

CHARGE No. 3 (CITY ROLL): That Persons whose Names were on the 1900 Roll were left off the New Roll, although they voted at the By-election. No Notice sent to Persons so struck off.

The only case brought under this heading is that of James Leslie Chalmers, and it is rather extraordinary that no other cases were brought. We are aware that not infrequently, owing to the pressure at the polling-booths, omissions by poll-clerks to duly mark the names of persons voting at elections mislead the Returning Officer and Registrar of Electors. The latter is not responsible for the result of such omissions, but the Registrar should send a notice to the person struck off. Mr. Chalmers says he received no such notice, and the Registrar does not keep a record of notices sent. The non-receipt of notice by Chalmers does not prove it was not sent. No doubt more particularity in recording claims, expungements, and notices would be desirable in the Registrar's Office.

GENERAL OBSERVATIONS ON ABOVE CASES.

As part of his general answer to the charge of corruptly selecting claims for refusal according to political bias, the Registrar put in evidence a great mass of rejected claims, amounting in number to many hundreds. Neither side seemed disposed to examine minutely into these claims, and no examination by ourselves would enable us to determine whether any selection had been made. As an answer to the charge of corruptly rejecting the claims put in by the complainants, it seems to us to furnish the very cogent argument that, although he did reject many of those claims, he also rejected many more put in by other people, and on precisely the same grounds. The complainants did not deal with this matter, and the Registrar is entitled to the legitimate deduction therefrom.

OTHER MATTERS.

As to the charge made for advance copies of the roll: It incidentally appeared during the progress of the inquiry that the parties most interested in the election—including the complainants—arranged with Mr. King for advance sheets of the electoral rolls as they came day by day from the printers, and that they paid comparatively large sums for the privilege, the money being paid for the use of the printers; but there is practically an admission by Mr. King that he would receive some portion of it in the shape of discount or commission. The complainants' counsel urged very strongly upon us that this was a proof of the corrupt nature of Mr. King. But this argument would indicate that if this was a corrupt, dishonest, or indeed improper act on the part of Mr. King, the parties obtaining the rolls were active participators in the corrupt, dishonest, or improper act. In our opinion the arrangement made was neither corrupt nor dishonest. If it was improper it was only because of the *quasi*-status of Mr. King as a public servant. There is no prohibitive law or rule against the advance sheets being supplied the moment they are struck from the press. To obtain them is a great convenience to the parties interested, and the price paid is, we should suppose, a matter of mutual agreement. The Department having control of electoral matters may give its attention to this question, and issue instructions thereon, but we do not think it has any legitimate bearing on the questions we have to decide.

The complainants' counsel mentioned a number of alleged technical breaches of the Electoral Act by the Registrar. We believe that we have dealt with each of these in the course of this report. He concluded his address by urging upon us that his clients had no animus against the Registrar, but deemed him to be incompetent to hold the position of Registrar of Electors. We feel that it would be improper for us to enter into this phase of the question. The complainants' case was conducted throughout on the assumption that the acts and omissions complained of arose not from incompetence, but from corrupt motives on the part of the Registrar.

COSTS.

We have paid the expenses of such witnesses as we required to attend, and there do not appear to be any witnesses called by Mr. King who are entitled to payment. We make no order as to complainants' costs.

CONCLUSION.

In conclusion we beg to report that none of the charges made against the Registrar have been substantiated, and therefore we have no recommendation to make to Your Excellency.

Given under our hands and seals, at Wellington, this 22nd day of April, 1903.

[Seal.]
[Seal.]

W. R. HASELDEN, Chairman.
HUGH POLLEN.