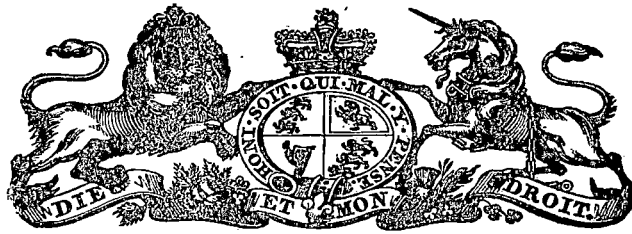


(No. 23.)



1877.

SESSION III.

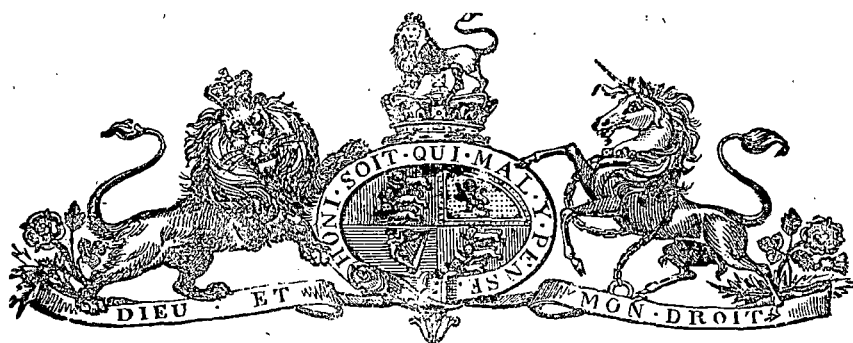
T A S M A N I A.

HOUSE OF ASSEMBLY.

NORFOLK PLAINS.

PETITION AGAINST THE HONORABLE CHARLES HAMILTON
BROMBY'S ELECTION BY CERTAIN ELECTORS.

Presented by Mr. Gellibrand, 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.



*To the Honorable the Members of the House of Assembly of Tasmania,
in Parliament assembled.*

The humble Petition of the undersigned Electors of the Electoral District of Norfolk Plains.

RESPECTFULLY SHOWETH :

THAT Section 54 of "The Electoral Act," 21 Victoria, No. 32, provides "That the day for taking the Poll at the different Polling-places in the event of an Election being contested shall be not less than four days nor more than six days from the last day of the period of nomination."

That in the case of the late Election at Norfolk Plains, at which the Honorable Charles Hamilton Bromby and Mr. James Gibson were Candidates, the last day of the period of nomination was Friday, 8th June, at 4 o'clock P.M.

That the Polling took place on Tuesday, 12th June, from 9 o'clock A.M. to 4 o'clock P.M.

That your Petitioners therefore respectfully submit that, in the case of the said Election at Norfolk Plains aforesaid, the minimum period of four days fixed by law did not elapse between the last day of the period for nomination and the day for taking the Poll.

That your Petitioners therefore respectfully protest against the said Election of the Honorable Charles Hamilton Bromby to serve as a Member of your Honorable House for the Electoral District of Norfolk Plains, and pray that the said Election may be declared absolutely void.

That your Petitioners also humbly pray that your Honorable House will be pleased to refer this Petition to the Committee of Elections and Qualifications, and that all papers and documents relating thereto may be produced.

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

Basil Archer.
H. R. Falkiner.
William Mason, senr.
G. Hudson.
Wm. Hogg.
Thomas Routley.
J. Appleyard.
John Thompson.
William Wright.
William Lee.
William Church.
Ed. Solomon.
Herbert Gatenby.
William Withers.
Edward Archer.
Wm. Archer, by W. H. D.
Archer.

W. H. D. Archer.
Daniel Donnelly.
Matthew Dilworth.
James Cooper.
G. A. Nicholls.
William Vale.
Robert Lee.
J. W. Falkiner.
R. J. Archer.
John Owen.
Hugh Hemphill.
William Flood.
William E. Evans.
John Wray.
John Conacher.

W. Russell.
Joseph Bird.
James Temple.
David Thomas.
W. Polley.
Joseph Clayton.
George Titmus, senr.
James Lawson.
E. Sherwood, jr.
Thos. Allen.
Robert Appleby.
George Croome.
W. Gibson, jun.
William Gibson.
G. Titmus, junr.

[In continuation of Paper No. 23, presented 18th July, 1877.]

REPORT from the Select Committee of ELECTIONS AND QUALIFICATIONS, upon the Petition of 47 ELECTORS OF NORFOLK PLAINS against the Return of CHARLES HAMILTON BROMBY, Esquire, with Minutes of the Proceedings of the Committee, and Evidence.

[Brought up by Mr. Douglas, 7th August, 1877, and ordered by the House of Assembly to be printed.]

MEMBERS OF THE COMMITTEE.

MR. DOUGLAS.	MR. PILLINGER.
MR. HODGSON.	MR. BALFE.
MR. BELBIN.	

DAYS OF MEETING.

24 July, 1, 2, 3 August, 1877.

WITNESS EXAMINED.

HUGH MUNRO HULL, Esquire, Clerk of the House.

Assessed Costs of Petitioners, £5 8s. 5d.

EXTRACT from the Votes and Proceedings of the House of Assembly, No. 4, 18th July, 1877.

4. Mr. Gellibrand presented a Petition, signed by 47 Electors of Norfolk Plains, against the Election of C. H. Bromby, Esq., as Member for Norfolk Plains.

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 Forty-seven Electors of Norfolk Plains against the Election and Return of Charles Hamilton Bromby, Esquire, as a Member of the House of Assembly for the Electoral District of Norfolk Plains, have determined and do hereby declare:—

1. That the Election of Charles Hamilton Bromby, Esquire, on the 12th day of June, 1877, as a Member of the House of Assembly for the Electoral District of Norfolk Plains, is absolutely void.

2. That the Evidence before your Committee discloses that the Election was not in accordance with "The Electoral Act."

3. That the Committee adjudge that the said Charles Hamilton Bromby, Esquire, shall pay the costs of the Petitioners in this matter, which they assess at £5 8s. 5d.

ADYE DOUGLAS, *Chairman.*

Committee Room, 7th August, 1877.

No. 6.

MINUTES OF THE PROCEEDINGS OF THE COMMITTEE.

FRIDAY, AUGUST 3, 1877.

Present.—Mr. Douglas, Mr. Hodgson, Mr. Belbin, Mr. Pillinger, Mr. Balfe.

The Committee met at noon.

The Hon. W. R. Giblin for Petitioners. The Hon. C. H. Bromby for Self.

1. The Clerk read the Petition of the Electors.
 2. Mr. Giblin addressed the Committee on behalf of the Petitioners, and requested that the Writ for Mr. Bromby's Election might be produced.
 3. The Clerk of the House produced the Writ for Mr. Bromby's Return, and was examined by the Committee.
 4. Mr. Bromby addressed the Committee.
 5. The Committee adjourned at 1 o'clock to 2.15.
 6. The Committee met at 2.15—present, all the Members—and deliberated with closed doors.
 7. *Resolved*, That the Election of Charles Hamilton Bromby, as a Member of the House of Assembly of Tasmania for the Electoral District of Norfolk Plains is absolutely void.
 8. *Ordered*, That the decision of the Committee be reported to the House at its next meeting.
- The Committee adjourned *sine die*.

EVIDENCE.

HUGH MUNRO HULL, *Esquire, examined.*

By Mr. Giblin.—Your name is Hugh Munro Hull, and you are Clerk of the House of Assembly? Yes.

Do you produce the Writ for the Electoral District of Norfolk Plains at the General Election? I produce the Writ for the Electoral District of Norfolk Plains, certifying that Charles Hamilton Bromby was, on the 12th June, duly chosen to serve in the House of Assembly as Member for the District.

The Writ is signed by the Governor, and countersigned by the Colonial Secretary? Yes.

[Writ put in and read. *See Appendix.*]

This Writ is endorsed as received by the Returning Officer on the 5th June; and he certifies that, on the 12th June, Charles Hamilton Bromby was duly elected as a Member for the Electoral District of Norfolk Plains.

APPENDIX.

(Copy of the Writ.)

VICTORIA, by the Grace of GOD of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith,

To the Returning Officer of and for the Electoral District of Norfolk Plains.

WE command that you proceed, according to law, to the Election of a Member to serve in the House of Assembly for the District of Norfolk Plains; and, for such purpose, We do hereby appoint and specify that the period within which Candidates may be nominated for Election at such Election shall be from the fourth day of June instant until the eighth day of June instant, both days inclusive; that the principal Polling-place for the purpose of such Election shall be Longford; and that the day for taking the Poll at the different Polling-places, in the event of the Election being contested, shall be the twelfth day of June instant.

And We do hereby further command you that, on or before the third day of July proximo, you do, according to law, have before Our Governor of Our Colony of Tasmania, at Government House, Hobart Town, in Our said Colony, this Writ, and the manner in which you have executed the same.

Witness FREDERICK ALOYSIUS WELD, Esquire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over Our said Colony of Tasmania and its Dependencies, at Government House, Hobart Town aforesaid, this fourth day of June, in the fortieth year of Our reign, and in the year of Our Lord one thousand eight hundred and seventy-seven.

(Signed) FRED. A. WELD.

By His Excellency's Command,

(Signed) THOS. REIBEY, *Colonial Secretary.*