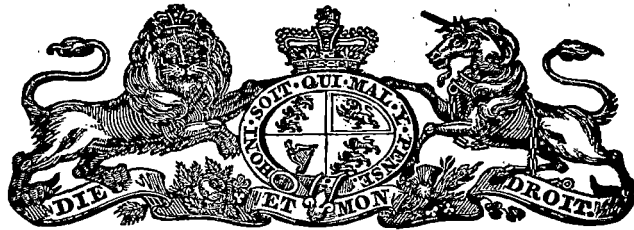


(No. 76.)



1881.

T A S M A N I A.

LEGISLATIVE COUNCIL.

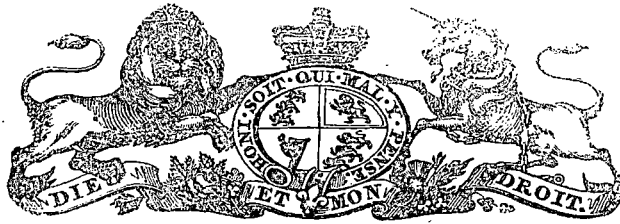
REPRESENTATION OF MEANDER:

LETTER FROM MR. SERJEANT SLEIGH.

Laid upon the Table by Mr. Moore, and ordered by the Council to be printed,
August 9, 1881.

Recd. 2 P.M., 9. 8. 81.

W. R. GIBLIN.



9th August, 1881.

MY DEAR SIR,

HAVING reference to the anomalous state of things at present existing touching the seats for Tamar and the Meander, I was about to do myself the pleasure of calling upon you; but as all verbal communications are liable to consequences incident to the frailty of human memory, it occurs to me that the preferable course is that I should lay before you in writing my views upon the subject, in which I am obviously interested. I submit, then, without troubling you with references to Statutes or Parliamentary law (unless you should so desire), it is abundantly clear—

1. That there was not any vacancy in the representation of the Tamar in the Legislative Council until such vacancy was created by the resignation of the Hon. F. W. Grubb, on or about the 19th of July last past, and until that date the said Mr. Grubb was a Member of the Legislative Council.

2. That a vacancy for the Meander was caused by the decease of the late Hon. T. W. Field, in the month of January, 1881, and a Writ to elect a Member in his place was thereupon duly issued.

3. That two Candidates were nominated at the Election, which was held on or about 12th February, 1881, according to the exigency of such Writ; viz., the said Hon. F. W. Grubb, a Member of the Legislative Council, and William Campbell Sleigh.

4. That the result of the poll was, that the said Hon. F. W. Grubb had the larger number of votes and the said W. C. Sleigh the smaller; and the said Hon. F. W. Grubb was returned on the said Writ as having been elected.

5. That the said Hon. F. W. Grubb being then and at that time already, and at the dates of the said nomination and return respectively, a Member of the Legislative Council, was disabled and disqualified from being elected, or being again elected, a Member of the Legislative Council, of which he was then and there already a Member.

6. That the Electoral Act, by which proceedings regarding disputed elections are regulated, does not apply to the state of facts in reference to the Meander Election.

7. That the Return to the said Writ was improvidently made, was made in error, and should and ought to be, by order of the Hon. the Legislative Council, in so far as the said Hon. F. W. Grubb is concerned, corrected and amended.

8. That the said William Campbell Sleigh, being a duly qualified Candidate, and having polled the next aggregate number of votes, was duly elected, is *de jure* the Member for the Meander, and that the said Writ, in so far as the Return thereto and thereon, should and ought to be further amended by inserting the name of the said William Campbell Sleigh in lieu and instead of the name of the said Hon. F. W. Grubb.

Having heard it rumoured that, although the facts and the law as applicable thereto be as I have herein suggested, it is nevertheless the intention of the Government to introduce a Bill or Bills by which the colourable elections of the Tamar and the Meander shall respectively be rendered valid, I refuse to give credit to such a report, which would substantially mean that the Government contemplates *ex post facto* legislation in this matter wholly at variance with all Parliamentary law and precedent so far as I have been able to discover.

I have the honor to be,
My dear Sir,
Yours faithfully,

W. CAMPBELL SLEIGH.

The Hon. W. R. GIBLIN, M.P., Premier.

WILLIAM THOMAS STRUTT,
GOVERNMENT PRINTER, TASMANIA.