

Mr. Campbell.
18th Sept., 1871.

By Mr. Bunny : You performed the duty of Revising Officer, as well as Registration Officer, and you formed your own opinion as to the claims sent in?—Yes.

Are the Committee to understand this: that the only claims you set aside have been those that have not been sent in in the form required by law?—Those I have already rejected.

Are those the only ones you reject?—Those who put in a claim for the same property twice over.

By Mr. Allan : Under the advice of the Revising Officer, you reject the claim?—He instructed me to do so.

By the Chairman : You do not send in the names of those who made application in respect of the same property. You see the same names you consider to be on the roll, and you do not consider it necessary to send in the claim?—Yes. I receive one man's name every year, for the same property, and if I published the name, it would go into the roll and be numbered consecutively.

Are we to understand that, if a person sends in an application, and you find that person to be already on the roll, you do not send in his application, whether the application contains the same or another qualification?—Not in all cases, unless knowing it is the same person.

You have said you went over the roll with some person?—I think I did with Mr. Dreyer; at least he did with me; I did not ask him to do it.

Was the name of Henry Tomlinson referred to by you?—Never, that I remember.

I mean in going over the roll, did you say he would vote one way or the other; was any observation made as to Henry Tomlinson?—I do not think so; I do not remember it. I was annoyed to think that I was pulled into a room and made to go over the list.

You do not remember whether Henry Tomlinson's name was ever brought under your observation?—I cannot remember his name being mentioned at all.

By Mr. McGillivray : Supposing a claim had been sent in by a person of any name whatever, and, supposing you found on the same roll a person of the same name already, I wish to know what you, as Registration Officer, would do in such a case as that?—If he lived in the same district, and with the same name, and I knew nothing at all about him, I should publish his name along with the rest of the claims.

Supposing the application was on a different qualification, what then?—I suppose I should publish his name, believing him to be the individual. If I knew him personally I would not.

You had no personal knowledge of these Tomlinsons?—I had no personal knowledge.

By Mr. Fitzherbert : Supposing a Henry Tomlinson, of whom you had no knowledge, had sent in a claim, the same name being on the roll with a different qualification, would you have put it in the waste paper basket, or sent it on to the Revising Officer, according to your ordinary practice?—I should consider whether there was only one Henry Tomlinson in the district, there could not be two Henrys in the same family. If I did not know that, I would be wrong in not publishing the name.

Well, if you would be wrong in not publishing it, if it had been sent in, would you have published it?—Yes, I think so. I depend on the constable sending me in the list of deaths. I have no instructions to inquire into certain houses, as to whether the qualification is right or not. In my own district I know most of the people.

By Mr. Bunny : Is it your habit to send to the constable the list of claims made?—No; no objection was made in 1866, 1867, 1863, or 1864, as to Henry Tomlinson. He is on the roll now, he is away. If any objection had been made to him, the name would have been struck off. He could not appear himself, as he was not there.

Witness withdrew.

Mr. Travers : The only other witness on this point is Mr. Winfield Higgins, who would prove that in this case the application of the four Tomlinsons, brothers, was made at the same time. The four claims were put into the same envelope, and that of Henry Tomlinson must have been received at the same time. They were all witnessed by the same person, and received at the same time, by Mr. Moss, gentleman, formerly a Member of the House. Henry Tomlinson had spoken to him about the claim, and he referred him to Mr. Higgins. The claims were made out in due course, and sent to the last witness, who must have treated those claims as he was in the habit of doing other claims, by putting them into the waste basket. That is the only solution we can offer of the matter. The witness is here to prove the case of Stephen Starnes.

James Robson sworn and examined.

Mr. Robson.
18th Sept., 1871.

By Mr. Travers : Your name is James Robson?—Yes.

You are a schoolmaster at Lower Moutere, in the Province of Nelson?—Yes.

Lower Moutere is within the Motueka District for the election for the House of Representatives?—Yes.

Did you act as Deputy Returning Officer at the late election for the Motueka District?—I did.

For which sub-district?—The Lower Moutere.

Do you know a man of the name of Stephen Starnes?—I do.

Did he vote at that election?—He did.

Where did the voting take place?—In the schoolroom at the Lower Moutere.

Had you a clock?—I had.

In the room?—Yes; in the room.

Was it going on that day?—It was.

Had you that clock for that special occasion?—It was a school clock, and I had it for some years.

At what time did you commence the polling on that day?—At 9 o'clock precisely I opened the poll.

Now, at what time did Starnes vote. State shortly what took place?—As the hour of 4 o'clock approached, I saw an elector, Stephen Starnes, approach the polling-booth. I remarked to the scrutineers that I was afraid he would be too late; the elector, I mean. The scrutineers went out and called to him to be quick. The scrutineers returned to the polling booth, and immediately Stephen Starnes entered;