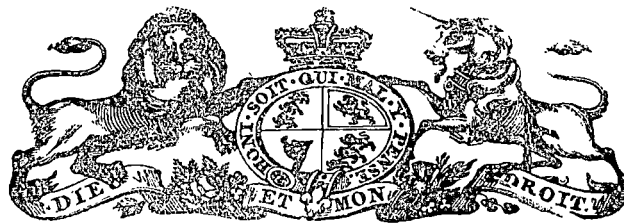


(No. 1.)



1881.

T A S M A N I A .

LEGISLATIVE COUNCIL.

H U O N E L E C T I O N :

P E T I T I O N O F W . F I S H E R A N D O T H E R S .

Presented by Mr. Gellibrand, and ordered by the Council to be printed,
July 19, 1881.



*To the Honorable the President and the Honorable the Members of the
Legislative Council of Tasmania, in Parliament assembled.*

The humble Petition of William Fisher, of Hobart, in Tasmania aforesaid, Merchant, and of the undersigned Electors of the Electoral District of Huon,

RESPECTFULLY SHOWETH :

1. An Election was held in the month of June, one thousand eight hundred and eighty, for the Electoral District of Huon, to fill the vacancy in your Honorable Council caused by the retirement of James Thomas Robertson, Esquire, and your Petitioner, the said William Fisher, and Joseph Solomon, of Hobart aforesaid, Esquire, were duly nominated as Candidates for such Election.

2. The poll for the said Election was taken on the twenty-third day of June, one thousand eight hundred and eighty, and the said Joseph Solomon was declared by the Returning Officer of the said District to be duly elected at such Election by the casting vote of the said Returning Officer.

3. In the month of August last the said William Fisher duly presented a Petition to your Honorable Council stating, among other things, that the said Joseph Solomon, as such Candidate as aforesaid, and at such Election as aforesaid, was guilty of bribery at such Election, and praying that the said William Fisher might be declared to be duly elected Member for the said Electoral District.

4. The said Petition was duly received and was ordered by your Honorable Council to be referred to the Committee of Elections and Qualifications; and the said Committee, having heard the evidence adduced on the part of the said William Fisher and of the said Joseph Solomon, and having duly considered the matter, pronounced their decision, and brought up and presented to your Honourable Council their Report upon the said Petition; and the following is a copy of such Report:—

REPORT.

The Committee of Elections and Qualifications duly appointed under the provisions of "The Electoral Act," to whom on 19th August, 1880, was referred the Petition of William Fisher against the Election and return of Joseph Solomon as a Member for the Electoral District of the Huon, have determined and do hereby accordingly declare—

1. That the ballot papers at the last Huon Election to which exception has been taken were, by a majority of the Committee, held to have been properly received by the Returning Officer.
2. That the said Joseph Solomon was, by his agent or agents, at the last Huon Election guilty of bribery.

That bribery extensively prevailed, and that therefore the last Huon Election is declared absolutely void, and the said Joseph Solomon not duly elected.

That the cost of this enquiry be defrayed by the said Joseph Solomon.

The Committee desire to record their opinion that the District should be disfranchised for a time, on account of the corrupt practices which have been found to prevail there during this and previous Elections.

The Evidence in this case is appended.

J. AIKENHEAD, *Chairman.*

5. On the twentieth day of October last His Excellency Sir John Henry Lefroy, Acting Governor, duly issued a new Writ for the holding of another Election for the said District, and the

said William Fisher and the said Joseph Solomon were duly nominated as candidates for such Election; and the poll for such Election was duly taken on the fifth day of November last, and the said Joseph Solomon was declared by the Returning Officer of the said District to be duly elected at such Election.

6. On or about the 9th day of June last the said Joseph Solomon purported to resign the seat alleged to be held by him for the said District; and on the tenth day of June last His Excellency Sir John Henry Lefroy, Acting Governor, issued a Writ for the holding of another Election for the said District, and John Watchorn, of Hobart aforesaid, Wine Merchant, was nominated as a candidate for such Election: no other candidate was nominated, and at the close of the period of nomination the said John Watchorn was declared by the Returning Officer of the said District to be duly elected.

7. Your Petitioners humbly submit to your Honorable Council that, in consequence of the decision of the Committee of Elections and Qualifications stated in paragraph 4 of this Petition, and by virtue of Section 94 of "The Electoral Act," the said Joseph Solomon was, from the date of such decision and thenceforward during the Parliament of Tasmania then in existence, incapable of being elected or sitting in the said Parliament, and that therefore the said William Fisher was duly elected a Member of your Honorable Council for the said District at the said Election held on the said fifth day of November last, and that the said William Fisher is now the duly elected Member of the said District.

Your Petitioners therefore humbly pray that your Honorable Council will cause a full and searching enquiry to be made into the matters of this Petition, and will declare that the said Election of the said Joseph Solomon held on the fifth day of November, one thousand eight hundred and eighty, and that the said Election of the said John Watchorn, were void, and that the said William Fisher was, on the said fifth day of November, one thousand eight hundred and eighty, duly elected and that he now is a Member of your Honorable Council for the Electoral District of Huon, or that such other remedy may be afforded to your Petitioners as to your Honorable Council shall seem meet.

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

Dated this day of July, one thousand eight hundred and eighty-one.

W. Fisher.
Willm. Lawrence.
G. Peacock.
George Arnold.
John Drysdale.
John Nichols.
Philip Devereux.
B. Stafford Bird.
Willm. Hawkins.
O. Geeves.
J. Geeves.
A. H. Kennedy.
James Whyte.

John C. Judd.
W. H. Andrewartha.
John Hay.
David Chapman.
Geo. Miles.
P. Facy.
F. Pearce.
J. E. Baynton.
S. J. Baynton.
David Smith.
J. M. Bayley.
Charles Coleman.
Theop. Cane.

Thos. Barnett.
P. Good.
R. D. Cuthbert.
John Hay.
Joseph Wise.
Thomas Walton.
James Combes.
George Lucas.
Jos. C. Firth.
A. Wright.
Nathaniel Lucas.
J. N. Worsley.
H. J. Thomas Walker.