

A short-hand writer attended.

Mr. Travers addressed the Committee on behalf of the sitting Member.

When Mr. Travers had concluded, Mr. Allan addressed the Committee on behalf of the petitioner.

When Mr. Allan had closed his address, the room was cleared for the purpose of enabling the Committee to deliberate upon the whole of the proceedings.

Question put, That the Committee resolve, in order to ascertain whether the votes objected to—viz., No. 363, James Hagan, and No. 501, Henry Tomlinson—are among the 193 votes received and recorded in favour of Sir David Monro, that the Clerk of the House of Representatives be summoned to open the bundle of ballot papers set aside as incorrectly erased at the election.

Mr. Gillies moved as an amendment, That, inasmuch as the case has been closed on both sides, this Committee is bound to decide upon the evidence already adduced, and has no power to order the packets of ballot papers to be opened in order to obtain evidence not yet laid before the Committee.

On this amendment the Committee divided.

For, 1.

Mr. Gillies.

Against, 6.

Mr. Brandon,
Mr. Bunny,
Hon. Mr. Fitzherbert,
Mr. McGillivray,
Mr. Pearce,
Mr. Studholme.

The amendment was therefore lost.

The Committee then divided on the former question.

For, 6.

Mr. Bunny,
Mr. Brandon,
Hon. Mr. Fitzherbert,
Mr. McGillivray,
Mr. Pearce,
Mr. Studholme.

Against, 1.

Mr. Gillies.

The question was therefore carried.

On the question being raised, whether the bundle of ballot papers should be opened before the Committee only, or in the presence of the parties, it was resolved, That the bundle should be opened in the presence of the Committee alone—the Chairman and Mr. Gillies objecting.

The Committee then adjourned till a quarter to 2 o'clock.

At a quarter to 2 o'clock the Committee reassembled, all the members being present.

Major Campbell, Clerk to the House of Representatives, appeared before the Committee, and opened the two sealed packets of selected and disallowed ballot papers, as requested by the Chairman, which were enclosed in a tied wrapper that was not sealed.

Question by the Chairman:—

Q. Are the ballot papers numbered 363 and 501 in either of these packages?

A. No.

Major Campbell then withdrew, and all the packages of voting papers produced by the Clerk of the House were then returned to his custody.

It being half-past 2 o'clock, the Committee adjourned till 11 o'clock to-morrow.

WEDNESDAY, 20TH SEPTEMBER, 1871.

The Committee met pursuant to adjournment.

PRESENT:

Mr. Bunny,
Hon. Mr. Fitzherbert,
Mr. Gillies,

Mr. McGillivray,
Mr. Pearce,
Mr. Studholme.

Mr. Brandon in the Chair.

The deliberation was continued with closed doors.

Moved by the Hon. Mr. Fitzherbert, That James Hagan, not being a duly registered elector, voted, as admitted by him, in the name of his father, whose name had not been removed from the electoral roll since his death, and that the vote of James Hagan ought therefore to be struck off.

On this motion the Committee divided.

For, 6.

Mr. Brandon,
Mr. Bunny,
Hon. Mr. Fitzherbert,
Mr. McGillivray,
Mr. Pearce,
Mr. Studholme,

Against, 1.

Mr. Gillies.

The motion was therefore carried.

Moved by Mr. Bunny, That the vote of Henry Tomlinson be struck off.

On this motion the Committee divided.