

1876.

NEW ZEALAND.

## THAMES ELECTION.

(REPORT OF THE SELECT COMMITTEE ON; TOGETHER WITH MINUTES OF PROCEEDINGS.)

*Report brought up and ordered to be printed, 7th July, 1876.*

### REPORT.

THE Committee to whom the petition of James Mackay against the return of Sir George Grey, K.C.B., as member for the District of Thames, in the Province of Auckland, was referred, beg to report as follows:—

1. That His Excellency the Governor, by Proclamation, fixed the 2nd day of February, 1876, as the day for the return of all writs, and for the meeting of Parliament, and in the writs issued the Returning Officers were required to return the said writs to the Clerk of the Writs on or before the said 2nd day of February.

2. That on the 6th day of December, 1875, a writ was issued for the election of two members for the Electoral District of Auckland City West, and made returnable on or before the 2nd day of February, 1876.

3. That the nomination of candidates was appointed by the Returning Officer to take place on the 22nd day of December, 1875, and at such nomination Sir George Grey was declared to be duly elected as one of the members of the said district.

4. That the 23rd section of "The Regulation of Elections Act, 1870," provides that the names of the persons so declared to be elected shall be indorsed on the writ by the Returning Officer as the persons duly elected in pursuance thereof, and he shall make a return accordingly.

5. That on the said 22nd day of December the Returning Officer indorsed on the said writ the name of Sir George Grey as one of the persons duly elected, and returned the same to the Clerk of the Writs, who received the same on the 6th day of January, 1876.

6. That in pursuance of a writ dated the 6th day of December, duly issued, an election for the Thames Electoral District took place on the 11th day of January, 1876, and Sir George Grey was declared to be elected.

7. That on the 11th day of January, 1876, the Returning Officer indorsed the name of Sir George Grey on the said writ, and returned the same to the Clerk of the Writs, who received the same on the 17th day of January, 1876.

8. The Committee have satisfied themselves by careful inquiry, that by the law and practice of England a person who has, during a general election, been elected a member of the House of Commons by one constituency is nevertheless eligible for election by another constituency until the date fixed for the return of the writs. There does not appear to the Committee to be anything in the law of New Zealand which differs from that of England to such an extent as to debar two or more constituencies from electing the same person during a general election.