

MESSAGE No. 12.

His Excellency the Officer administering the Government transmits to the House of Representatives a Petition from certain Electors of the Waimea District in the Province of Nelson, complaining of the undue return of William Thomas Locke Travers, to serve in the House of Representatives, in order that the validity of the return complained of may be duly determined.

R. H. WYNYARD,  
Officer administering the Government.

Government House,  
Auckland, 5th July, 1854.

To His Excellency ROBERT HENRY WYNYARD, Esquire, Companion of the Most Honourable Order of the Bath, the Officer Administering the Government of New Zealand, &c., &c.

---

The Petition of the undersigned Electors, being not less than one-twentieth of the whole number of registered Electors of the Waimea District, in the Province of Nelson, in the Colony of New Zealand,

Sheweth,—

That, in pursuance of a Writ under your Excellency's hand, bearing date the twenty-seventh day of May, One thousand eight hundred and fifty-four, directed to John Poynter, Esquire, Returning Officer for the Waimea District, requiring and commanding him "to cause to be elected by and from amongst the Voters duly qualified for that purpose, freely and indifferently, and in manner prescribed by law, one person, to serve as a Member of the House of Representatives for the aforesaid Waimea District"—Tuesday, the twentieth day of June, One thousand Eight hundred and fifty-four, at noon, at Richmond, Waimea East, was appointed by the Returning Officer for the nomination of one Member for Waimea District.

That, pursuant to such notice, on Tuesday, the twentieth day of June, at noon, at Richmond, Waimea East, Francis Jollie, Esquire, a legally qualified and registered elector of the District, as required by the forty-second clause of the Constitution Act, was duly nominated by Francis Otterson, Esquire, and Mr. William Harkness, two registered electors of the District, as a fit and proper person to represent the aforesaid Waimea District in the House of Representatives.

That, at the same time and place, Mr. William Thomas Locke Travers, who is not a legally qualified and registered elector of the Waimea District, as required (in the opinion of your petitioners) by the forty-second clause of the Constitution Act, was also nominated to represent the aforesaid District in the House of Representatives.

That a notice (of which a copy is enclosed) was then read by one of your petitioners to the Returning Officer and the Electors present, to the effect that Mr. William Thomas Locke Travers, not being a registered Elector of the District, was ineligible as a member for the District, and that, if the said William Thomas Locke Travers were declared duly elected by the Returning Officer, the return would be petitioned against.

That the Returning Officer declared himself incompetent to decide the matter in dispute, and that the Election must proceed, and be referred by Petition to your Excellency, as provided by law in the case of disputed returns.

That, on a show of hands being called for, the Returning Officer declared the Election to have fallen on Francis Jollie, Esquire, there having been fourteen hands held up for the said Francis Jollie, Esquire, and three hands held up for Mr. William Thomas Locke Travers.

That thereupon a Poll was demanded by Mr. William Thomas Locke Travers.

That the Polling took place on Wednesday, the twenty-first day of June.

That, on Thursday, the twenty-second day of June, the Returning Officer announced the state of the Poll—(one hundred and twenty-six votes having been given for Mr. William Thomas Locke Travers, and seventy-one votes for Francis Jollie, Esquire)—and declared Mr. William Thomas Locke Travers duly elected.

That your Petitioners believe that the Election of Mr. William Thomas Locke Travers for the Waimea District is a void Election, inasmuch as the said William Thomas Locke Travers is not a legally qualified and registered Elector of the Waimea District, as required by the forty-second clause of the Constitution Act,

That your Petitioners believe that Francis Jollie, Esquire, was duly elected and ought to have been returned as Member to represent the Waimea District in the House of Representatives, and that the return ought to be amended accordingly, and that the name of Francis Jollie, Esquire, ought to be inserted in the said return in the place of the name of Mr. William Thomas Locke Travers.

That your Petitioners respectfully request that your Excellency will cause this their Petition to be referred to the House of Representatives, that the validity of the return complained of may be determined.

That a copy of this Petition was served on Mr. William Thomas Locke Travers on the twenty-fourth day of June, one thousand eight hundred and fifty-four, as required by law.

Francis Otterson,  
William Harkness,  
H. Redwood,  
C. Goulter,  
Richard Wallis,  
William Clever.  
W. A. Weightman,  
W. P. Cautley,  
Fedor Kelling.  
C. B. Wither,  
W. L. Lyne,  
James M'Hardy,  
Charles Kelling,  
W. S. Barnicoat,  
William G. Bell,  
John Keir.  
Matthew O'Loughlan,  
William M'Kae.  
David Sclanders,  
Alfred Fell.

Dated this Twenty-fourth day of June, One thousand eight hundred and fifty-four, at Richmond, Waimea East, in the Province of Nelson, in the Colony of New Zealand.

(Copy.)

TO JOHN POYNTER ESQ.,

*Returning Officer for the Waimea District, in the Province of Nelson, in the Colony of New Zealand, and to the Electors entitled to vote in the Election of Members for the said District, to serve in the House of Representatives for the said Colony, and to all others whom it may concern.*

I, CHARLES BIGG WITHER, one of the Electors of the above District, do hereby give you and each of you notice, that William Thomas Locke Travers, who has been nominated this day as a Candidate to represent the aforesaid District in the said House is ineligible, not being legally qualified, inasmuch as his name is not on the Roll of Electors for the said district entitled to vote for such

Members as aforesaid. And I hereby give notice to such of the Electors of the said District as shall vote for the said William Thomas Locke Travers, at this Election, their votes will be thrown away.

And I hereby further give you and each of you notice, that if the aforesaid William Thomas Locke Travers be declared duly elected to serve as a member of the House of Representatives for the said Waimea District, a Petition to His Excellency the Governor will be prepared, complaining of the illegality of such Election, and praying that such Petition may be referred to the House of Representatives to determine the validity of such Elections.

• CHARLES BIGG WITHER.

Dated this Twentieth day of June, One thousand eight hundred and fifty-four, at Richmond, Waimea East, in the Province of Nelson, in the Colony of New Zealand.