

simple compared to the task of compiling a general electoral roll based on the wider qualification. The time given was very short, and the attempted combination of economy, expedition, elasticity in interpretation, and accuracy seems to have contributed to the errors and omissions charged to Mr. King. The recurrence of the same name for streets situate in different districts, and the fact that some streets are partly in one district and partly in another, tended to create doubt and delay in allocating the names, and also doubtless led to errors and confusion. Had there been more time and more skilled assistance available all these difficulties could have been overcome; but in considering the number of errors discovered it is necessary to recognise the conditions under which the work was performed.

The complainants in this inquiry had, on or about the 8th October, established an office for the purpose of putting on the roll persons favourable to their party, and they were very active in doing this. Between the 15th October and the 12th November they lodged some two thousand claims for enrolment, and the lateness of these applications, the number of them, and the carelessness displayed in the preparation of some, no doubt added to the labour of the Registrar. The Registrar could not personally make inquiries into these claims; he was compelled to depend on the information afforded him by others, and he was necessarily engaged in answering inquiries at the office and deciding on cases submitted to him by his subordinates, and unfortunately in attending the Magistrate's Court in proceedings taken against him. Although there is evidence that great demand was made on Mr. King's time by the complainants' party, and by others, and that some of these did not treat him in a conciliatory way, there is no evidence, and hardly an allegation, that he was guilty of discourtesy or want of attention to any one. Some of his letters and some of his actions may be criticized adversely, but his personal attitude seems to have been conciliatory and unobjectionable. Various proceedings were taken in the Magistrate's Court by and against Mr. King (see Appendix), the first of which appears to have been some informations by Mr. Spedding alleging that he kept no roll. These proceedings, occurring as they did at a time when the Registrar's attention was required in supervising the preparation of the rolls, tended to hinder the work. The main complaint is with regard to the Grey Lynn roll, and it appears that until a late stage no great opposition was expected to Mr. Fowlds, M.H.R., the candidate supported by the complainants, and who indeed is himself one of the principal complainants. When it was found that Mr. Masefield would oppose Mr. Fowlds a rush was made, probably by both sides, to place names on the Grey Lynn roll. In the City of Auckland electorate there were eleven candidates, and no doubt the committees of each of these required a good deal of attention. In Parnell and Eden there were also sharply-contested elections, with the usual energy displayed on these occasions by the supporters of each candidate. It will be seen on reference to the schedules that a very large number of claims to enrolment were put in through the complainants in cases where the applicants were already on the roll of another district. This naturally added much to the difficulty of the Registrar, and it is very doubtful if such applications are permissible. The claimant declares that he is "not within his knowledge registered in any other district in the colony, nor in the district for which he now claims to be registered." Although in many instances the claimant had voted at a previous election, and had no reason to suppose that his name was erased, the complainants justified the lodgment of the claim by the argument that the claimant did not actually *know* that he was on any other roll.

The first general roll for Auckland City was published and sold freely on the 27th October, and persons whose names were on that roll were found to be making claims for enrolment on the Grey Lynn and other districts at a later date than the 27th October. Advance sheets as the work progressed were available, and could have been referred to at a much earlier date. One special difficulty in dealing with such claims was the danger of erasing names of persons from, say, the Auckland roll who were not the individuals making claims for enrolment on another roll, although the names were the same, and the descriptions very similar. For instance, the Registrar erased in error the name of Christina McLeod from the Auckland roll, and put her on the Eden roll, but it turned out that there was one Christina McLeod who was rightly on the Auckland roll, and another Christina McLeod who had put in a new claim for enrolment on Eden roll. The Registrar adopted a form of words in rejecting many claims for enrolment by persons whose names appeared to be on some other roll, which may have led to misapprehension. He generally wrote, "Wrong form; reject"—meaning that, if this was the person already on another roll, the form of transfer should have been used; and the complainants say, with some show of reason, that if this was the case the Registrar should have made the transfer under the powers given him by section 40. We shall treat of the legal aspect hereafter, but may here say that in our opinion the Registrar meant by his memorandum that he was not satisfied the person was the same, and that in the absence of proof, and considering the impossibility of proceeding by notice, owing to the shortness of the time before the issue of the writs, he would not take the responsibility of acting under section 40, and that he would require strict compliance with the statute. It will be seen that in such cases the Registrar must either take the responsibility of risking such a mistake as he actually made in Christina McLeod's case, or of putting the same person on two rolls. The complainants say that the Registrar could have dealt with these cases by giving notice to the claimants under section 36, but we are of opinion that this is not so, for the reason that until the matter was decided by a Court the name objected to must remain on the roll in which it appears. All the complaints made are in regard to claims lodged at a very late date.

#### OBSERVATIONS ON THE LAW.

"The Electoral Act, 1902," is a consolidation measure, and does not materially alter the law as it stood prior to the Act coming into force on the 2nd October, 1902. The spirit of the Act is, that the Registrar should endeavour to place on the proper roll the name of every person entitled to be placed thereon; but that as safeguards are necessary to prevent personation, double voting, and