

MINUTES OF PROCEEDINGS.

WEDNESDAY, 22ND OCTOBER, 1879.

The Committee met, pursuant to notice, at 10 a.m.

Present : Mr. Bain, Captain Colbeck, Hon. Mr. Gisborne, Mr. Johnston, Mr. Montgomery, Mr. Swanson, Mr. Whyte.

The orders of reference dated 17th and 21st October being read, Hon. Mr. Gisborne was voted to the chair.

Resolved, on the motion of Mr. Johnston, That the Clerk be instructed to inform the members petitioned against, and the representatives of the petitioner, that the Committee has decided to hear counsel if the parties desire it, and that the Committee will meet at 10 a.m. to-morrow; also that the Examiner of Election Bonds be summoned to attend and give evidence.

Resolved, on the motion of Mr. Montgomery, That the Committee do adjourn until to-morrow at 10 a.m.

The Committee then adjourned.

THURSDAY, 23RD OCTOBER, 1879.

The Committee met pursuant to adjournment.

Present : Mr. Bain, Captain Colbeck, Hon. Mr. Gisborne (Chairman), Mr. Johnston, Mr. Montgomery, Mr. Swanson, Mr. Whyte.

The minutes of the last meeting were read and confirmed.

The following witnesses were examined: The Hon. the Speaker of the House of Representatives; Major Campbell, Examiner of Election Bonds. (*Vide* Minutes of Evidence.)

Mr. W. L. Rees addressed the Committee as counsel for Dr. Wallis.

Resolved, on the motion of Mr. Montgomery, That the petitioner or his counsel, and Mr. Pitt, M.H.R., be informed that the Committee will meet to-morrow at 10 a.m., when the Committee will be prepared to hear anything they may wish to say upon the subject of the petition; also that Mr. Rees be informed of this decision.

The Committee then adjourned.

FRIDAY, 24TH OCTOBER, 1879.

The Committee met pursuant to notice

Present : Mr. Bain, Captain Colbeck, Hon. Mr. Gisborne (Chairman), Mr. Johnston, Mr. Montgomery, Mr. Swanson, and Mr. Whyte.

The minutes of the last meeting were read and confirmed.

Mr. Travers addressed the Committee as counsel for the petitioner, and Mr. Rees as counsel for Dr. Wallis.

Resolved, on the motion of Mr. Johnston, That, in the opinion of the Committee, the forms of the House and the requirements of the Election Petitions Acts have not been complied with; that the interlineation of the word "bribery" is a breach of Standing Order No. 263; that, this petition being against two members jointly, the Committee are of opinion that the Election Petitions Acts do not sanction nor make provision for a single petition being made against the return of more than one member.

Resolved unanimously, That the Chairman do report to the House, this afternoon, in accordance with the above resolution.

The Committee then adjourned.

MINUTES OF EVIDENCE.

THURSDAY, 23RD OCTOBER, 1879.

The Hon. the SPEAKER of the HOUSE OF REPRESENTATIVES, examined.

1. *The Chairman.*] You have seen this petition that has been presented against the election of Dr. Wallis and Mr. Hurst?—Yes.

2. In what relation do you consider yourself as Speaker in regard to a petition of this kind. Is there any particular law describing your duties in reference to it?—It is my duty as Speaker to appoint the Examiner of Bonds. Major Campbell held the appointment under the previous Speaker, and asked me whether I thought it would be advisable to make a fresh appointment. I said it did not appear to me to be absolutely necessary, but it might be as well to reappoint, as it was in my power, if I thought proper, to appoint another officer, and I reappointed Major Campbell, as he had always held the office. Having appointed him Examiner of Bonds, I had nothing further to do with the Examiner's duties. After he had put the certificate on the petition, I at once laid it on the table of the House, with the certificate indorsed. I may say that I subsequently intimated to the House that I saw there was a difficulty with regard to the appointment of the Committee, inasmuch as it appeared to me that, according to law, each person petitioned against had a right to appoint a member to represent him on the Com-