

upon part of section 133, and you say that that was where your cousin lived?—Yes, it is where he lived. *Mr. Tomlinson.*

11th Sept., 1871.

What was your cousin's name?—Henry Tomlinson.

Did you ever claim to be registered as an elector as Henry Tomlinson, Waimea West, householder, Waimea West, upon part of section 133?—No, Sir; I never did.

Never signed any papers to claim as an elector?—No; I never claimed to be an elector for that section, 133.

Did you ever send in an application?—Yes, Sir.

What was that for?—For No. 10.

Section No. 10?—Yes.

Where?—In Waimea West.

How did you describe yourself: a freeholder, or householder, or what?—As a freeholder.

When was that, how long ago?—In March, 1869.

As Henry Tomlinson, freeholder, part of section 10?—Yes.

You remember the election for Motueka, on the 10th February, when Sir David Monro and Mr. Parker were candidates?—Yes, Sir.

For whom did you vote then?—I voted for Sir David Monro.

Well now, in whose name did you vote, or on what qualification?—I voted in my own name; I thought it was my name.

Did you vote as Henry Tomlinson, Waimea West, householder?—No; they never put any question to me.

But did they give you a ballot paper?—They gave me a paper with the names of the candidates on it; that is all.

What did you claim to vote as? Were you shown any paper or roll (electoral roll) like this?—No, Sir.

When you went in, did they ask you your name?—No, Sir.

Has any one been speaking to you here about this matter?—No.

You have never been told that you might be under penalty?—No.

When you went in to vote, what did you do?—Mr. Brunner observed, "This is Henry Tomlinson," and he gave me a paper.

Was he the Returning Officer?—Yes.

*By Mr. Travers:* You knew that?—Yes.

*By Mr. Allan:* Did he ask you were you the person numbered 501?—No, he did not.

You voted then in the name of Henry Tomlinson?—Yes.

Did you vote as an elector?—Yes, Sir. I cannot swear whether that was my name or not. I knew I was a freeholder.

Are you the Henry Tomlinson, of Waimea West, householder, section 133?—I am a householder; I know that much.

Are you the person described in the roll?—I never had anything to do with 133.

You say that was your cousin?—It was nine or ten years ago.

Were they any other parties in the booth when you went in, besides the Returning Officer?—Yes, young Coffin was there.

*By the Chairman:* He was the poll clerk?—I don't know.

Did Coffin know you?—He did.

*By Mr. Allan:* You never applied to be an elector in respect of section 133?—No, I never made any application.

*By the Chairman:* You applied to be on the roll as a freeholder?—Yes.

*Mr. Allan:* The person who voted is not on the roll. We had better look at the ballot paper, and see whether it is not marked 501, Henry Tomlinson, Waimea West. The witness has no right to vote under any qualification, because there is only one Henry Tomlinson on the roll.

*The Chairman:* You do not want the ballot paper for that, as there is only one Henry Tomlinson. He says he voted for Sir David Monro, and has not the qualification described.

*Mr. Studholme:* You would not gain anything by opening the ballot papers.

*Mr. Travers:* I have no questions to ask the witness.

*By the Chairman:* Where is your cousin now?—He is in Waimea East.

Did you ever vote before?—Yes, Sir.

Whom did you vote for on that occasion?—I voted for Mr. Curtis, Superintendent.

Who was the Returning Officer that took your vote?—Mr. Brunner.

Did he know you?—Yes.

Can you read?—No, Sir.

Are you aware whether your name was upon any previous roll in respect of the qualification which you claim?—My name ought to have been on the roll in 1866.

Do you know when it was taken off?—It must have been taken off in 1867, and I was registered again in 1869.

Was your claim objected to?—No, Sir; not that I know of.

Do you know any reason why your name is not on the present roll?—The Returning Officer scratched my name off.

*Mr. Travers:* I am going to show that that objection was made to "Henry Tomlinson, householder." By mistake the Returning Officer ran his pen through "Henry Tomlinson, freeholder"; and that was the cause of the error.

*Witness:* I voted on No. 133 section, and afterwards I found out that my name was not on the roll.

*The Chairman:* He made his claim.

*Mr. Allan:* It was never registered.

*By Mr. Travers:* You made a claim?—Yes.