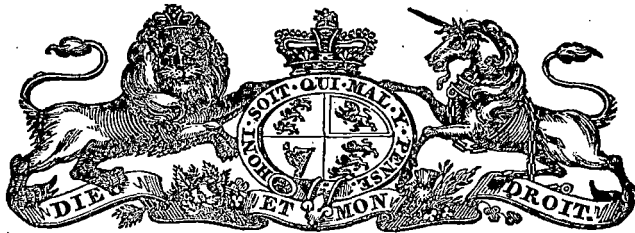


(No. 25)



1877.

SESSION III.

TASMANIA.

HOUSE OF ASSEMBLY.

QUEENBOROUGH.

PETITION AGAINST MR. GAYER'S ELECTION, BY CERTAIN
ELECTORS.

Presented by Mr. Pillinger, 18 July, 1877, and referred by the House to the
Committee of Elections and Qualifications: ordered by the House to be printed,
24 July, 1877.



The Honorable the Speaker and Members of the House of Assembly.

THE Petition of the undersigned Electors of the Electoral District of Queenborough.

RESPECTFULLY SHOWETH :

THAT on the thirtieth day of May last an Election did take place for the return of a Member to serve in the House of Assembly for the Electoral District of Queenborough, and that Robert Gayer, one of the candidates, was declared by the Returning Officer duly elected.

That your Petitioners believe that the return of the said Robert Gayer was accomplished by bribery through the medium of the agents of the said Robert Gayer, and in direct contravention of an Act of the Parliament of this Colony, known as the Electoral Act, 21 Vict., No. 32.

Your Petitioners, therefore, pray that this Petition be referred to the Committee of Elections and Qualifications, and that evidence be taken in support of the allegations herein contained, and that the said Election be declared absolutely void.

And your Petitioners, as in duty bound, will ever pray, &c.

George Jons, Sandy Bay, occupancy.	Myles Maguire, Salvator Rosa Glen, occupancy.
William Sherwin, 210, Liverpool-street, freeholder.	Samuel Cantwell, Sandy Bay Road, occupancy.
Mich. F. Daly, Sandy Bay, freeholder.	Thomas Watkins, Sandy Bay Road, occupancy.
Wm. Burgoyne, Battery Point, freeholder.	J. C. Staples, Union-street, occupancy.
J. Norton, Cascade Road, occupancy.	James Bellamy, Sandy Bay Road, freeholder.
Charles Fisher, Cascade Road, freeholder.	Edmund Sheehan, Waterworks, occupancy.
James Bowden, Cascade Road, freeholder.	George White, Brown's River Road, occupancy.
Patrick Martin, Cascade Road, freeholder.	Arthur Osborne, Sandy Bay Road, occupancy.
Henry Martin, Cascade Road, freeholder.	J. F. Johnston, Sandy Bay Road, graduate B.A.
William Absolam, Cascade Road, occupancy.	E. A. Cartwright, Sandy Bay Road, occupancy.
Thomas Cheesman, Cascade Road, occupancy.	F. G. Williams, Sandy Bay Road, leaseholder.
Philip Pierson, Cascade Road, occupancy.	Edward J. Williams, Brown's River Road, occupancy.
Maurice Hubbard, Cascade Road, occupancy.	Edward Hull, near Kingston, freeholder.
John Gleeson, Battery Point, freeholder.	John Kelly, Brown's River, freeholder.
James Green, Washington-street, occupancy.	John Cooper, Brown's River Road, freeholder.
Richard Holbrook, Cascade Road, occupancy.	W. H. Bolton, Brown's River Creek, occupancy.
G. Bridges, Cascade Road, occupancy.	David Mitchell, Brown's River Creek, freeholder.
William Neeves, Cascade Road, occupancy.	William Edward Jones, Sandy Bay, occupancy.
Thomas Nolan.	James Mays, Sandy Bay, occupancy.
Robt. Warrior, Cascade Road, freeholder.	Walter Culf, Sandy Bay Rivulet, freehold.
Charles Smith, Cascade Road, property.	Thomas Dean, Stony Steps, freeholder.
Moses Lynton, Davey-street, occupancy.	Elijah Hull, Proctor's Road, occupancy.
George Joseph, Davey-street, freeholder.	Thomas Henry Manley, Sandy Bay Road, freeholder.
John Reavill, Sandy Bay Road, occupancy.	W. H. Burrell, Flinder's Lane, occupancy.
Richard Kirby, Macquarie-street, freeholder.	Michael Kelly, Sandy Bay, occupancy.
Owen Gorem, Ridgeway, occupancy.	John Johnstone, Flinder's Lane, Cross-st., freehold.
W. Luttrell, Cross street, occupancy.	W. J. Hill, King-street, occupancy.
David Gledhill, Cascade Road, salary.	John C. Hall, Sandy Bay, freeholder.
Henry Stewart, Sandy Bay, occupancy.	Wm. Hughman, Sandy Bay Road, occupancy.
Wm. Waller, M'Robie's Gully, freehold.	James Davie, Sandy Bay Road, occupancy.
Robert Turner, Cascade Road, occupancy.	John Kaye, Sandy Bay, occupancy.
Walter Kelly, Washington-street, freehold.	
John Carrier, Sandy Bay, occupancy.	

[In continuation of Paper No. 25, presented 18th July, 1877.]

REPORT from the COMMITTEE OF ELECTIONS AND QUALIFICATIONS upon the Petition of 64 ELECTORS OF QUEENBOROUGH, against the Return of ROBERT GAYER, Esquire, with Minutes of the Proceedings of the Committee.

[Brought up by Mr. Douglas, 8th August, 1877, and ordered by the House of Assembly to be printed.]

MEMBERS OF THE COMMITTEE.

MR. DOUGLAS.
MR. HODGSON.
MR. BELBIN.

MR. PILLINGER.
MR. BALFE.

DAY OF MEETING.

8 August, 1877.

EXTRACT from the Votes and Proceedings of the House of Assembly, No. 4, 19th July, 1877.

6. Mr. Pillinger presented a Petition, signed by 64 Electors of Queenborough, against the Election of R. Gayer, Esq., as Member for Queenborough.

Which being read, was referred, in accordance with "The Electoral Act," to the Committee of Elections and Qualifications.

R E P O R T.

THE Committee of Elections and Qualifications duly appointed under the provisions of "The Electoral Act," to whom was referred on the 18th July, 1877, the Petition of 64 Electors of Queenborough against the Election and Return of Robert Gayer, Esquire, as a Member for the Electoral District of Queenborough, have determined and do hereby declare:—

1. That Robert Gayer, Esquire, was, on the 30th day of May, 1877, duly elected a Member of the House of Assembly for the Electoral District of Queenborough.

2. That Counsel for the Petitioners having produced a written request from 38 of the Petitioners to be allowed to withdraw their Petition, the number of Petitioners is thereby reduced below the minimum number of Electors who, by the 125th Section of the Act of Parliament 21 Vict. No. 32, are entitled to petition against the return of a Member.

3. That the Committee decide that the requisite number of Electors have not petitioned against the return of Mr. Gayer.

ADYE DOUGLAS, *Chairman.*

Committee Room, 8th August, 1877.

Stone Buildings, Hobart Town, 24th July, 1877.

SIR,

I HAVE been retained on behalf of the Petitioners against the Return of Robert Gayer, Esquire, as the Member for the Electoral District of Queenborough, and have the honor to request that your Committee will allow me to appear before them, on behalf of the Petitioners, for the purpose of proving the allegations contained in the said Petition.

I have the honor to be,
Sir,

Your obedient Servant,

D. H. CRISP, *per* T. E. CRESWELL.

To the Chairman of the Committee of Elections and Qualifications.

THE QUEENBOROUGH ELECTORS *v.* ROBERT GAYER, ESQUIRE.*List of Witnesses to be called on behalf of Petitioners.*

Mr. E. A. Cartwright, Sandy Bay Road.
 Mr. Francis Scully, Gardener at Mr. Hinsby's.
 Mr. Patrick Power, Lord-street, Sandy Bay.
 Mr. George Stevens, Reid-street, Sandy Bay.
 Mr. Thomas Cheeseman, off Cascade Road.

Mr. William Absolam, off Cascade Road.
 Mr. William Nimmo, Sandy Bay.
 Mr. F. H. Grattidge, Queen's Road, Sandy Bay.
 Mr. James Bowden, Cascade Road.

Queenborough, 7th July, 1877.

SIR,

WE, the undersigned Electors of the Electoral District of Queenborough, whose signatures are attached to a Petition addressed to the Honorable the Speaker and Members of the House of Assembly, setting forth that the Return of Robert Gayer as a Member for the said District of Queenborough was accomplished by bribery through the medium of the Agents of the said Robert Gayer, hereby respectfully request that our names may be expunged from the said Petition, so that the Petition may be by you withdrawn from the consideration of the Committee of Elections and Qualifications.

James Mays, Sandy Bay, occupancy.
 John Johnstone, Flinder's Lane, Cross-st., freeholder.
 John Carrier, Sandy Bay Road, occupancy.
 John Kaye, Sandy Bay Road, occupancy.
 George Jones, Sandy Bay, occupancy.
 Wm. Hughman, Sandy Bay Road, occupancy.
 Wm. H. Burrell, Flinder's Lane, occupancy.
 Michael Kelly, Sandy Bay Road, occupancy.
 James Davie, Sandy Bay Road, occupancy.
 W. Luttrell, Cross-street, occupancy.
 John C. Hall, Sandy Bay Road, freeholder.
 H. J. Stewart, Sandy Bay, occupancy.
 J. Bellamy, Sandy Bay Road, freeholder.
 G. Bridges, Cascade Road, occupancy.
 W. J. Hill, King-street, occupancy.
 J. C. Staples, Union-street, occupancy.
 Richard Kirby, Macquarie-street, freeholder.
 James Norton, Cascade Road, occupancy.
 William Neeves, Cascade Road, occupancy.

James Bowden, Cascade Road, freeholder.
 Richard Holdbrook, Cascade Road, occupancy.
 Patrick Martin, Cascade Road, freeholder.
 Henry Martin, Cascade Road, freeholder.
 John Reavill, Sandy Bay Road, occupancy.
 William E. Jones, Sandy Bay, occupancy.
 William Sherwin, Liverpool-street, freeholder.
 Thomas Watkins, Sandy Bay Road, occupancy.
 Walter Kelly, Washington-street, freeholder.
 Charles Smith, Cascade Road, freeholder.
 Charles Fisher, Cascade Road, freeholder.
 William Absolam, Cascade Road, occupancy.
 Philip Pearson, Cascade Road, occupancy.
 Maurice Hubbard, Cascade Road, occupancy.
 James Green, Washington-street, occupancy.
 Thomas Nolan, Cascade Road, property.
 Thomas Cheesman, Cascade Road, occupancy.
 Robert Warrior, Cascade Road, freeholder.
 Moses Linton, Davey-street, occupancy.

To DAVID CRISP, *Esq.*, Solicitor.