
MINORITY REPORT.

MR. SPEAKER :

The undersigned members of the Committee appointed to enquire into and report upon the conduct of the last General Election, in the City of Victoria, and whether ballot papers were supplied to electors with a line apparently drawn through the name of the Senior Member (Mr. Beaven), and under what circumstances, beg leave to report :—

1. That the ballot papers used at that election were printed at the Government Printing Office, and were bound or stitched together at Mr. Munroe Miller's, in the presence of Mr Wolfenden, Government Printer.

2. That the "Ballot Act, 1877," provides that the front and back of ballots shall be printed in a form as shown in the Statute.

3. That the ballot papers so printed, do not conform with the form of ballot paper in the Statute, in that a black line, about one inch long, was printed upon the back of the ballot paper, in such a manner that when heavily stamped it shows through on the front of the ballot through Mr. Beaven's name.

4. That the line referred to, appears to have been stamped on the back of the ballot paper heavier than a very similar line on the counterfoil; but the Superintendent explains this in his own words in the evidence submitted.

5. That the Superintendent of the Printing Office is of opinion that the line so printed on the back was stamped on all the ballots printed for the city election—about 1,900,—but that his attention was not drawn to it until after the election.

6. That the Returning Officer states his attention was not called to the line mentioned during the polling of votes, but he noticed it in the case of one ballot during the counting of the votes; that he was about to throw out this ballot on that account, when his attention was called to the fact that the line was printed from the back.

7. That the Returning Officer produced 17 ballot papers which had been left over, after the ballot papers used at the last election were bound, and which had been kept in the hands of the Superintendent of the Printing Office by his advice. These ballot papers were examined by the Committee, and it was found that, in several instances, the line that had been printed on the back of the ballot paper showed more or less through the paper, on a portion of Mr. Beaven's name.

8. The undersigned submit that the facts disclosed are of such a serious nature as to necessitate immediate steps to prevent their re-occurrence.

JOHN GRANT,
ROBERT BEAVEN.

Victoria,
February 26th, 1887.

 MINUTES AND EVIDENCE.

Minutes of meeting of Victoria Election Committee, held in Ministers' Room, the 21st February, 1887.

Messrs. Turner, Beaven, Prior, Grant, and T. Davie.

Upon motion, Mr. Turner was appointed Chairman, and Mr. T. Davie, Secretary.

J. H. TURNER, *Chairman.*

Harvey Combe, examined by Mr. Beaven: I was Returning Officer at the last General Election; I ordered 2,000 ballot papers to be printed; they were counted and put up in packages; I produce the order which I gave to the printer; marked A. I see that my order was for 1,900. I ordered 48 tendered ballots, but none of them were required or used; the tendered ballots are on different coloured paper; the 48 were in excess of the 1,900.

Q.—Who did you order them from?

A.—From the Government Printer.

Q.—Do you know where they were printed?

A.—I have good reason for believing that they were printed at the Government Printing Office.

Q.—How many ballot papers were used at the election?

A.—By the return of the different poll clerks there were 1,082 supposed to be in the box before the count, besides four spoiled ones not in the box.

Q.—Do you remember the number in box from actual count?

A.—Yes, 1,078. I might state that besides the return of the four spoiled ballots I had two others, making six in all, thus reducing the number of ballots expected to be in the box to 1,080.

Q.—How did the spoiled ballots come into your possession?

A.—They must have been given to me by the people that spoiled their ballot papers. There is no doubt that there was a mistake made, and that ballots should not have been given to voters objected to until after the oath had been taken. That is how the two got into my hands. Those two ballots were ballots supplied to voters who were objected to.

Q.—These ballots you refer to as spoiled ballots; were not other ballot papers supplied to the parties?

A.—In the two cases, no; positively.

Mr. Grant: Can you say why the additional papers in your possession were spoiled—how they were?

A.—One was a case where the voter had taken the ballot out of the polling station, and the other was a voter objected to and the oath put to him, and he didn't take it, and he handed me up his ballot paper.

Q.—Can you tell why the other four spoiled ballot papers were considered spoiled?

A.—I cannot remember how they were spoiled.

Q.—Can you say who your poll clerks were?

A.—I hand in a rough list of the poll clerks (marked B) and their divisions.

Q.—Do you remember which of the clerks it was who reported the spoiled ballots?

A.—I can recollect one—Mr. Moore. Mr. Moore, in accounting for one of these ballot papers in his return, said there were no spoiled ballot papers; but he made a mistake, there was one.

Q.—Do you know what became of the two missing ballots, *i. e.*, the difference between 1,080 and 1,078?

A.—One is accounted for, I think, by the above explanation regarding Moore. There is one missing, but I believe it was taken out of the polling station by a voter, and never put in the box or seen again by me.

Mr. Davie: Do you know the name of the voter?

A.—I do not.

Q.—What is the reason for your believing that this ballot was taken out and not returned

A.—Mr. Williams (R. T.) so reported to me—so far as my memory extends.

Q.—Will you tell us what voter it was who had taken his ballot out of the polling station, and whose ballot you recovered and retained; and was that the same case as the one reported to you by Mr. Williams?

A.—I think the name of the first mentioned was Muldoon, but I am not sure. That was not the same case as the one reported to me by Williams.

Q.—Was not the man you think was named Muldoon, objected to on the ground of his being a constable?

A.—No.

Q.—Was there not a man named Hoosen, who obtained a ballot paper and took it out of the station or polling station?

A.—Yes.

Q.—Did you recover Hoosen's ballot?

A.—Yes; that was one of the spoilt ballots.

Q.—Did you recover Muldoon's ballot?

A.—I recovered the ballot from the person I take to have been Muldoon; I don't know what his name is.

Q.—Who was it objected to Hoosen's vote?

A.—I don't know—I can't remember. Any way, he would not take the oath.

Q.—In counting the ballots—when it was discovered that there was a difference of either one or two between the actual number counted and those supposed to have been supplied—what occurred, and was any recount or further investigation demanded or waived?

A.—I think it was understood that if there were a less number of ballot papers in the box that there would be no cause to go through the whole thing.

Mr. Grant: Were there any persons who asked for ballot papers refused, on the ground of their being constables?

A.—I don't know.

Q.—Were there any person or persons who voted, and who were at the time a constable?

A.—Yes, I think there were.

Q.—Can you name any of those?

A.—No.

Mr. Turner: Was there any report made to you that any ballot papers issued by you had been defaced?

A.—At time of the election, no.

Mr. Beaven: Do you know anything about any ballot papers being used with my name defaced in any way?

A.—I have since heard that there were ballot papers with a line drawn through Mr. Beaven's name.

Q.—Do you know in what manner?

A.—I've found out since; it's a line on the back of the ballot that, in some cases, shews through.

Mr. Turner: Have you seen any of these ballots?

A.—I've seen some since I heard this, that were printed at the same time as the ones which were used.

Mr. Prior: Is the line at the back of Mr. Beaven's name the only one which shews through?

A.—Yes.

Mr. Turner: Does the line appear to cross off Beaven's name?

A.—In counting the ballots I remember one paper which looked as if there was a line through it, but I found out, directly, that it was at the back.

Q.—Was this whilst the ballots were being counted by the candidates or their agents?

A.—Yes.

Q.—Was this line at the back remarked on by any one else at that time?

A.—I was going to throw the ballot paper out as improperly marked, and my attention was called to the manner in which the mark was caused.

Q.—Was there any other ballot, during the count, through which the line was visible?

A.—Not that my attention was called to or that I observed.

Mr. Grant: Did any of the voters call your attention to what appeared to be a line drawn through Mr. Beaven's name, at the time of receiving a ballot paper?

A.—No.

Mr. Prior: During the count were any ballots taken as spoilt owing to the line shewing through?

A.—No.

Mr. Turner: Have you any of the ballots which were printed at the last election, and remaining over?

A.—There are some at the printing office. I was informed about this line being through the name by Mr. Beaven, a day or so after the election, and I went over to the printing office and asked if they had any over. They said yes; and I saw the papers and told some one in the office they'd better keep them.

Q.—Can you produce them?

A.—I can go and get them. I produce 17 of the remaining ballot papers.

Mr. Davie: Was Mr. Beaven present during the count of the votes?

A.—He was.

Q.—Did any one call your attention to the line at the back of the ballot papers during the count, save in the one instance you have alluded to?

A.—No.

Mr. Beaven: You produce 17 ballot papers; is there a line through my name in any of them?

A.—There is a line at the back, which shews through in some.

Mr. Turner: Did it obliterate the name in your opinion?

A.—It didn't even catch my eye, except in the one case which I have alluded to when counting the ballots.

Mr. Grant: Have you compared these ballots with the form given in the Statute?

A.—I have; that line should not be there.

(Signed) HARVEY COMBE.

Adjourned meeting of Victoria Election Committee, held in Ministers' Room, February 23rd, 1887.

Present—Messrs. Turner, Chairman; Beaven, Grant, Prior, and Davie.

The Minutes of last meeting were read and adopted.

J. H. TURNER, *Chairman.*

R. Wolfenden, examined, said:—

Q.—Were the ballot papers printed at the Government Office?

A.—They were.

Q.—Can you explain how this line comes to be on the back of the ballot paper?

A.—The line is put there simply to shew that this is the heading only, *i. e.*, the words "Back of Ballot Paper."

Q.—Is there such a line on the back of the ballot paper in the Statute?

A.—There does not appear to be.

Q.—Do you remember who set up the type in this form?

A.—I cannot remember at present, but I can find out.

Q.—Would the line be on every ballot paper printed at that election?

A.—Yes; on all that were printed in our office.

Mr. Turner: Do you observe that the line shews through in some places?

A.—My attention was called to such being the case, in some instances, by Mr. Combe, the day after the election. Up to that time I had not observed that the line was printed on the back—on the back of any one's name.

Mr. Prior: Has it been the regular custom to have that line printed at the back, in the same way, in previous years?

A.—I think so, in every instance. I don't mean to say that the line was at the back of any name. I did not know it was so in this case, or I should have altered it. There is a similar line in the front, both on the counterfoil and on the ballot?

By Mr. Turner : Do you see a similar line on the counterfoil and the ballot in the form given in the Statute?

A.—I do not.

Q.—Are there any of the ballots of previous years procurable?

A.—I think not in my office ; I invariably destroy them.

To Mr. Grant : The practice has been to allow the ballot papers to be printed where ever the Returning Officer likes.

I wish to explain why this line escaped my notice—this line on the back of Mr. Beaven's name. The front of the ballot paper and the back of the ballot paper is all set up as one form, and both sides printed at once, on a paper twice the size of the ballot paper produced. When the whole number of copies have been struck off on one side, the paper is turned over, and the other side printed. In reading the proof, of course, I only saw one side, both front and back being on one side of the paper—the front and back of the ballot paper being on one side of the sheet of paper—consequently, I did not observe—could not observe—that the line would come on the back of any one's name.

Mr. Beaven : The line would come at the back of my name in every ballot then?

A.—Yes.

Mr. Grant : Does that seem to you to be heavier?

A.—The impression of that line seems a trifle heavier than the corresponding one on the counterfoil. I will explain the reason : I have these dash lines specially made for the Statutes, and some are heavier than others.

Mr. Beaven : Are you sure that that dash line on the back of the ballot paper was printed in the Government Printing Office.

A.—Certainly.

Q.—Where were the ballot papers bound?

A.—At Mr. Munroe Miller's, in my presence.

(Signed) R. WOLFENDEN.

EXHIBITS.

A.

| Inclusive. | BALLOT PAPERS. | |
|--------------|----------------|-------|
| A to C | | 400 |
| D to G | | 300 |
| H to L | | 300 |
| M to O | | 300 |
| P to S | | 350 |
| T to Z | | 250 |
| | | 1,900 |

48 Tendered Ballot Papers—6 packages of 8 each.

B.

| | | |
|-------------------|---|---------|
| E. Wooton List, | } | D to G. |
| Bodwell Ballot. | | |
| Sargison List, | } | H to L. |
| Moore Ballot. | | |
| McNiffe List, | } | M to O. |
| Plummer Ballot. | | |
| Saunders List, | } | P to S. |
| Sylvester Ballot. | | |
| Sinclair List, | } | T to Z. |
| Wooldrige Ballot. | | |
| H. E. Jones | | A to C. |

Copy of Ballot Paper referred to in Mr. Combe's evidence, 17 of which were produced before the Committee.

Front of Counterfoil.

FRONT OF BALLOT PAPER.

Voter's Register No.

Electoral District of
Victoria City.

7th July, 1886.



| | |
|----|---|
| 1 | BEAVEN (Robert Beaven, of Victoria City, Esquire.) |
| 2 | CAREY (Joseph Westrop Carey, of Victoria City, Land Surveyor.) |
| 3 | DAVIE (Theodore Davie, of Victoria City, Barrister-at-Law.) |
| 4 | DUCK (Simeon Duck, of Victoria City, Carriage and Waggon Maker.) |
| 5 | DUVAL (John Mayfield Duval, of Victoria City, Editor and proprietor of the "Industrial News.") |
| 6 | LIPSETT (Robert Lipsett, of Victoria City, Real Estate Broker.) |
| 7 | PRIOR (Edward Gawler Prior, of Victoria City, Merchant.) |
| 8 | SMITH (Andrew Johnston Smith, of Victoria City, Contractor.) |
| 9 | TURNER (John Herbert Turner, of Victoria City, Merchant.) |
| 10 | WILLIAMS (Robert Taylor Williams, of Victoria City, Book Binder.) |
| 11 | WRIGLESWORTH (Joseph Wriglesworth, of Victoria City, Saloon keeper and Grocer.) |

BACK OF BALLOT PAPER.

Back of Counterfoil.

Election for

Electoral District of Victoria City.

July 7th, 1886.

No.

No.

