

(No. 27.)



1877.

SESSION III.

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TASMANIA.

HOUSE OF ASSEMBLY.

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SORELL.

PETITION AGAINST MR. J. A. GUNN'S ELECTION BY  
MR. CHARLES MEREDITH, *M.H.A.*

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Presented by Mr. Just, 19 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 Speaker and the Honorable the Members of the House  
of Assembly of Tasmania, in Parliament assembled.*

The humble Petition of Charles Meredith, M.H.A.

RESPECTFULLY SHOWETH :

THAT your Petitioner is an Elector for the Electoral District of Sorell.

That at the late General Election Mr. J. A. Gunn, Mr. S. O. Lovell, and Dr. Blyth were nominated as Candidates to serve as a Member for the said Electoral District.

That at the Carlton the Deputy Returning Officer did, contrary to the provisions of the Electoral Act, 21 Vict. No. 32, vote himself on the behalf of persons who were not blind, by striking out the names of Candidates as indicated to him by a paper brought from outside the Polling-place to him by persons of influence.

That Mr. J. A. Gunn was declared to be duly elected notwithstanding such malpractices.

Your Petitioner, therefore, humbly prays that your Honorable House will refer this Petition to the Committee of Elections and Qualifications, and that all papers and documents relating thereto may be produced, and the Election of the said Mr. J. A. Gunn declared null and void.

And your Petitioner will, as in duty bound, ever pray.

Dated this 19th day of July, 1877.

CHARLES MEREDITH, *M.H.A.*

[In continuation of Paper No. 27, presented 19th July, 1877.]

**REPORT** from the COMMITTEE OF ELECTIONS AND QUALIFICATIONS upon the *Petition* of CHARLES MEREDITH, Esquire, against the Return of JAMES ARNDELL GUNN, 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. HODGSON.  
MR. BELBIN.

MR. PILLINGER.  
MR. BALFE.

DAY OF MEETING.

7 August, 1877.

WITNESS EXAMINED.

MR. HUGH F. HARDIMAN,

*EXTRACT from the Votes and Proceedings of the House of Assembly, No. 5, 19th July, 1877.*

3. A Petition, signed by Charles Meredith, Esq., as a Member of this House, against the Election of J. A. Gunn, Esq., as Member for Sorell.

Which being read, was referred, according to "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 19th July, 1877, the Petition of Charles Meredith, Esquire, against the Return of James Arndell Gunn, Esquire, as a Member for the Electoral District of Sorell, have determined and do hereby declare:—

1. That James Arndell Gunn, Esquire, was, on the 26th day of June, 1877, duly elected a Member of the House of Assembly for the Electoral District of Sorell.

2. That the Evidence before your Committee discloses, that the Election was in accordance with "The Electoral Act."

3. That the Committee adjudge that the Petitioner shall pay the costs of the sitting Member in opposing the said Petition, which they assess at £10 4s. 8d.

ADYE DOUGLAS, *Chairman.*

Committee Room, 7th August, 1877.

No. 6.

MINUTES OF MEETING OF THE COMMITTEE.

TUESDAY, 7 AUGUST, 1877.

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

The Committee met at 11 o'clock.

The Clerk read the Petition.

1. Mr. Meredith appeared in support of his Petition.

- Mr. Giblin appeared for Mr. Gunn.
2. Hugh Francis Hardiman called by Mr. Meredith, and examined on oath.
  3. The Committee deliberated with closed doors.
  4. On resumption, Mr. Meredith, in reply to a question by the Chairman, stated that he could not reduce Mr. Gunn's majority by more than the four names mentioned by witness Hardiman.
  5. The Committee decide that the allegation contained in the Petition was not duly sustained.
  6. Mr. Giblin applied for costs, which the Committee assessed at £10 4s. 8d.
  7. Ordered, that the decision of the Committee be embodied in a Report for the House.
- The Committee adjourned *sine die*.

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## EVIDENCE.

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HUGH FRANCIS HARDIMAN, *examined*.

*By Mr. Meredith*.—What is your name? Hugh Francis Hardiman.

Were you a Scrutineer at the Election for Sorell? I was.

On whose behalf? Dr. Blyth's.

At what Polling-place? Carlton.

Who was Deputy Returning Officer there? Mr. Coram.

Did Mr. Coram vote for any persons who were blind? No.

Did he vote for any persons who were not blind? Yes.

Who? There were several; but the only name I recollect distinctly is one Henry Tudor.

In what way did he vote for Henry Tudor? Henry Tudor brought in a paper with the three candidates' names on it. The names of Dr. Blyth and Mr. S. O. Lovell were struck out, and the name of Mr. Gunn left standing; and he placed the paper on the table at the Returning Officer's elbow; and the Returning Officer just looked over the paper, and struck out on another paper the two corresponding names—Dr. Blyth and Mr. S. O. Lovell—and put the paper in the box. There were several other persons, not blind, who were voted for, whose names I don't recollect; but, by looking at the roll, I could tell their names. [The Electoral Roll for Sorell was handed to the witness.] There was Francis Beddulph, Peter Curran, and George Riley.

[Attention was drawn to the fact that the witness had not been sworn; and he was sworn, and the above evidence read over to him.]