I think we must have sufficient confidence in the discretion of the magistrates when using that power.

The CLERK of the ROLLS: If you leave out the words "summary conviction," the result would be that it would not bring about what your Excellency dislikes, and we all dislike, viz., sending youthful offenders to gaol. The only difference would be that, where it was a case in which a child should be sent to a reformatory, instead of the matter being decided by a magistrate it would go before a Deemster. It was merely a question of the tribunal.

Deemster DRINKWATER: I so far agree with your Excellency that I think it better that the magistrates should have this power, especially as they now have it. I would not take it away from them. At the same time, as these persons never are sent away without the case being brought before your Excellency, I would make it necessary that they should be so brought, and so give your Excellency power to say that the sentence should not to be carried if you saw reason against it. I do not think that any magistrates would object to an appeal of this sort in cases of summary conviction. In an instance where a magistrate had been over hasty, it would give an opportunity to have the matter investigated. That would give a sort of control, which seems to me to be desirable.

The GOVERNOR: I do not object to your amendment. As the law stands that is effected, because the magistrates cannot send a boy away without coming to me, because the English reformatories will not take a boy unless application is made to them through the Home Office, and I have to do that in every case, so it really is impracticable for the magistrates to carry out the section without coming to me. If it is necessary for them to come to me, it is hardly

necessary to put in the words. The magistrates might think the words were invidious, because they would apparently give me the power of over-ruling their sentences.

Deemster DRINKWATER: But inferior tribunals must not take offence because there is one superior to them to over-rule their decisions. Deemsters have to submit to it. (Laughter.)

The GOVERNOR: But I am not as Governor of a tribunal.

Deemster DRINKWATER: What I propose would only legalise what you are doing—well I do not say that what you are doing is illegal, but it would put into shape what is now being done in an indirect way. It would be better that the magistrates should know that you were not using an indirect power to prevent a child being sent away.

The GOVERNOR: I wonder, Deemster, how your words would fit in with the Judicature Act, because the judicial powers of the Governor, have been transferred to the Staff of Government.

The ATTORNEY-GENERAL: But this is not a judicial power.

The GOVERNOR: It is revising a sentence.

Deemster DRINKWATER: The Home Secretary does that.

At the end of sub-section one the words which follow were inserted: "Provided that the latter part of such sentence in cases of summary conviction shall not be carried out without the approval of the Governor."

Sub-section two was struck out, and, in sub-section four, words were inserted that "in choosing a reformatory school regard should be had, where practicable, to the religious persuasion to which a child shall belong."

Clause 32 was held over for investigation, the Attorney-General wishing to ascertain the power of magistrates to take a permit bail in cases of treason, such power not being given in England.

Clause 14, which dealt with the deposition of absent persons, was also held over, as were the new clauses which it is proposed should be framed for the purpose of dealing with cases of cruelty to children, the question being as to the manner in which the suit should be brought,

whether as a misdemeanour or as a matter for summary conviction.

The further consideration of the measure was postponed.

HOUSE OF KEYS ELECTION BILL.

This measure was read a second time, on clause five.

The GOVERNOR: I want to call the serious attention of the legal members of the Keys to this clause, because it is a question whether the Keys have not inadvertently altered the qualification of electors by this section.

The ATTORNEY-GENERAL: That struck me too.

The GOVERNOR: As I read the House of Keys Election Acts, undoubtedly it was intended that annual value should mean the gross annual value. In the Valuation Act of 1886 I notice that there were inserted some words that where it was not otherwise ordered by law, annual value should mean the rateable value; but unless my memory serves me wrongly I think a proviso was inserted in order to protect the qualification of electors of the House of Keys; but I believe, undoubtedly, that the effect of this section will be to raise the qualification from a £4 occupation value to a £5 occupation value. Now the franchise in this Island is restricted enough already, and I cannot imagine that the Keys intended to send up a bill purporting to be a reform bill, but which really raises the franchise, and, therefore, must disfranchise a large number of electors in the country districts. I do not know that I am right, but I have looked at the Acts carefully; but if there is any doubt about it it should be carefully looked into.

The ATTORNEY-GENERAL: That occurred to me. Then with reference to the last part of the clause that would enable persons just before an election to divide properties, and do other tricks—(laughter)—just for the purpose of making votes.

The CLERK of the ROLLS: Yes; the annual value might be £7 and a lease might be given of a part of the property for £12, and that would create a faggot vote the same as was the case in Midlothian. (Laughter.)

The GOVERNOR: How can we amend that? Is it not better out?

Deemster DRINKWATER: How is it done in England?

The ATTORNEY-GENERAL: You must apportion the valuation appearing in the Valuation List.

Deemster DRINKWATER: Your Excellency seems to think that the term annual value does not mean rateable value.

The GOVERNOR: I think that the Valuation Act of 1886 may have altered it, but I don't think the qualification of electors of the House of Keys ought to have been altered in a Valuation Act and we ought to go back to 1881 and make the gross value the real value.

Deemster DRINKWATER: You are quite clear that annual value means gross value?

The GOVERNOR: In the Acts there is no distinction. As a voter I should insist upon my right to have my house down at its gross value, and not a valuation from which deductions had been made.

Deemster DRINKWATER: Annual value can hardly, I should think, be construed into gross value, because that is not the annual value.

The ATTORNEY-GENERAL: I presume that your Excellency considers that for the qualification of members for the House of Keys it is gross value, and for voters the lower or rateable one. But, I do not see the distinction in construing the Acts. By sec. 21, of the Act of 1860, the valuation adopted both as to members and voters, was that of the Lunatic Asylum Act of 1860, and under such Act the rateable value only is given in the Valuation Lists. The Act of 1881, which was to be construed as one with the Act of 1860, refers only to annual value, and the only annual value of which there was evidence, was the rateable value under the Lunatic Asylum Act. Then, under the Valuation Act of 1886, it is expressly provided that the rateable value shall be the annual value as a qualification both for voters and members of the House of Keys.

The GOVERNOR: No, because taking the rateable value would disfranchise a large number of voters. I think that £4 is an unfortunate value because it cuts out the eighteenpenny cottages.

Deemster GILL: Why not now declare that annual value means either gross or rateable value.

The CLERK of the ROLLS: Yes; what you want to do, is, first of all, to enact positively

which you intend shall be taken, and having done that, you want to add a provision that, where hereditaments appearing on the lists have become sub-divided, and each portion would carry sufficient valuation to entitle the owner or occupier to a vote, then the revising advocate should apportion it so as to give a vote to each party. That is what they are aiming at, but they do not do it.

The GOVERNOR : Had we better not, first of all, decide what the annual value is to be.

Deemster DRINKWATER : The difficulty we are put in, is that the Keys have said, as strongly as they could, that annual value should mean rateable value, and are we to amend their Bill and say that they do not go low enough?

The GOVERNOR : If I am right the Keys inadvertently followed the Valuation Act, and I think this is the correct time to alter it.

Deemster DRINKWATER : If we knew it was an inadvertency?

The GOVERNOR : It is a serious thing to disqualify a large number of electors without drawing attention to it.

Deemster DRINKWATER : Oh, yes, draw their attention to it, but the question is which is the best way of doing that?

The GOVERNOR : We should draw their attention to the fact that the Keys have restricted the qualification of electors by adopting the wording of the Act of 1886, instead of 1881. I am sure that the Keys never intended that, and in any case I am sure it should not be done in a Valuation Act. If the value of my house were just over £4, I should object to that being reduced if the effect were to disfranchise me, and that would be the effect in many cases if rateable value were taken instead of gross value.

Deemster DRINKWATER : But annual value can scarcely be gross value.

The CLERK of the ROLLS : And another thing is that an elector has to show that he has to pay his rates on the rateable value before he is allowed to vote. I do not think it is an inadvertency. I think it was rateable value. Whether it will now be altered or not, is another matter.

The GOVERNOR : If that is the opinion of the legal members of the Council, there is an end of the question; but the discussion will do no harm, because it will show the Keys what is the effect

of the clause. But I am still of the same opinion. In 1866 the qualification of an elector was defined by an ownership of an estate of the net annual value of £8, and an occupation of the net annual rent of £12, and they defined what they mean by net in each case—that there should be a reduction of one-fifth.

The CLERK of the ROLLS: It is annual value; and if you come to the question of net it only shows that they treated them as synonymous terms. I think the case is pretty clear.

The GOVERNOR: Well, the franchise in this Island is more restricted than I thought it was. I think it is absurd in 1892 to pass an Act restricting the franchise. I admit it is the Keys' business, not ours. Then, about the end of the section, how do you want it?

The CLERK of the ROLLS (to the Attorney-General): You simply want to put into apt words that where premises appearing in the valuation list are sub-divided, and such premises, having regard to the sub-division and the amount of valuation are such that each holder is qualified, then the value should be apportioned and each shall be entitled to vote. That is all.

The clause was postponed.

On clause six—

The GOVERNOR said that he thought that the effect of this clause would be that if a man had a house in Braddan, and went to live in Douglas in May, and proved that he had been six months in the house in the parish, he, on a three days' residence in Douglas, would be entitled to vote in the town.

The ATTORNEY-GENERAL: I never heard that before, but complaints were made in Douglas and the other towns that men were disfranchised because they had changed their residence.

The CLERK of the ROLLS: This, I think, makes that right, because the occupation is reduced from 12 months to six.

The ATTORNEY-GENERAL agreed that the Governor's construction was the correct one as to a change of residence from a sheading to a town, or *vice versa*; and after the word "premises" there were inserted the following words:—"in the same sheading or town."

The CLERK of the ROLLS: It is clear that he could have voted as you said, your Excellency, although I know it was not the intention.

Clause eight, which passed without remark, extends the suffrage to female occupiers as well as owners.

On clause 12—

The GOVERNOR: It seems to me that this clause requires very careful consideration. The Keys have altered the words of the original Act. Section 47 of the Act of 1866, was that "no person in holy orders," and so on, shall be eligible, and the Act of 1881 used the same terms. It was all in the negative no person shall. Now, however, the Keys have altered it from the negative to the affirmative, as you all see, and by doing that it seems to me that they have made any person eligible, notwithstanding any disqualifications he may possess by custom. For instance, under this section, I have no doubt whatever that, if a member of the House of Keys accepts office in the Council, he is eligible for re-election as a member of the House of Keys. (Laughter.) He is not eligible now, because the custom of this Isle renders him ineligible, and though I should be sorry to give a positive opinion on the point, I should think that this section would admit ladies into the House of Keys. A lady is "a person."

Deemster DRINKWATER: Would she be a male of full age? (Laughter.)

The GOVERNOR: No; I had not noticed that. But this section would certainly enable a member of the Council to be elected a member of the House of Keys, and enable a member of the House of Keys, accepting office in the Council, to be re-elected to the Keys. I cannot think that that was the intention of the Keys.

Deemster DRINKWATER: Would that not be a good thing? He would be able to represent the views of the Council in the Keys. (Laughter.) We do not object, your Excellency.

The GOVERNOR: The question is whether they would not object if they saw what they have done. (Laughter.) There are many persons who would be very glad to be elected members of the House of Commons.

Deemster DRINKWATER: If a clause to that effect were proposed and carried in the Commons, I do not think the Lords would object; so I cannot see why we should. (Laughter.)

The CLERK of the ROLLS: Why they would receive me with open arms, as a brother. (Loud laughter.)

Deemster DRINKWATER: It has often been thought, especially before our meetings were public, what a good thing it would be for us to have a member in the House of Keys.

The GOVERNOR: If the members of the Council wish to stand for the House of Keys, some of them might be very formidable candidates. (Laughter.)

Deemster DRINKWATER: Well, I am only joking; I do not care about it myself.

The GOVERNOR: I only wanted to draw attention to the clause.

Deemster DRINKWATER: It may be their intention. (Laughter.)

The CLERK of the ROLLS: Then the Vicar-General would go in straight for Douglas. (Laughter.)

The GOVERNOR: I think I am right.

The CLERK of the ROLLS: I am sure you are. The term "Any person," is very wide.

The GOVERNOR: Of course it admits anyone else besides a member of the Council, who may now be disqualified by usage. I do not know, of course, that there are such persons.

Deemster DRINKWATER: It does not disqualify people who have committed a serious crime?

The GOVERNOR: No. It does not disqualify anyone.

The CLERK of the ROLLS: Of course their only object was to do away with the monetary qualification of members.

The GOVERNOR: That was their intention, no doubt, but they have gone much further.

The CLERK of the ROLLS: It may be to induce members of the Council, because, as it is said, a little leaven leavens the whole lump. (Laughter.)

Deemster DRINKWATER: It might be a very big piece of leaven.

The GOVERNOR: Well, it is immaterial to me.

Deemster DRINKWATER: And to me, too.

The CLERK of the ROLLS: Perhaps if we object, the Keys will adhere. (Laughter.)

The GOVERNOR: It seems to be very wide, indeed.

Deemster DRINKWATER: They may wish to amend it.

The GOVERNOR: They cannot do that.

Deemster DRINKWATER: I suppose we could indulge them if they wished it.

The GOVERNOR: It is so easy to turn it into the negative.

The suggestion of the Governor was adopted, and the clause was altered accordingly.

On clause 16—

The CLERK of the ROLLS proposed a series of amendments in the section. After the words, "Directed by this Act," in sub-section one, he moved to add "and the doing of other matters and things incidental to the holding of such Courts." The alterations he (his Honour) was going to move, had been agreed to by the Tynwald Court Committee, who had been appointed to revise the scale of fees. They were to have been inserted by Mr Mylrea in the schedule, and they were accidentally omitted. He had, however, Mr Mylrea's authority to insert them as amendments in the Council. In sub-section two, after the word "fee," his Honour moved the words "not exceeding one guinea," and after the word "lists," "who may have charge of such lists at any place other than the office of revising advocate, provided by such revising advocate." In sub-section four, he moved, after the word "advertisements," to put in the words "and any other work necessary to be done."

The GOVERNOR: I see by sub-section five that, in the case of a poll, the returning-officer gets seven guineas? Do you mean that?

The CLERK of the ROLLS: Yes. It covers all the work which is now charged separately for. That is what swelled the election expenses last time. The officers had to go round to the various polling places, and make the arrangements. Now the fee covers all. After "In the case of any" strike out the words "is heading or town divided into districts," and put in "in the case of any electoral district divided into two or more divisions." Strike out "if there shall be a contest in," and put in "any two or more of such divisions."

Deemster DRINKWATER: As to sub-section five, will the returning-officer have to pay for the erection of the voting places?

The CLERK of the ROLLS: No. He makes the arrangements at each place. The work of putting them up is another matter.

The clause as amended then passed.

The CLERK of the ROLLS: In connection with the table of fees, I have received this letter from Mr Kelly, who is the rate collector in Douglas, and who prepares the list of voters:—

Gellings Court, Douglas,
8th January, 1892.

His Honour the Clerk of the Rolls, Chairman of Committee of Tynwald Court.

SIR,—I understand that a Committee of the Tynwald Court, of which your Honour is Chairman, is engaged in the provision of the fees payable under the House of Keys' Election Acts with the object of framing a table of fees applicable to the present electoral system, and that such new table will probably be adopted in "The House of Keys Amendment Bill" now before the Legislature.

As I am responsible for the preparation of the lists of voters for the town of Douglas, I venture respectfully to draw your Honour's attention to the fact that under none of the Acts now in force is any remuneration allowed to the collectors for obtaining the information necessary for the preparation of the lists.

It is impossible, in a town the size of Douglas, where so many changes in the ownership and occupation of premises take place during the year, to make our lists with any approach to accuracy without specially making inquiries as to these changes, and now that the town has been divided into electoral divisions, and it is proposed to extend the franchise to female occupiers, it may be expected that the number of inquiries necessary for the formation of accurate registers will be greatly increased.

In order to form satisfactory lists the obtaining of this information becomes a distinct duty of the collector.

It cannot be collected simultaneously with the rate, and a large number of inquiries are involved by the insufficient, incomplete, or inaccurate information given by occupiers of premises. Your Honour will, therefore, see that the collection of this information entails a considerable amount of time and labour, and I beg respectfully to submit that this was not contemplated by the Act of 1886 (which sets forth the fees payable to collectors), for the reason that the number of persons then enfranchised was comparatively small, and changes in their qualifying holdings were not very frequent.

The fee allowed to the collector for making out the list is, as your Honour is aware, at the rate of 1s "for every page of 16 lines or part of a page." The fee paid to the collector for the list at present in force was the sum of £9 2s, which amount, I beg to submit, is entirely inadequate remuneration for the collection of the necessary information and preparation of the lists. I would also point out that work of an identical character is paid for on a much higher scale by the Local Government Board.

In conclusion, I trust the facts I have ventured to lay before your Honour will induce the Committee to fix the collectors' remuneration at a higher rate.

I must apologise for writing your Honour at such length, and any further particulars that may be desired I shall be happy to furnish.—I have the honour to be, sir, your obedient servant,

T. W. KELLY, Collector.

The CLERK of the ROLLS: When the Committee had this before them they felt that the

scope of the reference to them did not cover it. Of course, in the matter of the Bill, the Committee were only acting indirectly, but Mr Mylrea, who was preparing the Bill, was a member of the Committee, and we were willing to act together, so as to get an amended scale in the Bill and take steps afterwards to get that done; but we felt that we, as a Committee, could not go into the question raised by Mr Kelly. I thought that something might have been done in the House below to meet the case if it ought to be met, but I think it has been lost sight of. I do not say that it ought to have been lost sight of, but it was not considered, and the question now is, what ought to be done about it. I have no doubt that there is a great deal of trouble, as Mr Kelly says, and that the division of Douglas has given a great deal of labour and trouble that there was not before; but whether anything ought to be done I do not know. If there ought there is a chance now.

Deemster DRINKWATER: Have you considered at all what the fees should be?

The CLERK of the ROLLS: No; we thought it beyond our reference.

The ATTORNEY-GENERAL: In what way could it be done?

The CLERK of the ROLLS: Alter the scale; but, of course, it only applies to Douglas.

Deemster DRINKWATER: We ought to be informed what his pay is as collector.

The CLERK of the ROLLS: It is in proportion to the amount collected.

The Clerk to the Council: He is paid percentage. Under this Act he is paid for the names.

The CLERK of the ROLLS: That is for the lists; but he now refers to the collecting of the information for the lists.

The VICAR-GENERAL: Then there is a great increase in the number of voters, and that gives more work.

Deemster DRINKWATER: I think we ought to know more precisely what he gets.

The CLERK of the ROLLS: I am not urging it.

Deemster DRINKWATER: But if we consider it, we should do so in relation to what he gets now.

The CLERK of the ROLLS: He does not get any pay for making out the first list, and he cannot

do that exclusively from the rate book. He has to get other information.

The GOVERNOR: If we are going to deal with the question of the collectors, there are, as I am advised, more serious questions. The collectors are appointed by the Committee of the Lunatic Asylum, and neither I nor anyone except that Committee have any hold whatever over the collectors, and have no power to see that they do their work properly; and the Lunatic Asylum Committee, in the same way, have no power to see that these collectors do their work properly under the House of Keys Election Acts, and, as a matter of fact, it is notorious that many of the lists of voters are most defective, and that people are disfranchised wholesale because these lists of voters are defective, and because neither the Committee of the Asylum nor any other authority in this Island have any power to see that these collectors do their work properly in making out these lists. If we are going into the question of increased remuneration for collectors, we are bound, also, to go into the question of what power there may be to make these people do their duty properly. There are other incidental matters connected with this question which will also create difficulties. Occasionally the collectors cease to hold office at the beginning of the year. The Asylum Committee have no need of their services till August, and occasions have occurred when, at the time of revising the register, there has been no collector available, and, I believe, only through the courtesy of the Lunatic Asylum Committee, when their attention was drawn to the fact, they courteously filled up the office. That is a state of things which should not exist. And, again, when there is a change in the office, there is no law to compel the outgoing collector to hand the list to the incoming collector, and the incoming collector has to do the whole work again in making out the list, and that is work to which no remuneration attaches. Therefore, if you go into the question of the collectors, there is a great deal more to be said. I should be very glad indeed to see something done.

The CLERK of the ROLLS: I would be very glad. I only brought it forward because the committee could not deal with it. Your Excellency has made one remark which I would not like to pass unchallenged. I have known for years of the defects which have been named, but

I do think if people complain of being disfranchised they have themselves to blame, and no one else. There has been a great outcry about people not being on the list. If that is so it is their own fault, and it serves them right. Every opportunity is given to them to be placed and kept on the list, but they will not see to it. Their interests are pretty well safeguarded. The lists are made out and posted up for long enough before the revising advocates deal with them; but people will not or do not take the trouble to see that their names are on the list. If they are not, all they have to do is to go to the revising advocate, and see that he makes it right. In Douglas, people have said that they could not see the lists because they were posted too high. That is nonsense, because they could see if they wanted to. In Ramsey, in my time, the list was placed where he that ran might read. Many would not take the trouble to consult the list, and when an election came they would grumble and growl at not being on. The list is in alphabetical order, and if it is not worth consulting, then it is not worth having.

The GOVERNOR: While I agree with much that has fallen from the Clerk of the Rolls, I think that an elector has a right to expect that he will be put on the list, without troubling himself. That is the course which is followed in England, and I cannot conceive why it should not be followed here. I do not think that an elector should be allowed to suffer from the neglect of a collector, even though he condones that neglect by neglect of his own.

The CLERK of the ROLLS: In England it is the same.

The GOVERNOR: I beg your pardon.

The CLERK of the ROLLS: I beg yours, sir. He is put on the list if he draws attention to it. In my own knowledge, people who have been omitted have gone to see their names put on.

The GOVERNOR: The lists in England are most accurate.

The CLERK of the ROLLS: In a parish in England in which I recently stayed, there were a great many omissions.

The GOVERNOR: Owners may be, but not occupiers.

The CLERK of the ROLLS: It was a case of tenant farmers, and they went to the town and had it corrected. It really is the same system.

You may say that the collectors do their work better—I have nothing to say about that—but the system is the same; and there the people do see that their names are on the list.

The ATTORNEY-GENERAL: There has been a great deal of slackness on the part of the officers too.

The CLERK of the ROLLS: I agree with the Governor there; but they are to blame themselves too.

The ATTORNEY-GENERAL: I know of one district in which at the last election it was found that about 30 names had been left off the list.

The GOVERNOR: I would be only too glad to agree to the expenditure of any sum required to get this work done efficiently. I am not objecting to pay. I am only anxious to see that the work is properly done. If something can be devised, there will be no obstruction from me.

The CLERK of the ROLLS: I am not so much contradicting what your Excellency says as I am saying that we should attach some importance to the blame to be put on the people's own shoulders. I think there should be a person appointed under these Acts to do this work. It should not be such a sort of incidental thing that, because these parties collect the Asylum rate, they should also do this work.

Deemster DRINKWATER: All I have to say at present is that we have not the matter sufficiently before us to be able to judge whether or not the men are sufficiently paid, and, in considering that, I agree that we should also consider what rules and regulations should be made for the collectors generally. It may be done by Act, or in the form of appointment. I think it will have to be done by Act.

The GOVERNOR: Probably this discussion will attract attention in another place, and it is better that the subject should be dealt with by the Keys than by us.

Deemster DRINKWATER: I am not so sure of that, because we have one gentleman here, especially, who is acquainted with the taxation of costs and the payment of persons generally, and it would be well to have his judgment on the subject, and another, on whose opinion I should place the utmost reliance, is your Excellency, because you know their duties and the sums to be paid to them.

The GOVERNOR: There are other questions. For instance, who should have the appointment of these collectors? We could settle the remuneration afterwards. Before I pass on to the schedules, there is one other point in connection with this Bill. I do not hold any strong opinion about it myself, but it should be considered. The Keys have abolished the property qualification of their members of that House absolutely. Of course, the whole expenses of the election here are paid by the public. No portion of them falls upon the candidate. As the law now stands, any person may become a candidate for any constituency. He needs no qualification whatever, and yet he can throw upon the public the whole expense connected with a contest. It is not, as I say, a matter upon which I feel very strongly; but it does seem to me doubtful if you are going to open the House of Keys to everyone—and I, for one, am only too glad that the property qualification has been abolished—but if you do that, I think it is doubtful whether some precaution ought not to be taken against bogus candidates being started in constituencies, and placing the members of the House of Keys at the serious difficulty and inconvenience of an unnecessary contest, and at the same time the bogus candidate will have incurred no liability whatever. He will have had an opportunity of going before electors and making speeches, and so forth; and he need not spend a farthing himself. He has no risk. I am not expressing a strong opinion; but the matter ought to be considered.

The CLERK of the ROLLS: Even as the law stands, contests have been got up for a lark.

The GOVERNOR: It is a different thing between a man with a stake and a man with nothing. I know you multiply the number of people who will come forward.

Deemster DRINKWATER: He may be an alien.

The GOVERNOR: I suppose this admits aliens.

The CLERK of the ROLLS: Aliens as you call them, are eligible now.

Deemster DRINKWATER: He must have property now.

The GOVERNOR: I do not know whether you can think of an amendment.

The CLERK of the ROLLS: There is a difficulty in drawing the line between a bona fide candidate and a bogus one.

The GOVERNOR: It would have to apply to both.

The CLERK of the ROLLS: Where could you draw a distinction—by the number of the votes received?

The GOVERNOR: A certain portion of the expense should be paid.

Deemster DRINKWATER: That would never be carried.

The CLERK of the ROLLS: And it would punish the bona fide candidate.

The GOVERNOR: I was thinking of the Keys, and if I were a Key I should wish for some such protection as this.

The schedule was then considered, but the final passing of the measure was postponed; so that, in the meantime, the Keys could consider what has taken place.

THE PROTECTION OF CHILDREN.

After adding some clauses to the Criminal Law Amendment Bill, which assimilates the law here to that of England for the protection of children, the Council adjourned.