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VICTORIA.



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# REPORT

FROM THE

SELECT COMMITTEE

UPON

ALLEGED ROLL STUFFING AT AVOCA,

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE AND MINUTES OF EVIDENCE.

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*Ordered by the Legislative Assembly to be printed, 19th October, 1892.*

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D.—No. 4.—[1s. 6d.]—8397.

WEDNESDAY, 25TH MAY, 1892.

12. ALLEGED ROLL STUFFING AT AVOCA.—Mr. Bowman moved, pursuant to notice, That a Select Committee be appointed to inquire into and report upon the alleged roll stuffing at Avoca previous to the last election, such Committee to consist of Mr. Andrews, Mr. Craven, Mr. Dixon, Mr. E. Murphy, and the Mover, with power to call for persons, papers, and records, and to move from place to place; three to be the quorum.  
Debate ensued.  
Mr. Shiels moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until Wednesday, 8th June next.

WEDNESDAY, 14TH SEPTEMBER, 1892.

17. ALLEGED ROLL STUFFING AT AVOCA.—The Order of the Day for the resumption of the debate on the question—That a Select Committee be appointed to inquire into and report upon the alleged roll stuffing at Avoca previous to the last election, such Committee to consist of Mr. Andrews, Mr. Craven, Mr. Dixon, Mr. E. Murphy, and the Mover, with power to call for persons, papers, and records, and to move from place to place, three to be the quorum, having been read—

Question—put.  
The House divided.

Ayes 36.

Mr. Andrews,	Mr. E. Murphy,
Mr. Armytage,	Mr. T. Murphy,
Mr. Bowman,	Mr. Phillipson,
Mr. Bromley,	Captain Salmon,
Mr. Burrowes,	Mr. Scott,
Mr. Burton,	Mr. Sterry,
Mr. G. Downes Carter,	Mr. Tatchell,
Mr. W. T. Carter,	Captain Taylor,
Mr. Craven,	Mr. Tucker,
Mr. Davies,	Mr. G. J. Turner,
Mr. Dunn,	Mr. Vale,
Mr. Ferguson,	Mr. Williams,
Mr. Grattan,	Mr. Wyllie,
Mr. Graves,	Mr. Young.
Mr. A. Harris,	
Mr. J. Harris,	
Mr. Ievers,	
Mr. Madden,	
Mr. Mason,	Mr. Bailes,
Mr. McIntyre,	Mr. Murray.

Tellers.

Noes, 16.

Mr. Baker,	Mr. Peacock,
Mr. Gordon,	Mr. Shiels,
Mr. Highett,	Mr. G. Turner,
Mr. Keys,	Sir H. J. Wrixon.
Mr. Levien,	
Mr. McKenzie,	
Mr. McKinley,	
Mr. McLean,	
Mr. Methven,	
Mr. Outtrim,	

Tellers.

Mr. Forrest,  
Mr. Foster.

And so it was resolved in the affirmative.

TUESDAY, 20TH SEPTEMBER, 1892.

3. ALLEGED ROLL STUFFING AT AVOCA.—Mr. Bowman moved, by leave, that the Select Committee on the Alleged Roll Stuffing at Avoca have leave to sit on days on which the House does not meet.  
Question—put and resolved in the affirmative.

THURSDAY, 6TH OCTOBER, 1892.

6. ALLEGED ROLL STUFFING AT AVOCA.—Mr. Shiels moved, by leave, That leave be given to the witnesses summoned to be examined before the Select Committee on Alleged Roll Stuffing at Avoca to appear by counsel if they think fit.  
Debate ensued.  
Question—put and resolved in the affirmative.



APPROXIMATE COST OF REPORT.

	£	s.	d.
Preparation .. .. .	2	2	0
Expenses of the Committee .. .. .	23	10	0
Witnesses' expenses .. .. .	2	13	7
Shorthand writing .. .. .	16	15	3
Printing (760 copies) .. .. .	36	0	0
	£86	0	10

# REPORT.

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THE SELECT COMMITTEE appointed to inquire into and report upon the Alleged Roll Stuffing at Avoca previous to the last election have the honour to report to your Honorable House as follows :—

1. Your Committee have held five meetings in Melbourne and two at Avoca. They have examined several witnesses, including the Chief Electoral Inspector, the electoral inspector for the district of Talbot and Avoca, the electoral registrar for the Avoca division of the said electorate, several persons who were struck off the General List by the Revision Court held at Avoca in February last, and several persons who were alleged to be improperly on the General Roll and entitled to vote at the last election.

2. The witnesses examined at Avoca took advantage of the resolution passed by your Honorable House on the 6th October instant, and were represented by Mr. Herring as counsel.

3. Your Committee find that the electoral registrar for the Avoca division of the district of Talbot and Avoca—Mr. John Ross—is the deputy returning officer for the same division, and is also valuer for the south riding of the shire of Avoca. He was appointed electoral registrar on the 25th November, 1889, his predecessor being Mr. Archibald Peter Campbell, the secretary of the Avoca Shire, who was a candidate for the representation of the district at the by-election, held on the 3rd December, 1889, and also at the general election held in April, 1892.

4. Your Committee beg to state that the evidence they have obtained shows that, previous to the last election, the names of several persons were improperly placed on the General Roll for the Avoca division of the district of Talbot and Avoca; that several persons wilfully and knowingly made false answers to one or more of the prescribed questions when obtaining their electors' rights; and that the electoral registrar for the division has been guilty of grave irregularities in the issue of electors' rights.

5. The first cases which your Committee inquired into related to persons whose names had been placed on the General List prepared by the electoral registrar in December, 1891, but did not appear on the General Roll used at the last election, having been objected to by the electoral inspector, and struck off by the Revision Court on the ground that the persons designated were under the age of twenty-one years. These cases were seven in number, and are as follows :—

Name.	Residence.	Occupation.
Byrne, John Edward ... ..	Avoca ... ..	Groom
Frey, Charles Albert ... ..	" ... ..	Storeman
Lamont, Alexander ... ..	" ... ..	Blacksmith
Mockett, Archie Horn ... ..	" ... ..	Painter
Redpath, John ... ..	" ... ..	Labourer
Reed, James ... ..	" ... ..	Compositor
Robinson, William ... ..	" ... ..	Chaffcutter

6. The persons mentioned in the foregoing list were summoned to appear before your Committee, and the particulars elicited regarding each case, briefly stated, are as follows:—

- (a) John Edward Byrne, born at Landsborough, No. of right, 720,858, issued on 28th November, 1891. The registrar stated that he asked Byrne the questions prescribed by the Act. The question—"Are you of the full age of twenty-one years?" is answered "Yes." Byrne was examined, and admitted that he was eighteen years of age when he took out the right, that he signed his name on the butt of the right below the questions and the answers thereto, but he denied most emphatically that he was asked any questions by the registrar. He also stated that he had known Mr. Ross, the registrar, for about ten years.
- (b) Charles Albert Frey, born at Avoca, No. of right, 643,549, issued on 30th November, 1891. The registrar stated that Frey answered the prescribed questions. The question—"Are you of the full age of twenty-one years?" is answered "Yes." Frey was examined and admitted that he was asked by the registrar if he was twenty-one, and that he answered "Yes." That he signed his name on the butt of the right below the questions and the answers thereto, and that he is now only eighteen years of age.
- (c) Alexander Lamont, born near Smeaton, No. of right, 720,855, issued on 28th November, 1891. The registrar stated that he put the prescribed questions to Lamont. The question—"Are you of the full age of twenty-one years?" is answered "Yes." Lamont was examined and admitted that the registrar asked him how old he was, and that he answered "Twenty-one." He stated that he had not been asked any of the other questions, nor had the registrar cautioned him before putting the question as to his age. That he signed his name on the butt of the right below the questions and the answers thereto, and that he is now only twenty years of age.
- (d) Archie Horn Mockett, No. of right, 643,509, issued on 16th November, 1891. The registrar stated that he put the prescribed questions to Mockett. The question—"Are you of the full age of twenty-one years?" is answered "Yes." When the Committee visited Avoca, Mockett was absent in Warracknabeal; he had been previously summoned to give evidence, but did not appear. Police Constable Germaine gave evidence that Mockett's name had been struck off the List by the Revision Court on the ground that he was under twenty-one years of age, and the Committee have obtained a certificate of his birth from the Registrar-General which shows that he was born at Avoca on the 29th of May, 1872. Mockett was therefore under twenty years of age when he obtained his right in November, 1891.
- (e) John Redpath, No. of right, 643,540, date of right, 27th November, 1891. The Committee found this right still in the book, with the word "cancelled" written across it, without any date or signature. The right was stamped and signed by the registrar, John Ross, but not by Redpath. The answers to the prescribed questions were filled in as if they had been duly replied to. The question—"Are you of the full age of twenty-one years?" is answered "Yes." When examined, the registrar stated "that Redpath sent a stamp to him by one Francis Rolfe, a Maryborough contractor, who said Redpath was twenty-one years of age. He (the registrar) then filled in the right and cancelled the stamp, but the young man got hurt, and never appeared, and the right was not issued to him." Your Committee find, however, that the registrar placed Redpath's name on the General List, and it was struck off by the Revision Court on objection taken by the electoral inspector, and not by the registrar. Police Constable Germaine was examined by your Committee respecting this case, and he read the following report, which he made to his superior officer on the 12th January, 1892:—"I have to report, for the information of Constable Monks, that I, this day, interviewed John Redpath, whose name appears on the electoral roll of Avoca division of electoral district of Talbot and Avoca, opposite No. 643,540. I said to him, 'How old are you?' He replied, 'Nineteen years' (19). I said, 'How is it that your name is on the electoral roll?' He replied, 'I did

not know that it was. I never applied for an elector's right, paid any money, or signed any papers in the registrar's office, or instructed any other person to do so on my behalf." Your Committee were unable to examine Redpath as he could not be found, and the summons to attend the meeting held at Avoca was not delivered to him.

- (f) James Reed, born at Avoca, No. of right, 643,545, issued on 28th November, 1891. The registrar stated that the prescribed questions were put to Reed. The question—"Are you of the full age of twenty-one years?" is answered "Yes." Reed was examined and admitted that he signed his name on the butt of the right below the questions and the answers thereto. That he was under twenty years of age when he got the right. That the registrar had asked him one question only, viz., whether he was of age, and that he answered "Yes."
- (g) William Robinson, No. of right, 720,856, issued on 28th November, 1891. The registrar stated that the prescribed questions were put to Robinson. The question—"Are you of the full age of twenty-one years?" is answered "Yes." Robinson was examined and stated that he signed his name on the butt of the right below the questions and the answers thereto. That he was under twenty years of age when he obtained the right. That he could not remember if he was asked any questions by the registrar or cautioned as to the penalties he would incur if he gave a false answer, and he was not aware when he obtained the right that he had to be twenty-one years of age.

With reference to the foregoing cases, it will be observed that when the electoral inspector had succeeded in having the names struck off the List by the Revision Court the matter was allowed to drop. Your Committee consider that when persons are found to have obtained their rights by giving false answers to the questions, the Department should not be satisfied with simply having the names struck off the List, but that the persons offending should be prosecuted for perjury. Unless this is done, and public attention is drawn to the serious nature of the offence, your Committee are of opinion that the names of persons under age, or otherwise disqualified, being placed on the Roll will not be effectually prevented.

7. The other cases investigated by your Committee related to persons whose names appeared on the General Roll for the Avoca division, and who were therefore entitled to vote at the last general election. In one case inquiry was made as to whether a person whose name appeared on the Roll was a "natural born or naturalized subject of Her Majesty Queen Victoria." In the other cases your Committee endeavoured to ascertain if certain persons fulfilled the requirements as to age and residence when they obtained their rights. It may be explained that the Avoca River, which runs close to the town of Avoca, forms a portion of the boundary between the electoral districts of Stawell and "Talbot and Avoca," and that several persons who reside across the river in the Stawell electorate are in the habit of doing business and working in Avoca. The particulars regarding the cases investigated which your Committee were able to obtain during the limited time at their disposal may be briefly stated as follows :—

- (h) William Charles Castleman, blacksmith, Avoca, born at Rathscar, Victoria. Right No. 643,522, issued on 21st November, 1891. The registrar stated that the prescribed questions were put to Castleman. The question—"Are you of the full age of twenty-one years?" is answered "Yes." Castleman was examined, and acknowledged his signature below the questions and the answers thereto. At first he declined to state his age, but subsequently admitted that he was born on the 18th July, 1871, and was under age when he obtained the right.
- (j) Gustav Adolph Ebeling, storeman, Avoca, Right No. 643,543, issued on 28th November, 1891. The registrar stated that the prescribed questions were put to Ebeling. The question—"Are you of the full age of twenty-one years?" is answered "Yes." When the Committee visited Avoca, Ebeling was absent in Warracknabeal; he had been previously summoned to give evidence, but did not appear. The Committee have

obtained a certificate of his birth from the Registrar-General which shows that this man was born at Percydale, on the 5th March, 1871. He was, therefore, under age when he obtained his right in November, 1891.

- (k) William Gollop, miner, Avoca, Right No. 720,854, issued on 28th November, 1891. The question—"Where are the premises on which you reside, and whether are you the occupying tenant or a lodger or person employed on such premises?" is answered "Avoca, lodger." Gollop was examined, and stated that he had no home of his own, that his father lived across the river, in the Stawell electorate, and that he was in the habit of sleeping there, but that before taking out the right he lived within the Avoca division for about four months. His evidence on this point was, however, most unsatisfactory.
- (l) Barrington Haslam, miner, Avoca, Right No. 643,529, issued on 24th November, 1891. The registrar stated that he put the prescribed questions to Haslam. The question—"Are you of the full age of twenty-one years?" is answered "Yes." The summons of the Committee to attend before them at Avoca was not delivered to this man, as he could not be found. The Committee have, however, obtained from the Registrar-General a certificate of his birth which shows that Haslam was born at Inglewood-road, in the borough of St. Arnaud, on the 29th May, 1872, and was, therefore, only about nineteen and a half years of age when he obtained his right in November, 1891.
- (m) Charles Henry Kaiser, labourer, Avoca, Right No. 643,466, issued on 29th November, 1890. The question—"Where are the premises on which you reside, and whether are you the occupying tenant or a lodger or person employed on such premises?" is answered "Avoca, lodger." Police Constable Germaine was examined as to whether he knew where Kaiser resided. He answered, "On the other side of the river for three months before the election." Kaiser was examined by the Committee, and stated that he was living in the town of Avoca when he applied for his right. He admitted that he had lived on the other side of the river in the Stawell electorate, but could not say for how long. The evidence given by this witness as to his place of residence was contradictory and very unsatisfactory.
- (n) Alfred Mackereth, clerk in the Bank of Victoria, Avoca, Right No. 720,868, issued on 28th November, 1891. The registrar stated that he put the prescribed questions to Mackereth. The question—"Are you of the full age of twenty-one years?" is answered "Yes." The question—"Where are the premises on which you reside; and whether are you the occupying tenant or a lodger or person employed on such premises?" is answered "Avoca, lodger." Mackereth was examined and acknowledged his signature below the questions and the answers thereto. He stated most positively that he had not been asked any questions by the registrar when he applied for a right, and admitted that he was only twenty years of age when he obtained it. That he resided with his father, a mile and a half from Avoca, in the Stawell electorate, and worked in Avoca at the bank. That he knew he was not qualified on account of his age, but was not aware that he was also disqualified on the ground that he resided in another electorate. He also stated that he did not record his vote at the last election as he did not think he had a right to.
- (o) John McKinnon, carter, Avoca, Right No. 720,864, issued on 28th November, 1891. The question as to residence is answered "Avoca, lodger." Police Constable Germaine gave evidence that this man resided on the other side of the river. McKinnon was examined by the Committee, and admitted that he now resided on the other side of the river, in the Stawell electorate, but he stated that when he took out his right he was working in the Avoca division at Lamplough, and that he had resided there for three months. He would not, however, contradict the statement made by Constable Germaine that he was a resident on the other side of

the river in the Stawell electorate, and the evidence he gave as to the time he was working at Lamplough was not corroborated by his mate, Andrew Wardlaw, who stated that he (Wardlaw) was working at Maryborough at Christmas, 1891, and had left Lamplough fully six months before that date.

- (p) John Ross, gardener, Avoca, Right No. 643,537, issued on 26th November, 1891. The question as to residence is answered "Avoca, lodger." The evidence given by this witness when under examination showed that his home was across the river, in the Stawell electorate, but he stated that he worked at the residence of the electoral registrar and lived in Avoca for four months before he took out his right.
- (q) George Metcalfe Sparks, groom, Avoca, Right No. 643,523, issued on 21st November, 1891. The registrar stated that he put the prescribed questions in this case. Sparks was examined and stated the questions were all put to him; that he was born at Avoca, in July, 1870. The answers he gave and a certificate of his birth which they have obtained from the Registrar-General have satisfied your Committee that Sparks was fully qualified to be on the General Roll for the Avoca division.
- (r) Charles Eyes Sproston, State-school teacher, Avoca, Right No. 720,874, issued on 1st December, 1891. The question as to residence is answered "Avoca, lodger." Sproston was examined, and admitted at once that his place of residence was on the other side of the river, in the Stawell electorate. He informed the Committee that when he applied for his right he was asked by the registrar if he resided in Avoca, and answered that he slept on the other side of the river. The further question was then put to him—"You earn your living here?" He was then informed by the registrar that, as he earned his living in Avoca, he was entitled to a vote for that division.
- (s) Alle Von Teun, miner, Avoca, Right No. 643,521, issued on 20th November, 1891. The registrar asserted that Von Teun stated to him that he was a naturalized subject of Her Majesty Queen Victoria. The question—"Are you a natural born or a naturalized subject of Her Majesty Queen Victoria?" is answered "Naturalized subject." Von Teun was examined and stated that he voted at the last election. That he was born in Holland and had not taken out naturalization papers. That he arrived in the colony in 1861 and had been living at Avoca for thirteen years. That he had been advised that he was entitled to vote. That no questions were put to him by the registrar. That "he went for his elector's right and got it at once, and that if any objection had been made by the registrar he would not have pressed for the right, as he did not care much for it at all."
- (t) James Wise Whitley, carpenter, Avoca, Right No. 643,518, issued on 19th November, 1891. This witness satisfied the Committee that he was entitled to his elector's right.
- (u) Andrew Wardlaw, contractor, Avoca, Right No. 643,473, issued on 29th November, 1890. The question as to residence is answered, "Avoca, lodger." Wardlaw was examined by the Committee, and admitted that when he obtained the right he was living on the other side of the river in the Stawell electorate.

8. In addition to the foregoing cases your Committee made inquiries as to whether George Thomas Reeves, miner, Avoca (Right No. 720,852, issued on the 28th November, 1891), and Robert William Reeves, miner, Avoca (Right No. 720,853, issued on the 28th November, 1891), whose names are on the General Roll for the Avoca division, possessed the necessary qualifications as to residence when they obtained their electors' rights. These men could not be found, and the summons to attend the meeting held at Avoca could not be delivered to them. Both G. T. and R. W. Reeves were on the list of names objected to by the electoral inspector before the Revision

Court, and Police Constable Germaine gave evidence before that court that they were not residing in the "Talbot and Avoca electorate." Neither G. T. nor R. W. Reeves were present when that evidence was given, and the judge of the Revision Court decided to give them the benefit of the doubt; their names were therefore left on the Roll. When examined by the Committee Constable Germaine gave evidence as follows:—

Did you know of your own knowledge that they (G. T. and R. W. Reeves) had lived there (in the other electorate) for some time?—Yes.

Were you in a position to swear at the time that those two men had not lived in Avoca in the previous three months?—Not to my knowledge.

Could they have resided here without your being acquainted with it?—I think not.

9. From the particulars given in the three preceding paragraphs it will be seen that your Committee have made inquiries respecting the qualification of twenty-two persons who obtained electors' rights for the Avoca division previous to the last election. Eleven of these persons, viz.:—Byrne, Frey, Lamont, Mockett, Redpath, Reed, Robinson, Castleman, Ebeling, Haslam, and Mackereth, are proved to have been under the age of twenty-one years when the rights were obtained, and Mackereth, besides being under age, is shown to have also been disqualified on the ground that he resided in the Stawell electorate. The first seven names were struck off the General List by the Revision Court in February last on objection taken by the electoral inspector, and the other four persons—Castleman, Ebeling, Haslam, and Mackereth—remained on the Roll and were entitled to vote at the last election. Two persons—Sproston and Wardlaw—are proved to have been disqualified and improperly on the Roll on the ground that they resided in the Stawell electorate when they obtained their rights. One—Alle Von Teun—is not a natural born or naturalized subject of Her Majesty Queen Victoria, and his name should not therefore be on the Roll. Two persons—Sparks and Whitley—satisfied your Committee that they were properly qualified when they took out their rights.

The evidence obtained in six cases was contradictory and unsatisfactory, and your Committee have grave doubts whether Gollop, Kaiser, McKinnon, John Ross, senior, G. T. Reeves, and R. W. Reeves resided for a sufficient length of time in the Avoca division to entitle them to obtain electors' rights for that division. Your Committee do not, however, feel justified in expressing a definite opinion on these cases, based on the evidence they have received; and as they have not the power to examine witnesses upon oath, they do not think they need prolong the inquiry by taking further evidence regarding the qualifications of the six persons named; especially in view of the fact that fourteen persons are proved to have improperly obtained electors' rights for the Avoca division previous to the last election.

10. Your Committee noticed the youthful appearance of some of the witnesses who gave evidence before them, and whose right to be on the Roll was investigated. And when it is recollected that several of these youths had been living in Avoca for many years, some of them actually being born there, your Committee cannot help feeling astonished that they were able to obtain electors' rights from the registrar, who is himself a very old resident of Avoca. Special attention is drawn to the action of the registrar in the case of Redpath, for whom he made out and signed a right on the application of another person, filling up the answers to the prescribed questions as if they had been duly replied to by Redpath, whose name he placed on the General List, although the right had not been issued. Your Committee, after hearing the evidence, are of opinion that the registrar did not, as required by law, warn applicants for rights of the penalties they incurred if they gave a false answer to any of the prescribed questions, and in some cases the applicants positively deny that they were asked the questions. When examining the books of electors' rights, your Committee observed that, in the book containing unnumbered rights, twenty-six were signed by the electoral registrar in blank, and the butts of three of these rights on which the prescribed questions are printed were also signed by the registrar in blank. In the book containing rights numbered 720,851 to 720,900 three rights were signed in blank. They also noticed several rights that had not been cancelled as required by section 194 of the Constitution Act Amendment Act. Your Committee are of opinion that the attention of the Honorable the Chief Secretary should be specially called to the conduct of the electoral registrar—Mr. John Ross—in connexion with the issue of rights and the compilation of the General List previous to the last election.



11. In view of the serious nature of the offence of giving false answers to the prescribed questions when obtaining electors' rights, which several persons have been guilty of, your Committee desire to call attention to certain evidence which was given before them as to what induced these youths to render themselves liable to the penalties of the law.

The electoral registrar, in the course of his examination, gave evidence as follows:—

89. *By Mr. Bowman.*—\* \* \* Can you recollect telling me, from certain information, that certain gentlemen "ran those boys in to get electors' rights," and you gave the names publicly at my meeting?—Yes.

90. *By Mr. Dixon.*—What were the names of those people?—Will I be criminating any person if I answer that?

91. *Mr. Herring.*—I see no objection to the question being answered.

92. *By Mr. Dixon.*—We are here simply to inquire into the facts of this case. Can you give the names of those persons who were the instigators of those young men to register?—Mr. Downton, draper, of Avoca, was one, whom I exonerated subsequently in the press.

93. *By the Chairman.*—What do you mean by that?—I believe Mr. Downton did not help. I was excited at the time I said so, and you must take into consideration that a political meeting is not like sitting here at the table.

94. *By Mr. Dixon.*—Suppose we wipe out the fact of anything at a public meeting, you believe since that Mr. Downton was not instrumental in that way?—Yes.

95. Then who do you believe now were?—Auguste Barbat, produce merchant, Avoca.

96. Do you know which ones he influenced?—No, I could not say. I would not like to go into the witness-box and swear that he did it, but I believe that he, A. F. Paten, journalist, and Arthur Ebeling, produce merchant, Avoca, were the only ones.

John Edward Byrne, a youth who obtained his right when he was eighteen See par. 6 (c). years of age, gave the following evidence:—

226. *By Mr. Bowman.*—\* \* \* Who advised you to take out that electoral right?—

227. *The Witness (to Mr. Herring).*—Is it necessary for me to answer?

228. *By the Chairman.*—It is desirable for your own sake to give the information?—I was advised by Mr. Arthur F. Paten.

229. *By Mr. Bowman.*—Did he pay the sixpence for you?—He did not.

230. *By Mr. Dixon.*—There was no inducement held out, only advising you to get your name on the roll?—No.

James Reed, who was under twenty years of age when he obtained his right, See par. 6 (f). gave evidence as follows:—

264. *By Mr. Dixon.*—\* \* \* Did he (the registrar) ask whether you were 21?—Yes.

265. What was your answer?—I said "Yes."

266. Knowing at the time that you were not?—Yes; I was not of age at the time.

267. *By the Chairman.*—Who induced you to make application for this right?—Mr. Arthur F. Paten.

268. *By Mr. Dixon.*—Did he offer you any inducement?—No.

269. You paid the sixpence?—Yes.

270. Would you of your own motion have gone to the registrar and made a declaration that you were 21 if you had not been induced by some one else to do so?—No, I would not do such a thing.

271. Apparently you made a false declaration in November, 1891; you can see that?—Yes.

272. You can see the position in which you may be placed in consequence of that?—Yes.

273. I suppose you would not under any consideration have done that unless you had been influenced by some one?—No.

274. If any trouble came to you in consequence, by which you suffered the pains and penalties of the law, to whom would you attribute the blame?—I blame Mr. Paten.

275. *By Mr. E. Murphy.*—Were you aware of the penalty attached to it at the time?—I was not.

276. Did the registrar not read the block for you?—No.

277. *By Mr. Bowman.*—He only put one question to you?—That is all.

278. *By Mr. Dixon.*—Did the registrar warn you of the pains and penalties you might suffer if you made a false statement?—I do not remember that he did.

279. *By Mr. Craven.*—Did you know that if you did not say "Yes, you were 21," you would not get the right?—Yes, I knew that.

280. *By the Chairman.*—What was the nature of the conversation with Mr. Paten?—I could not remember.

Alexander Lamont gave evidence as follows:—

See par. 6 (e).

313. *By the Chairman.*—Were you induced to make this application by any person?—Yes, I was asked to take out the right by Mr. A. F. Paten.

314. What inducement did he offer you?—He did not offer me any. He asked me whether I had a right, and I said "No," and he said I had better get one.

315. Did you pay for the right yourself?—Yes.

316. *By Mr. Bowman.*—Did you tell Mr. Paten you were not 21 years of age?—No.

317. *By the Chairman.*—And you told the registrar you were?—Yes.

See par. 7 (r).

Charles Eyes Sproston, who resided in the Stawell electorate, and took out a right for the Avoca division of "Talbot and Avoca," gave the following evidence:—

692. *By Mr. Dixon.*—Did any one advise you to take out an elector's right?—Yes, Mr. Paten.

693. Did he give any reason?—No; only that I was entitled to a vote.

694. Did Mr. Paten know that you were continuously residing on the other side of the river?—I believe so. He has known me all my life.

695. Did he assign any other reason why it was advisable you should take out the right?—No.

See par. 6 (b).

Charles Albert Frey, eighteen years of age, gave evidence as follows:—

243. *By the Chairman.*—Who induced you to make application for that right?—Mr. Barbat asked if I had one.

244. Had you communication with any other person as to taking out the right?—No.

245. No conversation of any sort?—No.

246. *By Mr. Bowman.*—Did you pay sixpence for the right yourself out of your own pocket?—Yes.

247. Mr. Barbat did not pay it?—No.

See par. 7 (l).

William Charles Castleman gave the following evidence:—

342. *By the Chairman.*—Were you induced to take out this right knowing you were under age—did any one suggest it to you?—It was suggested to me by Mr. Ebeling that I should take out a right.

343. Without his suggesting it, would you have gone deliberately and asked for this right, knowing you were under age and were liable to certain pains and penalties?—No, I would not.

344. *By Mr. Bowman.*—Did you pay for the right?—I did.

345. *By Mr. Herring.*—Did you know you were committing perjury at the time?—No. I have been told so since.

See par. 7 (n).

Alfred Mackereth, who was twenty years of age, and resided in the Stawell electorate when he took out his right, gave the following evidence:—

370. *By Mr. Dixon.*—When you went to take out the elector's right did you know at that time that you were not qualified to do so, being non-resident?—No.

371. Did you know you were not qualified to take out the right, not having attained the age of 21?—Yes, I did.

372. Did you do that of your own motion?—No.

373. Who induced you to take out an electoral right; did he know you were not qualified?—Yes.

374. Who was that?—Mr. W. Crair Roberts, a miner, residing in Avoca at that time.

375. What was the nature of the inducement that he offered you to commit, in plain English, perjury?—He did not give me any special inducement.

376. You knew when you made that declaration you were doing a wrong thing, and making yourself liable?—I did not know what the declaration was; I did not read it.

377. What was the nature of the inducement Roberts gave you?—He simply urged me to take out an elector's right.

378. Did he assign any reason, knowing you were not 21?—No, he did not give any reason.

In view of the foregoing statements, Mr. A. F. Paten, the editor of the *Avoca Mail*, and Mr. Auguste Barbat, chaffcutter, Avoca, were called and examined. The evidence they gave respecting the allegations of these witnesses is attached—[*Vide Minutes of Evidence—Questions 726–786*].

12. Notwithstanding the evidence given by Mr. Paten and Mr. Barbat, it appears to your Committee that it is most unlikely that so many young men would, almost on the same date, have felt sufficient interest in the approaching election to take out rights, which most of them knew they were not entitled to, unless they had been pressed to do so. Your Committee consider that the persons who persuaded these youths to apply for rights have incurred a grave responsibility, and your Committee are of opinion that your Honorable House should take the foregoing evidence into consideration when dealing with the cases of those who have improperly obtained electors' rights for the Avoca division of the district of Talbot and Avoca.

Committee-room,  
19th October, 1892.

# PROCEEDINGS OF THE COMMITTEE.

THURSDAY, 29<sup>TH</sup> SEPTEMBER, 1892.

*Members present :*

Mr. Andrews,  
Mr. Bowman,  
Mr. Craven,

Mr. Dixon,  
Mr. E. Murphy.

The extracts from the Votes and Proceedings of the 25th May, 14th September, and 20th September, 1892, referring to the appointment of the Committee, were read by the clerk.

Mr. Andrews was called to the Chair.

The Committee deliberated.

Mr. Bowman, a member of the Committee, handed in a letter which he had received from Mr. T. R. Wilson, the Under Secretary, dated 29th March, 1892, giving a list of the names struck off the General Roll for the electoral district of Talbot and Avoca, as being those of persons under 21 years of age.

Mr. Bowman also handed in a letter, dated 13th April, 1892, calling attention to the fact that the names of several persons had been improperly placed on the General Roll for the Avoca division of the electorate.

*Resolved*—That the Committee visit Avoca on Friday, the 7th October next, and take evidence in the Court House, at 2.30 p.m.

*Ordered*—That the Under Secretary, or an officer of his department, be summoned to attend and give evidence before the Committee, on Tuesday, the 4th October, at three o'clock p.m.

*Ordered*—That the following witnesses be summoned to attend and give evidence before the Committee, at the Court House, Avoca, on Friday, the 19th October, viz.:—

The electoral registrar for the district of Talbot and Avoca.

The deputy returning officer for the Avoca division of the said district.

John Edward Byrne, groom, Avoca.

Charles Albert Frey, storeman, Avoca.

Alexander Lamont, blacksmith, Avoca.

Archie Horn Mockett, painter, Avoca.

John Redpath, labourer, Avoca.

James Reed, compositor, Avoca.

William Robinson, chaffcutter, Avoca.

William Charles Castleman, blacksmith, Avoca.

Gustav Adolph Ebeling, storeman, Avoca.

Barrington Haslam, miner, Avoca.

Alfred Mackereth, clerk, Avoca.

George Metcalfe Sparks, groom, Avoca.

Alle Von Teun, miner, Avoca.

James Wise Whitley; carpenter, Avoca.

William Gollop, miner, Avoca.

Charles Henry Kaiser, labourer, Avoca.

John McKinnon, carter, Avoca.

George Thomas Reeves, miner, Avoca.

Robert William Reeves, miner, Avoca.

John Ross, gardener, Avoca.

Charles Eyes Sproston, teacher, Avoca.

Andrew Wardlaw, contractor, Avoca.

Mr. Craven here entered the room and took his seat.

*Ordered*—That the summonses for these witnesses be forwarded to the Chief Commissioner of Police and that he be requested to have them delivered by the police at Avoca.

Committee adjourned until Tuesday next, at three o'clock.

TUESDAY, 4<sup>TH</sup> OCTOBER, 1892.

*Members present:*

MR. ANDREWS, in the Chair;

Mr. Bowman,  
Mr. Craven,

Mr. Dixon,  
Mr. E. Murphy.

A letter from the Under Secretary giving the name and address of—

(1) The electoral inspector for the district of Talbot and Avoca;

(2) The returning officer for the district;

(3) The electoral registrar for the Avoca division;

(4) The deputy returning officer of the Avoca division;

(5) The poll clerk—

was laid before the Committee and read.

The Committee deliberated.

Henry Martyn Lind, chief electoral inspector, Chief Secretary's Department, called and examined.

Witness handed in a copy of the original General Roll of persons entitled to vote for Members of the Legislative Assembly for the Avoca division of the electoral district of Talbot and Avoca, with the names struck off the list at the Revision Court ruled out in red ink, the roll being signed by the electoral registrar.

Examination continued.

Witness handed in a letter from G. W. May, electoral inspector, for the district of Talbot and Avoca, addressed to the "Chief Inspector," Melbourne, giving the names of persons struck off the roll as being under the age of 21 years, from which it appeared that seven persons had been struck off the General Roll for the Avoca division.

The witness withdrew.

*Ordered*—That the Under Secretary be asked to supply the following information:—

- (1) The date when Mr. Ross was appointed electoral registrar for the Avoca division.
- (2) The name of his predecessor and the date when he ceased to hold the office of electoral registrar.

*Ordered*—That George William May, electoral inspector for the district of Talbot and Avoca, be summoned to attend and give evidence at the Court House, Avoca, on Friday next, the 7th October.

Committee adjourned until Friday next, at half-past two o'clock, at the Court House, Avoca.

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FRIDAY, 7TH OCTOBER, 1892.

*Members present:*

MR. ANDREWS, in the Chair;

Mr. Bowman,  
Mr. Craven,

Mr. Dixon,  
Mr. E. Murphy.

The Committee met in the Court House, Avoca.

The clerk read the following extract from the Votes and Proceedings of the 6th October, 1892:—

"6. ALLEGED ROLL STUFFING AT AVOCA.—Mr. Shiels moved, by leave, That leave be given to the witnesses summoned to be examined before the Select Committee on Alleged Roll Stuffing at Avoca to appear by counsel if they think fit.

Debate ensued.

Question—put and resolved in the affirmative."

Mr. Herring appeared as counsel for John Ross (electoral registrar), John Edward Byrne, Charles Albert Frey, Alexander Lamont, Archie Horn Mockett, John Redpath, William Robinson, William Charles Castleman, Alfred Mackereth, George Metcalfe Sparks, William Gollop, Charles Henry Kaiser, George Thomas Reeves, Robert William Reeves, John Ross (gardener), Charles Eyes Sproston, Andrew Wardlaw.

Mr. Herring addressed the Committee.

John Ross, electoral registrar for the Avoca division of the district of Talbot and Avoca, called and examined.

Witness handed in the original General List for the Avoca division of the district of Talbot and Avoca, with the various names struck off by the Revision Court erased; the list being certified by the judge of the Revision Court (William Leader, P.M.).

Witness also handed in a copy of the *Avoca Free Press* newspaper, dated 27th January, 1892, containing a list of names objected to on the General List.

Examination continued.

Witness handed in a letter, dated 18th April, 1892, and the same was read—[*Vide Minutes of Evidence*, page 5].

Witness examined by counsel.

Further examined by the Committee.

George William May, electoral inspector for the district of Talbot and Avoca, and inspector of excise and explosives, Daylesford, called and examined.

Witness handed in a report, dated 12th January, 1892, from Constable G. Germaine, relating to the case of John Redpath.

Examination continued.

John Edward Byrne, groom, Donald, called.

Counsel asked that the witness should be allowed his expenses.

The Chairman stated that he would take a note of the application.

Witness examined by the Committee.

Examined by counsel.

Charles Albert Frey, storeman for M. M. Wise and Co., Avoca, called and examined.

James Reed, compositor, lately employed in the office of the *Free Press*, Avoca, called and examined.

William Robinson, saw-miller, Glenpatrick, called and examined.

Alexander Lamont, blacksmith, Avoca, called and examined.

William Charles Castleman, blacksmith, Avoca, called and examined.

Alfred Mackereth, clerk in the Bank of Victoria, Avoca, called and examined.

Witness examined by counsel.

Further examined by the Committee.

George Metcalfe Sparks, groom, Avoca, called and examined.

Alle Von Teun, miner, Glenmona, near Avoca, called and examined.

James Wise Whitley, carpenter, Avoca, called and examined.

Committee adjourned at 6 p.m., until to-morrow, at 9.30 a.m.

SATURDAY, 8TH OCTOBER, 1892.

*Members present :*

MR. ANDREWS, in the Chair ;

Mr. Bowman,  
Mr. Craven,Mr. Dixon,  
Mr. E. Murphy.

The Committee met in the Court House, Avoca.

George Germaine, police constable, Goornong, formerly stationed at Avoca, called and examined.

Henry Martyn Lind, chief electoral inspector, re-called and further examined.

Witness examined by counsel.

Further examined by the Committee.

Charles Henry Kaiser, labourer, Avoca, called and examined.

George Downton, draper, Avoca, called and examined.

John McKinnon, carter, Avoca, called and examined.

Andrew Wardlaw, labourer and contractor, Avoca, called and examined.

Charles Eyes Sproston, State school teacher, Avoca, called and examined.

Witness examined by counsel.

Further examined by the Committee.

John Ross, gardener, Avoca, called and examined.

Witness examined by counsel.

Further examined by the Committee.

George William May, electoral inspector, re-called.

Witness examined by counsel.

Further examined by the Committee.

Arthur Ferrara Paten, journalist, Avoca, called and examined.

Auguste Barbat, chaffcutter, Avoca, called and examined.

John Ross, electoral registrar, re-called and further examined.

Witness examined by counsel.

Further examined by the Committee.

William Gollop, miner, Glenpatrick, called and examined.

A letter from the Chief Commissioner of Police, stating that the summonses issued by the Committee could not be delivered to the following witnesses, viz., Barrington Haslam, John Redpath, George Thomas Reeves, Albert William Reeves, was laid before the Committee.

The following witnesses, who had been summoned to attend the Committee, did not appear, viz. :— Archie Horn Mockett, Gustav Adolph Ebeling.

Committee adjourned at 1.30 p.m., until Wednesday, the 12th October, at twelve o'clock noon.

WEDNESDAY, 12TH OCTOBER, 1892.

*Members present :*

MR. ANDREWS, in the Chair ;

Mr. Bowman,  
Mr. Craven,

Mr. Dixon,

The clerk laid before the Committee certificates which he had obtained from the Registrar-General showing the dates of birth of Charles Eyes Sproston and George Metcalfe Sparks.

The Committee deliberated.

*Ordered*—That the evidence taken at Avoca be printed as reported by the Government Shorthand Writer, and be not sent out to the witnesses.

A letter from G. W. May, electoral inspector, stating when he sent to the electoral registrar a list of the names objected to by him, on the General List was laid before the Committee and read.

*Ordered*—That the Registrar-General be requested to supply the Committee with certificates of birth in the following cases :—Archie Horn Mockett, Gustav Adolph Ebeling, and Barrington Haslam.

*Ordered*—That Francis Rolfe, contractor, Maryborough, be informed of the evidence given by John Ross, the electoral registrar, with reference to the case of John Redpath, and that he be asked to furnish the Committee with any remarks he may wish to make on the subject.

Committee adjourned until Monday next, at eleven o'clock.

MONDAY, 17TH OCTOBER, 1892.

*Members present :*

MR. ANDREWS, in the Chair ;

Mr. Bowman,  
Mr. Craven,Mr. Dixon,  
Mr. E. Murphy.

The clerk laid before the Committee certificates which he had obtained from the Registrar-General showing the dates of birth of Barrington Haslam, Gustav Adolph Ebeling, and Archie Horn Mockett.

The Committee proceeded to consider the Draft Report.

Draft Report read.

*Ordered*—That the Draft Report be printed and taken into consideration on Wednesday next.

Committee adjourned until Wednesday next, at twelve o'clock noon.

WEDNESDAY, 19<sup>TH</sup> OCTOBER, 1892.

*Members present:*

MR. ANDREWS, in the Chair ;

Mr. Bowman,  
Mr. Craven,

Mr. Dixon,  
Mr. E. Murphy.

The Draft Report was read and amended.

*Resolved*—That the Draft Report, as amended, be adopted, and that the Chairman report the same to the House.

Committee adjourned.

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MINUTES OF EVIDENCE.

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# MINUTES OF EVIDENCE.

TUESDAY, 4TH OCTOBER, 1892.

*Members present :*

MR. ANDREWS, in the Chair ;

Mr. Bowman,  
Mr. Craven,

Mr. Dixon,  
Mr. E. Murphy.

Henry Martyn Lind, Chief Electoral Inspector, Department of the Chief Secretary, examined.

1. *By the Chairman.*—Have you a list of the names of the parties who were struck off the roll?—Yes. This is the registrar's original roll prepared by him on a printed copy of the list submitted to the Revision Court, which has been altered into the form required for the General Roll—[*producing the same*]. The erasures and corrections of names in red ink show the alterations that were made presumably by the Revision Court.

2. Have you any evidence to show upon what grounds those names were struck off?—I have only a letter from Mr. May saying that he secured the expunging of the names of seven persons as being under age—[*producing the same*].

3. Were those alterations in this original roll made after or before revision of the list?—After.

4. And those words that are struck out were struck out after the Revision Court sat?—Yes; that is simply to alter the form of the heading of the list to comply with the form prescribed for a roll by the Electoral Act. That saves the trouble of re-writing the whole document.

5. How do you identify this roll with the roll issued by the Government Printing Office?—We have to rely upon the Government Printer's imprint that it is a correct copy.

6. The registrar signs it?—Yes.

7. *By Mr. Dixon.*—Have you compared this copy with the original?—No.

8. *By the Chairman.*—All those names ruled through with red ink do not appear on this other roll?—I assume not. I have not compared them.

9. *By Mr. Dixon.*—The roll now submitted to you you believe to be the correct roll after the purification officer's report?—Yes.

10. *By Mr. Bowman.*—That is an identified copy?—That is a copy with the registrar's signature at the foot of each page sent by him to the Government Printer. These are the names struck out:—Byrne, John Edward, Avoca, groom; Frey, Charles Albert, Avoca, storeman; George, William, Avoca, constable (that has been struck off for some other reason); Grant, William Alexander, Avoca, storeman; Hayes, Daniel Eugene, Avoca, bank manager; Lamont, Alexander, Avoca, blacksmith; Latch, Thomas, Avoca, miner; Mockett, Archie Horn, Avoca, painter; Palmer, Stephen, Avoca, labourer; Redpath, John, Avoca, labourer; Reed, James, Avoca, compositor; Robinson, William, Avoca, chaffcutter.

11. It does not give the reason for striking off those names?—No. There is another document from which the electoral registrar compiled this roll for printing, viz., the list having the initials of the judge of the Revision Court to each ruling and his certificate at foot. The registrar ought to have that in his possession. That is his authority for preparing this.

12. Would the original document bear the reasons for which those names were struck off?—I do not think so.

13. Suppose this roll were challenged, what evidence have we to prove that this is the corrected approved roll?—The signature of the registrar to the document sent by him to the printer is sufficient authority for the Government Printer. There were nine names objected to by the electoral inspector as being those of persons under age, seven of which are in Avoca. This is a letter from the electoral inspector to the department on the subject—[*producing the same*].

14. *By Mr. Dixon.*—Do you know who was the deputy returning officer for the Avoca division at the last election?—Mr. John Ross was for the election held during last April.

15. Do you know if he held any office previous to that in connexion with the registration of electors?—At that time he was electoral registrar for the division, but whether he issued the electors' rights to those particular persons I am not quite sure. They should have been issued on or before the 1st of December preceding, and I do not know if he was the registrar then.

16. How long had he been electoral registrar previous to that election?—I cannot say.

17. Do you know who was the electoral registrar previous to Mr. Ross?—Mr. Peter Campbell, the shire secretary.

18. It is possible that the names that were objected to may have been put on by the previous registrar?—Yes. The dates of the issue of the rights can be ascertained by reference to the butts of the rights themselves.

19. Can you supply us with the date of Mr. Campbell's resignation of his position?—Not just now. I can get it by referring to the records.

20. Is Mr. Ross connected with any Government appointment?—I do not know of any except the electoral registrarship.

21. *By the Chairman.*—Do you know, of your own knowledge, that he was valuer for the shire?—Not of my own knowledge. He is described as such in the office.

22. Your department instructs the returning officers to appoint, as far as possible, as deputies and poll clerks, persons outside Government appointments?—Yes, but we scarcely look upon a registrarship as a Government appointment in the sense inferred. They are told to avoid appointing any person who holds a position under the Public Service Act.

*The witness withdrew.*

*Adjourned to Friday next, at half-past two o'clock, at Avoca.*

(Taken at Avoca.)

FRIDAY, 7TH OCTOBER, 1892.

*Members present:*

MR. ANDREWS, in the Chair;

Mr. Bowman,  
Mr. Craven,Mr. Dixon,  
Mr. E. Murphy.23. *Mr. Herring* appeared on behalf of the following parties:—

John Ross, electoral registrar,	John Edward Byrne,
William Charles Castleman,	Charles Albert Frey,
William Gollop,	Charles Henry Kaiser,
Alexander Lamont,	Alfred Mackereth,
Archie Horn Mockett,	John Redpath,
George Thomas Reeves,	Robert William Reeves,
William Robinson,	George Metcalfe Sparks,
Charles Eyes Sproston,	John Ross, sen.
Andrew Wardlaw,	

24. *Mr. Herring* asked whether witnesses could refuse to answer any questions that might criminate them, as before a court.25. *The Chairman*.—Under our instructions we are not allowed to give publicity to any evidence submitted to us; we must first submit it to Parliament, consequently your position and that of your clients is strictly privileged.

26. Standing Order 181 was read for the information of counsel.

John Ross, examined.

27. *By the Chairman*.—Are you the electoral registrar for the Avoca division of the Avoca electorate?—I am.

28. Were you the electoral registrar for that division on the 1st of December last?—I was.

29. On that date you prepared a list of persons claiming to be entitled to vote at the election for Members of the Legislative Assembly?—After that date I did.

30. Can you name the date?—It might be the 4th or 5th or 6th of December. The list was prepared by me and forwarded by me a few days after the 1st of December.

31. The printed copy of your general list was revised afterwards, I believe?—Yes, at the Revision Court.

32. When?—Dated Avoca, 8.2.92.—[*The witness produced the original list, initialed by the chairman of the Revision Court, and handed in the same—Exhibit A.*]

33. Did the Revision Court expunge a number of names?—Yes.

34. How many?—A reference to the list will show.

35. Can you produce to the Committee a copy of the newspaper published in the district stating the names of those who were objected to on that occasion?—Yes; I hand in a copy of the *Avoca Free Press* dated 27th January, 1892.—[*Exhibit B*]. There is the list of persons objected to within the Avoca and Homebush divisions in the electoral district of Talbot and Avoca.

36. Is that the general list only?—No, the ratepayers' list also.

37. *The Chairman* read from the printed list in the paper the following:—John Edward Byrne, struck off for being under age; Charles Albert Frey, being under age; Alexander Lamont, being under age; Archie Horn Mockett, under age; John Redpath, under age; James Reed, under age; William Robinson, under age; William George, on the Ratepayers' List, therefore objected to on the General Roll; William Alexander Grant, on Ratepayers' List; Daniel Eugene Hayes, on Ratepayers' List; Thomas Latch, non-resident; Stephen Palmer, labourer, not mentioned.38. *By the Chairman*.—I see "Palmer, Stephen, Avoca, labourer," why was he struck off?—He was dead at the time.

39. When did you receive your appointment as electoral registrar?—It was in November, nearly three years ago the 24th or 25th of next month.

40. Was that before the previous general election?—It was November, 1889.

41. You have continued to act till now?—Yes.

42. Can you produce a copy of the revised roll?—Yes.—[*The witness produced and handed in the same—Exhibit C.*]

43. Have you your book showing the butts for residential rights issued?—Yes.

44. Can you show us 720858?—[*The witness showed the same.*]

45. The first one issued was to John E. Byrne, 28.11.91—when you issued that did you subject the applicant to the usual inquiry?—He was asked the questions prescribed by the Act.

46. Did you of your own knowledge know this individual—as to his age?—No, I did not.

47. Is this his signature here?—Yes. The questions and answers are—"Are you of full age?—Yes." "Natural born?—Natural born." "Have you before received an elector's right of residence?—No." "Do you now reside in Victoria, and for what time?—During life." And he says he has resided here for the last ten years. He is a lodger at Avoca and is not in receipt of any charitable grant. That is signed John E. Byrne.

48. This name was struck off the roll?—Yes.

49. For what reason?—Being under age.

50. Were you present when the evidence was tendered to the Revision Court?—Yes.

51. Can you tell what the nature of the evidence was?—The police objected to him as being under age.

52. Have you the butt of 643549, Charles Albert Frey?—I have.—[*producing the same.*]

53. *The Chairman* read the same, signed by C. A. Frey.
54. Did he answer the questions?—Yes.
55. And you had no reason to suspect he was under age?—None whatever.
56. You know from evidence tendered to the Revision Court that he was objected to on that ground?—I was present at the Revision Court, and the police tendered evidence at the court to the effect that Frey was under age. How they became possessed of that I cannot say.
57. No. 721855, Alexander Lamont, were the questions put to him?—Yes.
58. And you had no private knowledge to the contrary?—No.
59. That is his signature—[referring to the same]?—Yes.
60. And the rights were issued the same day as they are dated?—Yes.
61. Lamont was struck off the rolls for the same reason as the others?—He has been struck off the roll, and the reason given is very hard to tell. It appears to be “under age.”
62. No. 643509, Archie Horn Mockett, is this his signature?—Yes.
63. Did you put the prescribed questions to him?—Yes.
64. *By Mr. Bowman*.—At the same time did you believe that he was 21 years of age?—I had no reason to believe otherwise.
65. *By the Chairman*.—No. 634540, John Redpath, why is that struck off?—I must explain about that. This man Redpath sent me a stamp to issue a right to him. The person who brought the stamp said Redpath was 21 years of age.
66. Who was the person?—Francis Rolfe, a Maryborough contractor. I filled in the right; he said he would sign the right in the course of the day. The right was duly filled in and the stamp cancelled, but this young man got hurt and he never appeared. He was included in the list, and on account of his not signing, the right was cancelled by me and duly objected to.
67. *By Mr. Bowman*.—How did he get on the roll if he had not paid for the right?—The stamp is on it; he had paid for it.
68. *By Mr. Dixon*.—Were you justified in issuing the right to Redpath through an agent?—The agent brought the stamp from Redpath.
69. According to your papers, were you justified in issuing the right through an agent?—The right was not actually issued because it remains in the book—the man had never possession of it.
70. He appeared on the list and was objected to?—Yes.
71. Do you compile the roll?—I compile the list.
72. Then you supplied the electoral list with Redpath’s name on it although he was not entitled legally to be on it, is that so?—Of course when he did not sign the right—
73. Someone applies to you for a right for Redpath, who is not present?—Yes.
74. You fill in the right and allow it to go forth from you on the compiled list as Redpath being entitled to be put on the General Roll?—Not on the General Roll, because one can object to any name on the list.
75. Although that right was not issued, at the instance of the agent you sent in that name on the list?—Yes.
76. *By the Chairman*.—How long after receiving this nomination by proxy was it that you made this roll up?—Perhaps two or three days.
77. It was issued before the completion of the list?—The 27th of December.
78. You accepted the responsibility yourself of putting that name on the list?—Yes.
79. Without the right being issued?—Yes, without Redpath having possession of it.
80. You never issued it?—No.
81. The necessary conditions were never complied with?—No.
82. Yet you accepted the responsibility of putting his name on the list?—Yes.
83. No. 643545, James Reed, compositor, was his one of the names struck off for being under age?—Yes.
84. Were the questions put to him?—Yes.
85. Was this signed on the day it is dated here?—Yes, the 28th of November.
86. That is the day before the previous one was issued?—The day after.
87. *By Mr. Bowman*.—Were you aware of your own knowledge that this was a man under age?—No.
88. Do you know what age he is?—I cannot say; he may be 22 or 24.
89. Can you recollect telling me, from certain information, that certain gentlemen “ran those boys in to get electors’ rights,” and you gave the names publicly at my meeting?—Yes.
90. *By Mr. Dixon*.—What were the names of those people?—Will I be criminating any person if I answer that?
91. *Mr. Herring*.—I see no objection to the question being answered.
92. *By Mr. Dixon*.—We are here simply to inquire into the facts of this case. Can you give the names of those persons who were the instigators of those young men to register?—Mr. Downton, draper, of Avoca, was one, whom I exonerated subsequently in the press.
93. *By the Chairman*.—What do you mean by that?—I believe Mr. Downton did not help. I was excited at the time I said so, and you must take into consideration that a political meeting is not like sitting here at the table.
94. *By Mr. Dixon*.—Suppose we wipe out the fact of anything at a public meeting, you believe since that Mr. Downton was not instrumental in that way?—Yes.
95. Then who do you believe now were?—Auguste Barbat, produce merchant, Avoca.
96. Do you know which ones he influenced?—No, I could not say. I would not like to go into the witness-box and swear that he did it, but I believe that he, A. F. Paten, journalist, and Arthur Ebeling, produce merchant, Avoca, were the only ones.
97. *By the Chairman*.—No. 720856, William Robinson, is this his signature?—Yes.
98. This was issued at the same time?—Yes.
99. Did you put the questions to him?—Yes, and he answered them to my satisfaction.
100. Is this one of the men that was struck off subsequently?—Yes, for being “under age.”
101. From the evidence you have just submitted you consider he was one of the parties that was “run in”?—Well, I believe so.

102. No. 643466, will you explain why this one was cancelled?—The man applied twice, and there is a mistake. I issued it twice, and one had to be cancelled or else his name would have appeared twice on the General List.

103. *By Mr. Bowman.*—At the same time he got this elector's right; after that you found out that you had issued the second?—Yes.

104. The same day?—No. One is the 29th November, 1890, and the other is 1891; and his name appeared on the list already.

105. *By the Chairman.*—No. 643522, William Charles Castleman, 21st November, 1891. Is this his signature?—Yes.

106. Did you put the questions to him?—Yes.

107. Had you any reason to believe that he was of age?—I had every reason to believe that he was 21 years of age.

108. No. 643543, Gustav A. Ebeling, 28th November, 1891. Is this his signature?—Yes, made in my presence.

109. Did you put to him the questions required by the Act?—Yes.

110. He is a resident here for the whole of his life?—I could not say.

111. Is this one of the persons that you include in the category of those that were "run in" by other parties for political purposes?—I believe that he was one.

112. No. 643529, Barrington Haslam, dated 24th November. Is that his signature?—Yes, I witnessed it.

113. Did you put the questions to him?—Yes.

114. Had you any knowledge of the age of this man?—No.

115. No. 720868, Alfred Mackereth. This is also the 28th November. Is this his signature?—Yes, I witnessed it.

116. Did you put the questions to him?—Yes.

117. Do you know, from your own knowledge, that he is not of age?—No, I do not.

118. How is it you have not got the usual answer given here. He says he is natural born, but does not say whether he has before received an elector's right for any division of this district?—That is an omission I suppose on my part.

119. No. 643523, George Metcalfe Sparks, 21st November, 1891. Is that his signature?—Yes. I witnessed it.

120. Did you put the questions to him?—Yes; the questions were all put.

121. Is he on the General Roll?—Yes.

122. No. 643521, Alle von Teun, naturalized subject, residing in Victoria for 30 years and 10 years in Avoca. The objection here is that he is not a naturalized subject of Her Majesty Queen Victoria?—He stated to me that he was.

123. *By Mr. Bowman.*—He did not show his letters of naturalization?—No.

124. *By the Chairman.*—Are you expected to insist on the production of those papers?—I have no authority in the Act that I remember for doing so.

125. No. 643518, James Wise Whitley. This is issued in November; is that his signature?—Yes, I put the questions to him.

126. Have you any doubt in your own mind now whether he is of age?—I have no doubt whatever.

127. William Gollop, Avoca, miner, 720854, 28.11.91. Is that in the previous list of those who were "run in"?—I do not believe that he was one.

128. Is that his signature?—It is. I put the usual questions to him.

129. *By Mr. Bowman.*—Do you know, of your own knowledge, that this man lived in Avoca?—I have no knowledge. I put the questions when they applied for a right. Those questions prescribed by the Act are put to the applicant, and if they are answered satisfactorily the right is issued.

130. Even if you knew they lived on the other side of the river?—If I had certain knowledge of that it would be different.

131. "Gollop, Kaiser, McKinnon, the two Reeveses, John Ross, Charles Sproston, Andrew Wardlaw," do you know that any of those men did not live in Avoca, and lived in the Stawell electorate. As you are the valuer for the district, do you know that those people have never been rated by you when valuing for the district?—They have never been rated by me.

132. And in your position as a valuator for the district you would know whether they lived in the Avoca district or the Stawell district?—I did not know that. They might have resided six months in the Avoca district.

133. Did you not know that some of them had lived before on the other side?—I did not know that. They are young people, and single people.

134. And you issue a right, independent of any other knowledge you have, if they simply say they want an elector's right and answer the questions?—No; if they answer the questions satisfactorily they get the right.

135. You issue it independently of where they live?—They take the responsibility.

136. Do you issue electors' rights to any one if they answer the questions satisfactorily?—Yes, according to the law as prescribed by the Act.

137. *By Mr. Dixon.*—You would not issue any electoral right to a man you knew had not resided in the district?—That is difficult for me to say.

138. Suppose you knew, without doubt, that an applicant for an electors' right did not reside in the district, would you issue it?—There is no one knows better than the person himself.

139. If you knew, absolutely, would you issue a right, although he had answered the questions?—In those cases I did not know absolutely.

140. That is not the question. I ask, in the event of any one presenting himself for an electoral right, and you knew without doubt that he did not reside in the district, would you issue the right?—No.

141. *By the Chairman.*—What qualification do you consider is the limit to a man's residence in the district before you issue a right?—Three months.

142. I see in this case this man is supposed to have been resident four months?—Yes.

143. Is that supposition?—That is what he gave me at the time.

Cross-examined by *Mr. Herring*.

144. Is it not your duty to issue a right to any one asking, and afterwards to take objection to his name appearing on the roll; must you not accept the statement?—I must accept the answers and am bound by them, by the instructions issued from the Chief Secretary's Department, and afterwards it is my duty to object, if necessary.

145. *By Mr. Bowman*.—Did you exercise due care in examining those people and making inquiry about those names before the Revision Court?—Yes.

146. And you found they were all living in the electorate?—They were living in accordance with the questions asked them and answered by them.

147. Did you at any time deliver electors' rights to any one except the applicants?—No, I never handed them to any other person.

148. *By the Chairman*.—Are you also the shire valuator?—For one riding—the South Riding.

149. *By Mr. Bowman*.—Do you go across the river?—Yes.

150. Are any of those people ratepayers across the river?—No.

151. What are they?—Labourers and such like.

152. *By the Chairman*.—Are any of them under your control in connexion with the corporation?—No.

153. *By Mr. Dixon*.—In reference to these names, Charles Henry Kaiser, John McKinnon, George Thomas Reeves, Robert William Reeves, John Ross, Charles E. Sproston, and Andrew Wardlaw, all those names that have been read out to you—those persons filled in the necessary declarations that they were residents of this district when they applied for the electoral rights and signed the blocks?—They did.

154. *By Mr. Bowman*.—Do you know where John Ross the gardener lives?—Yes, the other side of the Avoca.

155. That is in the Stawell electorate?—Yes.

156. Then he does not reside in Avoca?—He resided four or five months in my garden, doing up the garden.

157. Do you know where C. E. Sproston lives?—No.

158. Do you know where Gollop lives?—No.

159. Where Kaiser lives?—No.

160. McKinnon?—No.

161. Or any of the Reeveses, or Wardlaw?—No.

162. *By Mr. Dixon*.—Did you appear at the Revision Court to object to any of those names included in your first list?—William George was objected to by me.

163. On what grounds?—He was on the ratepayers' list. William Alexander Grant, on the ratepayers' list; Daniel Hayes, on the ratepayers' list. That is all I objected to.

164. *By Mr. Bowman*.—You saw the electoral inspector up here?—Yes.

165. How did it come that he found out about those boys being under age, and you did not, living in the place?—I suppose he put the police on them. I have no idea how it was done.

Cross-examined by *Mr. Herring*.

166-7. Did you receive that notice—[*handing a paper to the witness, and reading the same as follows*]:—"Avoca, April 18th, 1892. Sir,—I am informed that you are not a resident of the Talbot and Avoca electorate, and that you reside in the Stawell electorate. I beg to inform you that if that is so you are guilty of wilful and corrupt perjury in obtaining a right, and, further, if you attempt to record your vote you are liable to be imprisoned for two years.—R. W. SALMON, Secretary Mr. R. Bowman's Committee"?—Yes.

168. *By Mr. Bowman*.—Are there two John Rosses, and did it come to the wrong John Ross?—I am aware there are two; but I received that.

169. *By Mr. Dixon*.—When you received that, did you believe it applied to yourself as the Ross referred to?—According to the wording I could not believe it was for me. I could hardly understand it.

170. Did you believe it was intended for you?—I could not, by the wording. It says, "obtained a right," and I had not.

171. The other John Ross is your uncle, and was living with you at the time?—Yes.

172. Did you hand it over to your uncle?—No; I kept it.

173. *By Mr. Bowman*.—Does this John Ross live on your premises?—Yes.

174. Has he a place of his own on the other side of the river?—No.

*The witness withdrew.*

## George William May, examined.

175. *By the Chairman*.—What are you?—An electoral inspector, inspector of excise, and inspector of explosives.

176. You acted in connexion with the court for the purification of rolls in 1891?—Yes.

177. We have had a list of names put in of parties that were struck off on that occasion. Were you instrumental in getting those names removed?—Yes.

178. On the list are Byrne, Frey, Lamont, Mockett, Redpath, Reed, and William Robinson, struck off for being under age?—Yes.

179. *By Mr. Bowman*.—You interviewed those boys yourself?—No.

180. Did you see any of them?—No. I had very little time to do the work.

181. *By the Chairman*.—Can you inform the Committee as to the nature of the evidence that you submitted at the court that induced them to strike the names off?—I cross-examined Constable Germaine in reference to the information he had got.

182. You did not, from your own knowledge, know anything about the objections?—No, I merely acted officially as the objector, and the police produced the evidence.

183. The principal reason was "under age," I believe?—Yes, under age and non-resident were the principal objections.

184. How is it that you came to that limit; are you satisfied in your own mind, or the police through you, that there are not seventeen instead of seven?—I had to depend on them. I am not satisfied myself.

185. Did you object to any names that were not struck off by the court?—Yes.

186. Can you give the names in the Avoca division only?—James D'Orival.

187. What was the ground of objection?—Only resident about five weeks. The objection was not allowed. William Gollop, non-resident. He was not supposed to reside here, and the objection was not entertained. There were also Thomas Latch, John Mackereth, music teacher, objected to as non-resident. That was not sustained.

188. *By Mr. Dixon.*—In the case of Redpath, what was the objection you urged against him?—I had a special report from the constable about him which I referred to the court.

189. Is that the report?—Yes; that is my report on it to the Chief Secretary's Department.

190. His name was struck off?—Yes. The report, which is dated 12th January, 1892, says—“I have to report, for the information of Constable Monks, that I, this day, interviewed John Redpath, whose name appears upon the electoral roll of Avoca division of electoral district of Talbot and Avoca, opposite No. 643540. I said to him, ‘How old are you?’ he replied, ‘Nineteen (19) years.’ I said, ‘How is it that your name is on the electoral roll?’ He replied, ‘I did not know that it was. I never applied for an elector's right, paid any money, or signed any papers in the registrar's office, or instructed any other person to do so on my behalf.’—G. GERMAINE. M.C. 3959.”

191. Acting on that you objected to Redpath?—Yes.

192. Who presided as police magistrate?—Mr. Leader.

193. What length of time had you, personally, to investigate this roll stuffing in this portion of the electorate?—About three weeks to do the whole of the electorate of Talbot and Avoca and Creswick.

194. How long were you in Avoca proper investigating the roll?—I only came up to attend the Revision Court.

195. Then all your information was obtained from the police?—Yes.

196. Do you believe since the Revision Court was held that if you had had longer time there were other names that might be objected to?—I have not the least doubt of it.

197. You are paid by the Excise Department?—Yes.

198. I suppose the State gives you a lot of compensation for this extra work?—I have not been able to get my expenses for the work I did in January and February.

199. Not for the expenses entailed by you in purifying the rolls?—No.

200. Have you made an application?—Yes.

201. And have they not paid you?—No.

202. Does the department give any reason?—I get an allowance from the Excise Department, a travelling allowance to travel within a certain circuit, and this is outside my circuit, and the department thought that I could do the electoral business on the same allowance as I do the excise duties, but as I pointed out to them, it is impossible for me to do it at the same time, because excise work is different. You have to come specially and unknown for that work, hence it entails extra expense on me, though perhaps some of it is inside my district. I asked to be recouped; my amount was £8 14s. 6d., and I had an offer of £2 0s. 9d., and I have not decided to take it yet.

203. *By Mr. Bowman.*—How many hours were you in Avoca altogether for the Revision Court?—I had to come to Maryborough on the Saturday evening and the Revision Court was held here on the Monday morning. I attended the Revision Court and then went back again.

204. You depended on the police?—I did this time. If an arrangement were made for paying my travelling expenses I should like to stay about a week.

Cross-examined by *Mr. Herring.*

205. You said if you had time you could mention other names on the list?—I only answered the question generally.

*The witness withdrew.*

John Edward Byrne, examined.

206. *By the Chairman.*—Will you look at that—[*showing a butt to witness*—]—is that your signature?—Yes.

207. Did you answer any questions?—I did not.

208. You had no questions put to you?—No.

209. Were you asked whether you were a natural born subject?—No.

210. Or any question?—Nor any question.

211. You signed this and obtained your right without being subjected to any question. Are you aware of the nature of the questions?—No.

212. You did not know it was an improper thing to do and rendered you liable to a penalty?—I have been told since, but I did not know at the time.

213. You can read and write?—Yes.

214. Did you see that filling in when you signed it?—I did not read it.

215. It was not read to you?—No.

216. *By Mr. Dixon.*—When you signed that block was it filled in with writing or not?—It was filled in with writing—[*looking at the same*].

217. It was all filled in?—Yes.

218. And you can read?—Yes; it was filled in in my presence.

219. *By Mr. Bowman.*—Did Mr. Ross put any questions to you?—No.

220. *By Mr. Dixon.*—Do you mean to say that Mr. Ross, of his own motion, and without any information from you, filled in all that writing before you signed it?—He did.

221. What is the date of that?—28.11.91.

222. How old were you then?—I was eighteen.

223. *By Mr. Bowman.*—Were you born in Avoca?—No, Landsborough.

224. Have you known Mr. Ross long?—For about ten years.

225. He never asked your age?—No.

226. Who advised you to take out that electoral right?—

227. *The Witness (to Mr. Herring).*—Is it necessary for me to answer?

228. *By the Chairman.*—It is desirable for your own sake to give the information?—I was advised by Mr. Arthur F. Paten.

229. *By Mr. Bowman.*—Did he pay the sixpence for you?—He did not.

230. *By Mr. Dixon.*—There was no inducement held out, only advising you to get your name on the roll?—No.

*The witness withdrew.*

Charles Albert Frey, examined.

231. *By the Chairman.*—What are you?—Storeman with Messrs. M. Wise and Co., residing in Avoca ever since I was born.

232. Will you look at that—[*showing a block to the witness*]?—is that your signature?—Yes.

233. Do you remember the date of signing this?—No.

234. Was it this year or last year?—Last year.

235. What age were you at the date of signing this?—I do not know.

236. What is your age now?—Eighteen.

237. *By Mr. Bowman.*—And the date of this signature is 30.11.91?—Yes.

238. *By the Chairman.*—Did you call on the registrar to get this right?—Yes.

239. Were you asked any questions in his office?—He asked me if I was 21, and I told him “Yes.”

240. Were the other questions put to you—[*showing the block*]?—I do not remember; it is so long ago.

241. *By Mr. Dixon.*—You signed that, knowing that you were not 21?—Yes.

242. Was that block filled in when you signed it?—I do not remember looking at it.

243. *By the Chairman.*—Who induced you to make application for that right?—Mr. Barbat asked if I had one.

244. Had you communication with any other person as to taking out the right?—No.

245. No conversation of any sort?—No.

246. *By Mr. Bowman.*—Did you pay sixpence for the right yourself out of your own pocket?—Yes.

247. Mr. Barbat did not pay it?—No.

248. *By the Chairman.*—How long have you known the registrar, Mr. Ross?—Ever since I can remember.

249. *By Mr. Bowman.*—Would he be likely to know your age?—I do not know.

*The witness withdrew.*

James Reed, examined.

250. *By the Chairman.*—Where do you reside?—Avoca, nearly all my life. I am a compositor.

251. In whose employ?—I was employed in the *Free Press* office, Mr. McHugh's.

252. Do you remember making application for an elector's right?—I do. I cannot say when.

253. Is that your signature—[*showing butts to the witness*]?—Yes; those are both mine.

254. You see the date of that?—Yes; 28th November, 1891.

255. What age were you when you made that application?—I could not say.

256. What age are you now?—I will be 21 on the 19th of next February. I was born in Avoca.

257. You were aware at the time that you were not of the proper age to take a right out?—Yes, I was aware of it.

258. Were you asked any questions by the registrar?—I was asked one.

259. What was that?—Whether I was of age; that is the only one.

260. What answer did you give?—I could not remember.

261. *By Mr. Bowman.*—Did you say you were 21?—I could not say exactly.

262. *By Mr. Dixon.*—What was the question asked?—I cannot remember exactly.

263. Do you mean to say that a young fellow like you cannot remember whether the registrar asked whether you were 21 years of age?—I know he asked me whether I was 21, but I cannot say the exact words.

264. Did he ask whether you were 21?—Yes.

265. What was your answer?—I said, “Yes.”

266. Knowing at the time that you were not?—Yes; I was not of age at the time

267. *By the Chairman.*—Who induced you to make application for this right?—Mr. Arthur F. Paten.

268. *By Mr. Dixon.*—Did he offer you any inducement?—No.

269. You paid the sixpence?—Yes.

270. Would you, of your own motion, have gone to the registrar and made a declaration that you were 21 if you had not been induced by some one else to do so?—No, I would not do such a thing.

271. Apparently you made a false declaration in November, 1891; you can see that?—Yes.

272. You can see the position in which you may be placed in consequence of that?—Yes.

273. I suppose you would not under any consideration have done that unless you had been influenced by some one?—No.

274. If any trouble came to you in consequence, by which you suffered the pains and penalties of the law, to whom would you attribute the blame?—I blame Mr. Paten.

275. *By Mr. E. Murphy.*—Were you aware of the penalty attached to it at the time?—I was not.

276. Did the registrar not read the block for you?—No.

277. *By Mr. Bowman.*—He only put one question to you?—That is all.

278. *By Mr. Dixon.*—Did the registrar warn you of the pains and penalties you might suffer if you made a false statement?—I do not remember that he did.

279. *By Mr. Craven.*—Did you know that if you did not say “Yes, you were 21,” you would not get the right?—Yes, I knew that.

280. *By the Chairman.*—What was the nature of the conversation with Mr. Paten?—I could not remember.

*The witness withdrew.*

William Robinson, examined.

281. *By the Chairman.*—What are you?—I am working at a saw-mill in Glenpatrick, 24 miles from here.
282. Were you born in Avoca?—Yes.
283. Do you see your handwriting on that block?—Yes, in both places.
284. Do you remember the date of signing that, 28.11.91, is that it?—I suppose it is.
285. Did you make personal application to the registrar for it?—Yes.
286. Were you asked any questions?—I do not remember.
287. Do you not remember whether you were asked whether you were 21 years of age?—No, I do not remember.
288. Do you see that block with your signature attached, was that filled in before you signed it or after?—I think it was filled in at the same time as I signed it.
289. And you were not asked any questions?—I do not remember being asked.
290. What age were you when you made that application?—I was within a few days of twenty.
291. What age are you now?—I will be 21 next December.
292. Were you induced to make this application or did you do it of your own free will?—No one ever asked me. I went straight and did it myself.
293. Did you know you were incurring a liability to be punished?—No, I did not. I did not know at the time what age you had to be.
294. *By Mr. Dixon.*—You say you did not know at what age you could take out an elector's right?—No.
295. In the face of that, will you say that the registrar did not ask you how old you were?—I cannot remember whether he did or not.
296. Do you mean that you went of your own free will to take out an elector's right, not acting on the advice of any one, not knowing it was necessary for you to be 21, and that you signed your name to that document where it states that you have arrived at the proper age, and still say you do not know whether the registrar asked that question or not?—He may have done so, I do not remember.
297. You can read and write?—Yes.
298. Would you make a declaration of that nature with that document filled in, as you admit it has been, knowing you would be subject to penalties, without ascertaining the import of it?—I do not know. I cannot say anything about it. I just put my name down.
299. *By Mr. Bowman.*—Did the registrar tell you you would be under pains and penalties if you made a false declaration?—I do not remember.
300. *By Mr. Craven.*—Suppose Mr. Ross were here and said he did ask you the question whether you were 21, would you say he did not?—I would not say anything against him if he said he did.
301. *By Mr. Bowman.*—And if he said he put all the questions, would you say he did?—Yes, I would not say any different.

*The witness withdrew.*

Alexander Lamont, examined.

302. *By the Chairman.*—What are you?—A blacksmith, residing at Avoca.
303. Who is your employer?—Mr. Henderson.
304. Where were you born?—Somewhere near Smeaton.
305. Do you see that block; is that your signature and handwriting?—Yes, both of those.
306. Do you know the date that was signed?—I see it there, 28th November, 1891.
307. What age were you when you signed that?—A day over twenty.
308. What age are you now?—Twenty.
309. Did you wait on the registrar to get the right?—Yes.
310. What took place; were you asked any questions?—Yes, I was asked how old I was, and I told the registrar 21.
311. Were you asked any other questions?—No.
312. *By Mr. Bowman.*—You are quite clear you were asked no other questions?—No, I was not.
313. *By the Chairman.*—Were you induced to make this application by any person?—Yes, I was asked to take out the right by Mr. A. F. Paten.
314. What inducement did he offer you?—He did not offer me any. He asked me whether I had a right, and I said, "No;" and he said I had better get one.
315. Did you pay for the right yourself?—Yes.
316. *By Mr. Bowman.*—Did you tell Mr. Paten you were not 21 years of age?—No.
317. *By the Chairman.*—And you told the registrar you were?—Yes.
318. *By Mr. Bowman.*—Did the registrar caution you before issuing the right that you would be liable to certain pains and penalties if you answered falsely?—No.
319. And he did not ask you those other questions?—No.
320. *By the Chairman.*—Do you see the filling in of that block?—Yes.
321. Do you recognise that as being there when you signed your name?—I could not swear to it; I believe it was.
322. Was it filled in in your presence?—Yes, but I did not read what was put on it. I saw the registrar filling this in.

*The witness withdrew.*

William Charles Castleman, examined.

323. *By the Chairman.*—You are on the roll for the Avoca division?—Yes.
324. When did you apply for that?—In November of last year.
325. What age were you when you applied for it?—I decline to answer that question.



326. (*To Mr. Herring.*)—Have you advised this client not to answer the question?
327. *Mr. Herring.*—I have advised him to get some guarantee that it is not used to incriminate him.
328. *By the Chairman (to the witness).*—You decline positively to give your age at the time of making that application?—Yes.
329. *By Mr. Bowman.*—Have you lived long in Avoca?—A little over four years.
330. Where were you born?—In Rathscar, Victoria.
331. You refuse to state your age?—Now I state that I was under age at the time. I was twenty years of age.
332. *By the Chairman.*—Is that your signature?—Yes.
333. What is the date of that?—Twenty-first November, 1891.
334. You admit you were twenty years of age at the time?—Yes.
335. What is the date of your birth?—July 18th, 1871.
336. Did you apply personally to get that right?—Yes.
337. Did the registrar put any questions to you; did he ask you "Are you 21 years of age?"—I really cannot say he did.
338. If the registrar should state to this Committee that he did put the questions to you, would you deny the fact?—I could not positively deny it.
339. *By Mr. Dixon.*—Would you deny it?—No, not on oath.
340. *By Mr. Bowman.*—Did he ask you all these questions; do you recollect him asking any of these—[*reading out questions*] ?—No, I am sure he did not ask me all those questions.
341. If Mr. Ross stated that he asked you all the questions, would you deny it?—I would deny that he asked me all the questions.
342. *By the Chairman.*—Were you induced to take out this right knowing you were under age—did any one suggest it to you?—It was suggested to me by Mr. Ebeling that I should take out a right.
343. Without his suggesting it, would you have gone deliberately and asked for this right, knowing you were under age and were liable to certain pains and penalties?—No, I would not.
344. *By Mr. Bowman.*—Did you pay for the right?—I did.
345. *By Mr. Herring.*—Did you know you were committing perjury at the time?—No. I have been told so since.
346. *By the Chairman.*—How long since?—A month back.
347. *By Mr. Craven.*—Did not you think when you were asked whether you were 21 or not that there would be some penalty if you said you were, knowing you were not?—No, I did not think it would matter.

*The witness withdrew.*

Alfred Mackereth, examined.

348. *By the Chairman.*—Where do you live?—Partly in Avoca and partly out of it at my father's house, about a mile and a half out of Avoca.
349. In what electoral district is that?—I believe it is in the Stawell electorate.
350. You reside there?—Yes. I work here and get some of my meals in Avoca. I sleep at my father's residence in the Stawell district.
351. What are you?—A clerk in the Bank of Victoria.
352. Is that your signature—[*showing a block to the witness*] ?—Yes, both of those.
353. You see the date of it?—28.11.91.
354. What age were you when you signed that?—I was twenty.
355. When you made application for this electoral right were you asked any questions by the registrar?—No, none at all.
356. You are quite clear on that matter?—Yes.
357. Supposing the registrar stated positively to this Committee that he put all those questions that you see on that document there to you, would you deny that they were put to you?—Yes, because they were not put to me.
358. Was that document filled in when you put your name to it?—I was there at the time, and the registrar wrote it in.
359. Do you notice one declaration that you lodged in Avoca?—Yes, I see it there.
360. Is that true?—I did sometimes then.
361. Will you swear you were not, on account of your residence, qualified to go on the roll at Avoca?—Yes, I did not think I was qualified.
362. You admit that you knew you were not of age, and therefore were not entitled to a right, and that the qualifications you set up for residence could not be sustained?—I thought it was on account of age that I was disqualified.
363. How long have you lived in the neighbourhood of Avoca?—All my life.
364. Does the registrar know you?—I believe he does.
365. Does he know where you reside?—I believe he does.
366. Does he, as valuator of the shire here, have occasion to visit your premises for valuation?—Yes.
367. You meet him frequently?—Yes.
368. Would it be possible for the registrar to set up ignorance of the fact that you were not residentially qualified?—I do not know. He might have thought I lived in Avoca.
369. He must know where you reside. I want to know whether the registrar has such knowledge of you and your father's place that he knows perfectly well that you are non-resident in the electoral district of Avoca?—He has only seen me once at our place that I know of. I cannot say that he knows that I live there or not.
370. *By Mr. Dixon.*—When you went to take out the elector's right did you know at that time that you were not qualified to do so, being non-resident?—No.
371. Did you know you were not qualified to take out the right, not having attained the age of 21?—Yes, I did.

372. Did you do that of your own motion?—No.

373. Who induced you to take out an electoral right; did he know you were not qualified?—Yes.

374. Who was that?—Mr. W. Crair Roberts, a miner residing in Avoca at that time.

375. What was the nature of the inducement that he offered you to commit, in plain English, perjury?—He did not give me any special inducement.

376. You knew when you made that declaration you were doing a wrong thing, and making yourself liable?—I did not know what the declaration was; I did not read it.

377. What was the nature of the inducement Roberts gave you?—He simply urged me to take out an elector's right.

378. Did he assign any reason, knowing you were not 21?—No, he did not give any reason.

379. Who was in the office and issued that electoral right?—Mr. Ross himself.

380. Was there any other person in the office besides Mr. Ross?—I cannot remember.

381. *By Mr. Bowman.*—Was Mr Campbell there?—No. I believe there were some other persons there.

382. *By Mr. Dixon.*—Were there a number of others waiting for their electoral rights when you took out yours?—There were a few.

383. Were there so many that Mr. Ross would have been pushed for time in getting you to sign?—I do not think so.

384. *By Mr. Craven.*—Are you positive you were not asked whether you were 21?—He did not ask me that.

385. *By Mr. Bowman.*—Did you record your vote at the last election?—No.

386. Why did you not?—Because I did not think I had a right to.

387. Did you receive a note from any one?—No.

388. *By Mr. Herring.*—The printed list says, "Avoca, lodger"; were you at the time a lodger in Avoca at all?—Not for any period of time consecutively, only now and again.

389. *By Mr. Dixon.*—How many nights previous to your taking out that electoral right had you slept in Avoca for the three months previous, to the best of your knowledge?—Perhaps twice a week on an average. I usually stay Monday nights.

390. Where did you sleep on those nights?—At my sister's place in Avoca, Miss Victoria Mackereth's.

391. *By Mr. Herring.*—Did Mr. Ross know you were lodging in Avoca with your sister. Do you think he knew anything about your domestic arrangements?—I cannot say.

392. How did those words "Avoca, lodger," get into the butt then?—I do not know.

393. Do not you think you must have been asked something by the registrar, otherwise how would that "lodger" get there?—He must have known.

394. *By the Chairman.*—Can you state positively that Mr. Ross put that question before you when you signed the block. Did he ask you, "Are you a resident of Avoca"?—No.

*The witness withdrew.*

George Metcalfe Sparks, examined.

395. *By the Chairman.*—Where do you reside?—At Avoca; I am a groom for Mrs. Mockett.

396. How long have you resided at Avoca?—I was born there.

397. Is that your signature—[*showing a block to the witness*]?—Yes, both of those.

398. What is the date of that?—The 21st November, 1891.

399. What age were you when you signed that?—Twenty-one.

400. How old are you now?—Twenty-two.

401. When were you born?—July, 1870.

402. When you signed that then you were over age?—Yes.

403. Where did you live when you signed that?—At Mrs. Mockett's.

404. You applied for a right, residential; where were you living?—At Mrs. Mockett's, Avoca.

405. Were you ever residing over the river?—No, never.

406. Have you lived sufficiently long in Avoca to qualify for an electoral right besides manhood?—

Yes.

407. *By Mr. Bowman.*—Were all those questions put to you by Mr. Ross?—Yes.

408. *By Mr. E. Murphy.*—You voted on that right?—Yes.

409. *By Mr. Herring.*—Did you get a notice not to vote?—Yes; it said I was guilty of wilful and corrupt perjury.

*The witness withdrew.*

Alle Von Teun, examined.

410. *By the Chairman.*—What are you?—A miner, residing four miles from here.

411. *By Mr. Bowman.*—Where did you record your vote?—In the Avoca district.

412. Have you taken out letters of naturalization?—No.

413. Where were you born?—In Holland.

414. Do you call yourself a British subject?—No. I only voted once before on a miner's right, and I was induced to vote, being so long in the country. In 1861 I arrived, and I have been thirteen years living here, and I was advised that I had a right to vote.

415. Who advised you?—The talk in the town. I heard Mr. Barbat say that. He was a partner with me.

416. Did you pay for the elector's right yourself?—Yes.

417. Was it sent to you?—No, I went here to the office.

418. Did you not know that if you took out letters of naturalization you would be entitled to vote?—No, I never knew that, and I had no idea of voting except once before when I voted on a miner's right.

419. *By the Chairman.*—Were you asked any questions by the registrar?—No.

420. Were you asked were you a British subject?—No. I got the right, and the gentleman who gave it to me was Mr. Ross.

421. *By Mr. Bowman.*—Did Mr. Ross put any questions to you at all—[*reading the same*] ?—No ; he did not ask me those.  
 422. You are clear that he did not ask those questions ?—Not that I remember.  
 423. You are quite sure he did not ask you whether you were a naturalized British subject ?—No.

Cross-examined by *Mr. Herring.*

424. Have you known Mr. Ross all the time he has been here ?—No ; I went simply for my elector's right and got it at once, and if any objection had been made by him I would not have pressed it, because I did not care much about it at all.

425. *By Mr. Bowman.*—Do you know Mr. Ebeling ?—Yes.  
 426. Did he speak to you about taking out a right ?—No.

*The witness withdrew.*

James Wise Whitley, examined.

427. *By the Chairman.*—What are you ?—A carpenter, residing at Avoca.  
 428. How long have you resided here ?—Since my birth.  
 429. What year were you born in ?—1869, the 9th of December.  
 430. Is that your signature—[*showing a signature to the witness*] ?—Yes, both of those.  
 431. You see the date attached to that, 19.11.91 ?—Yes.  
 432. When you took that right out how old were you ?—I would be 22, all but a month.  
 433. When you signed that were you asked any questions ?—Yes. The question was put to me was I the age of 21, no other question.  
 434. *By Mr. Bowman.*—You are quite clear about that ?—Yes.  
 435. *By the Chairman.*—When you signed this was all that filled up ?—Yes.  
 436. *By Mr. Bowman.*—No questions were put to you by Mr. Ross except asking if you were 21 ?—No. He asked me where I was born.  
 437. Anything else ?—No.  
 438. *By Mr. Dixon.*—You obtained your electoral right at the office of the electoral registrar ?—Yes.  
 439. Who was the one who gave you the paper ?—Mr. Ross.

*The witness withdrew.*

*Adjourned to to-morrow, at half-past nine o'clock.*

(*Taken at Avoca.*)

SATURDAY, 8TH OCTOBER, 1892.

*Members present:*

MR. ANDREWS, in the Chair ;

Mr. Bowman,  
Mr. Craven,

Mr. Dixon,  
Mr. E. Murphy.

*Mr. Herring* appeared on behalf of certain parties.

George Germaine, examined.

440. *By the Chairman.*—What are you ?—Police constable, stationed at Goornong, formerly resident of Avoca. I left here on the 8th of April last.  
 441. How long were you here ?—About four years.  
 442. Do you remember early this year some communication from the Chief Secretary's Department with reference to roll stuffing at Avoca ?—Yes ; there was a Gazette notice.  
 443. Did you communicate with the department ?—Yes.  
 444. In whose case ?—In reference to the case of John Redpath.  
 445. From whom did you get instructions to make this inquiry ?—From Constable Monks, the officer in charge of this station.  
 446. Where did the information go to ?—To the electoral inspector, Mr. May.  
 447. You speak from your own knowledge. Is that your letter—[*producing a document*]—12th January, 1892 ?—Yes ; this report states—“ I have to report, for the information of Constable Monks, that I, this day, interviewed John Redpath, whose name appears on the electoral roll of Avoca division of electoral district of Talbot and Avoca, opposite No. 643540. I said to him, ‘ How old are you ? ’ He replied, ‘ Nineteen years ’ (19). I said, ‘ How is it that your name is on the electoral roll ? ’ He replied, ‘ I did not know that it was. I never applied for an elector's right, paid any money, or signed any papers in the registrar's office, or instructed any other person to do so on my behalf. ’ ”  
 448. Redpath was then resident here ?—Yes.  
 449. You do not know where he is now ?—No.  
 450. Was it your action that induced the striking off of that man's name from the roll ?—I believe that was the cause.  
 451. Was it done at the Revision Court ?—It was.  
 452. Did you give evidence there ?—Yes.  
 453. In the terms of that letter ?—Yes.  
 454. His name is on the printed list in the paper of names taken off ?—Yes.  
 455. You are an elector for this division ?—Yes.  
 456. You hold a right ?—Yes.  
 457. Will you look at this block—[*handing the same to the witness*] ?—[*The witness did so.*]  
 458. Is that right that is pinned on yours ?—Yes ; that is my signature.

459. How is it that it is not in your possession ; did you renew ?—I have no remembrance of doing so. I think I must have ; I was not here at the last election and took no interest in it.
460. You see another endorsement on that same block ?—I must have used that at a previous election.
461. Are there not two initials ?—Yes, " A.P.C. " ; that was the previous registrar, Mr. Campbell.
462. You hold the right still ?—Yes.
463. Do you remember who issued the last right to you ?—John Ross.
464. That is your signature ?—Yes, in both places.
465. Were you asked any questions at the time of the issue of those ?—Yes, he asked the printed questions.
466. This was filled in in your presence and they are all correct ?—Yes.
467. Was there any one in the office at the time ?—No, I think not. I have not a thorough recollection of it ; it is so long ago, but I believe he was the only person present.
468. *By Mr. Dixon.*—Did you furnish any information to the registrar any information in reference to any of those names besides Redpath ?—Byrne, Frey, Robinson, and Reed. I gave evidence about their telling me they were under age.
469. Had you previously given that information to the inspector of rolls ?—Yes. I spoke to the men themselves and they told me their ages. Mrs. Byrne, the mother of Byrne, told me her boy was about nineteen, and Mrs. Mockett, the same as to her son, that he was about nineteen.
470. You got the information that those were illegally on the roll ?—Yes.
471. *By Mr. Craven.*—Have you reason to believe that there are any other cases of this description, under age ?—No, I do not think there were.
472. *By Mr. Dixon.*—At the Revision Court at which you gave evidence the presiding magistrate refused to strike off a number of names ?—Some were not struck off. The Reeves's were not.
473. What was the evidence you gave about them ?—They were not residing in this electorate.
474. Did you give evidence as to them ?—Yes, that they lived in the other electorate.
475. Did you know of your own knowledge that they had lived there for some time ?—Yes.
476. Were you in a position to swear at the time that those two men had not lived in Avoca in the previous three months ?—Not to my knowledge.
477. Could they have resided here without your being acquainted with it ?—I think not.
478. *By Mr. Bowman.*—You know William Gollop ?—Yes.
479. Do you know where he resided ?—I think he was working most of the time at a saw-mill the other side of the range, and used to be here occasionally.
480. Charles Eyes Sproston, where does he reside ?—On the other side of the river. He teaches in the school here and lives on the other side, and goes home every night.
481. Did you raise that objection at the Revision Court ?—I do not remember whether his name came up
482. Do you know Charles Henry Kaiser ?—Yes.
483. Where does he reside ?—On the other side of the river for three months before the election.
484. John McKinnon ?—Yes, he resides on the other side of the river.
485. John Ross, gardener ?—I have seen him, I believe he lived on the other side.
486. Andrew Wardlaw, where did he reside ?—In this electorate.
487. Thomas Latch ?—He resides in the other electorate.
488. And did not reside here three months before the election ?—No.
489. *By Mr. Dixon.*—You had only a limited time at your disposal ?—Yes.
490. Do you think if you had had a longer time in making the inquiries you would have discovered other cases on the roll that ought not to be there ?—I think not. They were all pretty well known to me. There were a few of the names that I do not know on the roll.
491. Do you think if you had had a longer time you could have discovered more cases ?—I am not certain. There were a few names unknown to me.
492. Were your instructions limited to looking after the rights of holders under 21 ?—No, there was no limit.

*The witness withdrew.*

Henry Martyn Lind, re-called and further examined.

493. *By the Chairman.*—In reference to the right of G. Germaine, there is one point in the book there ; can you explain that, a second right being issued to the same man ?—The first right is dated 29th November, 1888, and it has since expired by the operation of the law, and the constable was obliged to renew it, which he did on the 17th November, 1890. In renewing it he had to deliver up the old right to the registrar who should have written across the face of it the cancellation and date of cancellation, which has not been done.
494. Then there is an irregularity in the non-cancellation of that right ?—That is so.
495. You see the writing in both those blocks—in the new one, would you say that is the same handwriting ?—In my opinion the body of the old right and the butt of the new right are filled in in the same handwriting. I cannot say as much as to the signature of the registrar who issued the right.
496. You notice the signature of the registrar in the old right ?—Yes.
497. Is it the duty of the registrar to fill up those blocks ?—No.
498. He can employ any one for the purpose if he likes ?—Yes, provided he signs them.
499. *By Mr. Bowman.*—Do you see a number of electors' rights signed and not filled in ?—Yes ; for a considerable distance on in the book they are signed in blank by John Ross, registrar.
500. Is that a proper thing ?—Decidedly not ; it is most irregular.
501. Are the blocks signed ?—In the first three cases the blocks are signed as well. There are 26 rights signed in blank.

Cross-examined by *Mr. Herring.*

502. In the course of your duty do you have many of those inspections to make ?—I have not yet made any.

503. Have you ever found rights like that one of Germaine's left uncanceled?—Yes.

504. *By Mr. Bowman.*—Will you take this other book in your hand; there are some more rights there signed by the registrar?—Yes, three.

505. You say it is the duty of the electoral registrar to date the cancellation of any right?—Yes, and the manner of cancellation is distinctly specified in the section.

506. You see there a right properly filled in in every way; are the questions answered on that right?—*[Looking at the block]*—The replies to the questions are written opposite to them, but there is no signature under them.

507. Does that show that that block was filled in and signed and the party applying for the right had replied to the questions?—Apparently.

508. It could not be there otherwise if the man never applied. Mr. Ross said this man had never put in an appearance, but had applied through a representative?—I should say that if the particulars were not filled in by fraud the applicant had applied for the right, so far as giving the particulars to be filled in, and neglected to sign it.

509. The evidence of Ross was that this man Redpath had never put in an appearance, and you heard the letter read by the constable dealing with the matter?—In that case there is no option but to conclude that the registrar filled it in on his own responsibility without asking the questions.

510. *By Mr. Dixon.*—Would the registrar be justified, seeing that right was not issued, in including the man's name on the roll?—No.

511. That would be a violation of his duties?—Certainly.

512. You see the name in the Avoca newspaper, and you see that signed by Ross, and he does not object to that man's vote, according to the newspaper?—No. The electoral inspector objects.

513. At the same time Ross knew he had this right in his possession?—Yes.

514. *By Mr. Herring.*—Is it not the duty of the electoral inspector to send that list to the electoral registrar?—Yes.

515. And that list would be sent to Mr. Ross and he would have it?—Yes.

516. There would be no need to put in that he objected also to the name?—No.

517. *By Mr. Bowman.*—Will you look at the cancellation of that; is it dated?—No. Section 194 does not apply to this case of cancellation, but at the same time this cancellation is not authentic because there is simply the word "cancelled," with no name or date.

518. *By the Chairman.*—Should the butt be cancelled?—Yes, separately.

519. Look at this other book; you see a right issued to Charles Henry Kaiser?—Yes, on the butt.

520. You see the right itself there?—This loose right does not belong to this butt. There is a right and butt filled in in the name of Charles Kaiser on the 28th of November, 1891. Both the butt and right are cancelled in an informal manner.

521. Is there any date attached to the cancellation?—No.

522. Should there be?—Yes, and there is no stamp on the right, and the butt is not signed by the registrar.

523. *By Mr. Bowman.*—Is the right signed by the registrar?—Yes.

524. The stamp ought to be there before the registrar puts his name on?—Yes.

525. *By Mr. Dixon.*—Is that strictly correct, that the stamp should be attached before the registrar signs?—At the same time is quite sufficient. The date of the cancellation of the stamp ought to be the date of the issue of the elector's right.

526. The stamp should be affixed at the same time as the right is issued?—Certainly.

527. *By Mr. E. Murphy.*—Is it the same name in the two books?—There is the difference of the addition of the second christian name. The later right that has been cancelled lacks the initial "H," the second christian name.

528. *By the Chairman.*—Has that right been renewed?—Looking at the strict requirements of the Act I should say not.

529. How do you account for the two blocks?—That could be only a matter of opinion. I should say perhaps the registrar, having partly filled in the right and the butt on the 28th November, 1891, then discovered that the applicant had previously obtained an elector's right, which was still in force.

530. Is there any evidence of that on the butt?—No actual evidence, but that is the inference to be drawn from the state of the butt and the right. The first right is dated 29th November, 1890, the second the 28th November, 1891.

531. *By Mr. Bowman.*—Are the questions apparently answered there satisfactorily on the first right?—Yes, with the exception of one where digits are put as a repetition of the previous answer.

532. Has the reply been given that this applicant had not received a previous right?—My last answer referred to the earlier right, not the latest. On the later right the questions on the back of the butt are not answered at all. It was partly filled and then abandoned.

533. *By the Chairman.*—Ought not the document to be along with that. Is there another right that is not before us?—Yes. The right that was attached to the earlier butt is not here. It is to be assumed it is in the possession of the man in whose name it is made out.

*The witness withdrew.*

Charles Henry Kaiser, examined.

534. *By the Chairman.*—Where do you reside?—In the township of Avoca.

535. How long have you lived here?—Four months.

536. Is this your signature on this right?—Yes.

537. At the time that you wrote that signature were you living in Avoca?—Yes.

538. In what part?—In High-street, Avoca; but I am not always a resident of Avoca. I have been sometimes in Melbourne and other places, but I came to Avoca in 1855, and have been resident here, on and off, ever since.

539. Have you a house here?—No, I have no property at all.

540. *By Mr. Bowman.*—Did you live on the other side of the river before the election?—At times I do.

541. For three months before the election, did you live on the other side of the river?—I could not say at the time.
542. When you applied for this right where were you residing?—I was residing in Avoca, living in the town of Avoca.
543. You were not resident on the other side?—No.
544. When the election took place where were you?—I was in Avoca.
545. Have you lived on the other side of the river?—Yes.
546. How long?—I cannot say exactly.
547. Have you lived there twelve months?—Yes, off and on.
548. Have you lived there three years?—I could not say.
549. Have you lived two years there?—I could not say.
550. Have you ever lived on the other side?—Yes.
551. Where were you living at the time of the election?—At Avoca.
552. Whom were you residing with?—Sometimes at the Albion Hotel, and sometimes at the Victorian Hotel.
553. Who is the proprietor of the Albion Hotel?—Mr. Wilson.
554. Who is the proprietor of the Victorian?—Mrs. Mockett.
555. Where were you born?—In South Australia.
556. *By Mr. Dixon.*—You took out that right in 1890?—Yes.
557. You say you resided in Avoca at the time you took that right out?—Yes.
558. Can you remember whether you were residing at the Albion or the Victorian Hotel?—At the time I took that out I was dealing in cattle, and I was taking them to Melbourne, and sometimes I resided at the Albion and sometimes at the Victorian, just as it happened.
559. Do you mean that you stopped all the night in going through with the cattle?—No, I was here buying cattle.
560. Were you boarding at either of those hotels as a regular weekly boarder?—No.
561. Then for the three months prior to the taking out of that right you may or may not have slept once at either of those hotels?—Oh, more than that.
562. Did you sleep three times in one week at either?—Yes, I believe in both, I cannot say precisely—I might be away for a day.
563. Suppose you were here for a week, would you divide your patronage?—No, I stopped in one hotel.
564. What is the longest time you stopped in either of those hotels previous to November, 1890?—I could not say; perhaps one week at a time.
565. Not longer?—It might be a fortnight.
566. What length of time would you be residing in Avoca on this side of the river or the other for the three months prior to November, 1890?—As I was working at Homebush in 1889 and 1890 for about six months I resided there altogether at Homebush.
567. Is that in the Avoca electoral district?—Yes.
568. Just previous to taking out the right you resided there?—I was in the Talbot and Avoca district.
569. And resided at either one of those hotels?—Yes.
570. When you bought a number of cattle you trucked them to Melbourne?—Yes.
571. What time would elapse till you came back?—I might only be a week or a few days.
572. What did take place?—I used to take the cattle to suit the market, and if I sold on the day of the market I came back at once.
573. Generally, what length of time were you in Melbourne?—About a week.
574. How often did you go to Melbourne within the three months previous to taking out that right?—I cannot say. I did not keep a diary.
575. Did you continuously follow the business of buying cattle and selling them in Melbourne?—I did for a few months. Before I took that right out I was resident at Homebush for over six months, at the end of 1889 and 1890.
576. *By Mr. Bowman.*—How far into 1890?—I cannot say.
577. What did you call yourself when you applied for this right?—A labourer.
578. I thought you were a cattle dealer?—I am both.
579. *By Mr. Dixon.*—You lodged at the hotel for the three nights you spoke of?—Yes.
580. *By the Chairman.*—Are you a single man?—Yes.
581. *By Mr. Bowman.*—Did you ever live on the other side of the river?—Yes.
582. Do you recollect the date you lived there?—No; I did not keep dates.
583. Where were you after you left Homebush?—In Melbourne for a few months.
584. That would bring you up to the end of 1890?—Yes; it would come into 1890.
585. When you came back from Melbourne where did you reside. Have you any permanent residence in Avoca?—No.
586. You have no place that you can say you are a lodger in?—No; I am a temporary lodger, and am perhaps here to-day and away to-morrow.
587. *By Mr. Craven.*—Did you vote at the last election?—Yes. After I voted I got notice that if I attempted to record my vote I was liable to be imprisoned. I did not know who sent that.
588. *By Mr. Dixon.*—When you took the cattle to Melbourne where did you sell them?—At the Market, and sometimes privately.
589. During this time previous to November, 1890, did you ever sell any of those cattle by auction?—I could not say that I did. I used to buy for another.
590. Whom were you buying for?—Charles Smith.
591. Where does he reside?—I cannot tell you.
592. Where was he residing then?—At Newport.
593. You had charge of the cattle on his behalf, and took them to Melbourne?—Yes.
594. In whose name were they sold?—In Smith's.
595. How long do you think you were engaged in this buying cattle and selling them in Melbourne—were you two years at it or six months?—I could not tell.

596. Were you one month?—I might have been.  
 597. Do you remember any auctioneer who sold any of those cattle for Smith?—No.  
 598. Were they sold in Elizabeth-street in the cattle-yards?—I think so.  
 599. You were there?—No, I was not there always.  
 600. Mr. Smith is in business at Newport?—He was at that time.  
 601. Whose care did you hand the cattle over to in Melbourne?—Mr. Smith's.  
 602. Then you could return immediately?—Yes, I sometimes did.  
 603. Was there any necessity for you to go to town at all when you trucked them?—No, I used to go down sometimes to look after the cattle.  
 604. Suppose a witness comes here and states that for some time prior to 1890 you did reside the other side of the river, would you contradict it?—Yes.  
 605. Police Constable Germaine made that statement this morning, and that was not correct?—No.

*The witness withdrew.*

George Downton, examined.

606. *By the Chairman.*—What are you?—A draper, in business in Avoca.  
 607. You remember the end of 1891?—Yes.  
 608. A number of rights were issued in that month?—I do not know anything about that.  
 609. Did you advise any one under age to take out electoral rights?—I certainly did not.  
 610. The object of sending for you was to tell you that evidence to that effect was given, and you are given an opportunity of denying it?—I hope I have not been accused of it before this Committee, because it would be quite untrue.

*The witness withdrew.*

John McKinnon, examined.

611. *By the Chairman.*—What are you?—A carter.  
 612. Where do you reside?—On the other side of the river.  
 613. What division are you residing in?—The Stawell.  
 614. Why did you take out a right for this division?—I was residing at the time on this side.  
 615. You were residing in Avoca?—Yes.  
 616. Elector's right No. 720864, is that your handwriting?—Yes.  
 617. You see the date of it?—28th November, 1891.  
 618. When you took that right out where were you living?—At Lamplough. I had a puddling machine there.  
 619. How long were you residing there?—About three months, to the best of my belief.  
 620. Is Lamplough in the Talbot and Avoca electorate?—Yes.  
 621. How far is that from here?—Three miles. On this side of the river. We had a hut there; myself and a young fellow.  
 622. Were you working for yourself?—Yes, with my mate.  
 623. Whom were you working with?—Andrew Wardlaw.  
 624. Where does he live?—I think he generally lives in Avoca.  
 625. Were you at the Revision of Rolls Court here?—No.  
 626. Do you contradict the evidence given by the policeman on that occasion, when he stated you were resident on the other side of the river?—No, I would not.  
 627. *By Mr. Dixon.*—How do you fix the exact date at the time you took this right out, and three months prior?—I could not exactly swear to the date now.  
 628. Where did you sell the gold you got from the puddling?—In Avoca.  
 629. To whom?—My mate used to sell it.  
 630. *By Mr. Craven.*—Did you vote at the last election?—Yes.

*The witness withdrew.*

Andrew Wardlaw, examined.

631. *By the Chairman.*—What are you?—A labourer and contractor at different works.  
 632. You see that signature there?—Yes, that is my writing.  
 633. You see the date?—29th November, 1890.  
 634. When you signed that document where were you living?—I was living about two miles out on the Percydale-road.  
 635. Where is that?—On the other side of the river.  
 636. Is not that in the Stawell electorate?—I believe it is. I have heard that since.  
 637. You admit having resided there three months prior to getting the right?—I lived there at that time, but my home in general is in Avoca, at my father's house, which has been my home ever since I was born, and I was out there merely for my own work for the last two years.  
 638. What date did you come into occupation of the land?—All I can say is that I have had two crops off the ground, and have got the third in. I have resided at Lamplough.  
 639. At any rate, you can remember being a resident there at the time that right was issued?—Yes.  
 640. *By Mr. Bowman.*—You acknowledge that you were residing in the Stawell electorate when you applied for that right?—Yes.  
 641. Do you know a man called McKinnon?—Yes.  
 642. You and he were mates?—Yes; we were working up at Lamplough.  
 643. How long ago is that?—As far as I can remember that was about this time twelve months ago.  
 643. Did you and McKinnon get your rights about the same time?—No.  
 645. You got some gold when you were there?—Yes.

646. Who sold it?—I did.
647. Where did you sell it?—At Mr. Brooks' store.
648. It is within the last twelve months you were there?—Yes, I believe so. It is fully twelve months since I was at Lamplough.
649. How long had you been working there?—That I cannot be certain of. To the best of my belief I was working there fully three months.
650. Do you recollect your mate (McKinnon) getting an elector's right?—No. He did not get it when he was my mate, as far as I know.
651. You have not been mates with him since?—No.
652. Then you say it is fifteen months since you left Lamplough?—I believe it is—I would not be certain; it is somewhere about that time.
653. *By the Chairman.*—At Christmas last year where were you?—I was working down at Maryborough.
654. How long had you left Lamplough then?—We must have left Lamplough fully six months before that.
655. *By Mr. Craven.*—Had you voted?—No, I have never voted in my life. I got a letter from Mr. Bowman that prevented me from voting.
656. *By the Chairman.*—What age are you now?—Twenty-six last birthday.
657. *By Mr. Bowman.*—When you applied for that right did the electoral registrar put various questions to you?—To the best of my belief he did.
658. Did he ask you if you resided in the Talbot and Avoca electorate?—It is so long ago that I cannot recollect that.
659. Do you recollect the answers you gave; you were asked your name, residence, and occupation?—I am not prepared to answer that.
660. Were you asked any questions?—To the best of my belief, I was.
661. It appears you were asked your name, whether you were of full age, and then, "Do you now reside in Victoria, and for what time," and as to your residing in this electorate—was that question put to you?—I am not certain.
662. If the electoral registrar says you were asked that, you will not contradict him?—No.
663. It appears you stated there what was wrong?—You see I was born on this side of the creek, and it is only the last two years or so I have been out there altogether.
664. And you may have been under the misapprehension that you were entitled to a vote?—I was.
665. Did the returning officer caution you that if you gave any false answers to these questions you were liable to be punished?—I could not say.
666. *By Mr. Craven.*—Did you ever ask for a right in any other electoral district?—No.
667. *By Mr. Bowman.*—Were you on the roll for the Stawell electorate last year?—I never heard of it—I should not have been.
668. You did not record a vote for the Stawell electorate?—I never recorded a vote for any electorate.

*The witness withdrew.*

Charles Eyes Sproston, examined.

669. *By the Chairman.*—What are you?—Teacher, in the State school at Avoca.
670. Do you see that block—[referring to the same]?—Yes, that is my signature in both places.
671. What is the date of that?—1st December, 1891.
672. What age were you when you signed that?—Twenty-one years three months. I was born on the 22nd of September, 1870, at Avoca, and have lived here all my life.
673. Where were you living at the time you made application?—I was sleeping on the other side of the creek, and working on this side.
674. Your place of residence then was on the other side of the river?—Yes, about a mile and a half away.
675. In what electorate is that?—In the Stawell electorate.
676. When you made application for the right were you asked any questions?—I was asked my age and place of residence.
677. Do you see what you signed?—"Avoca, lodger."
678. You were asked, "Do you now reside in the division for which you apply, and during what time," and you say, "Six months," is that so?—Yes, I was asked if I resided there, and I said, "I sleep on the other side." Then I was asked the question, "You earn your living here," and the registrar said, "Then you are entitled to a vote," and I got that opinion from Mr. Leader, P.M., also.
679. You say the police magistrate advised that?—I was not here, but I heard it from another person.
680. Was the registrar with the police magistrate at the time you got his advice?—I was not here at the time.
681. Keeping to the evidence here, you declared yourself a resident in this district six months previous to the application—are you aware whether that is true or not?—I am not certain whether the question was asked me.
682. When you signed this, was it filled up, and in your presence?—I believe so.
683. You attached your signature to the declaration that you resided in Avoca?—Yes; I was under the impression that by my earning my living there I was entitled to a vote.
684. *By Mr. Bowman.*—You say you told Mr. Ross that you resided on the other side of the river, that you slept there and earned your living here, and Mr. Ross told you you were entitled to have a vote?—Yes.
685. You gave Mr. Ross a true account of your proceedings, and he told you you were entitled to a vote, though you slept on the other side of the river?—Yes; as I was earning my living here, and spending more of my time here, I was entitled to a vote.



Cross-examined by *Mr. Herring*.

686. Was your name objected to at the court?—I was left on. I did not attend the Revision Court.  
 687. Were you summoned?—No.  
 688. How do you connect the police magistrate with it?—I was not here; but I heard from a person that that was what he said.  
 689. When did you take out your right?—On the 1st of December.  
 690. Who were there?—Only myself and Mr. Ross.  
 691. Did he ask you the questions?—I am not sure about that. He asked me my age, and where I lived. I remember those two questions distinctly.  
 692. *By Mr. Dixon*.—Did any one advise you to take out an elector's right?—Yes, Mr. Paten.  
 693. Did he gave any reason?—No; only that I was entitled to a vote.  
 694. Did Mr. Paten know that you were continuously residing on the other side of the river?—I believe so. He has known me all my life.  
 695. Did he assign any other reason why it was advisable you should take out the right?—No.

*The witness withdrew.*

John Ross, examined.

696. *By the Chairman*.—What are you?—A gardener, residing on the other side of the creek, but not at the time I took out my right.  
 697. Have you a garden of your own?—Yes.  
 698. Where is it located?—On the other side of the creek.  
 699. Is there a residence on it?—There is, but it is not mine. I live in it now, but did not at the time.  
 700. Do you remember the date that you took out the electoral right?—No, I do not remember.  
 701. Was it two years ago?—It is not a year ago.  
 702. You were working in Avoca?—Yes, and living in Avoca at the time. I made up the garden for John Ross, and for Mr. McHugh, and Mr. Mason.  
 703. How long did that take you?—I cannot tell you exactly. I was about four months altogether, and it was in the spring of the year, the right time for gardens to be done up.  
 704. *By Mr. Bowman*.—What months would that be?—June, July, and August.  
 705. Were those the months you worked in Avoca?—Yes.  
 706. That was last year?—No, this year, since January last.  
 707. Had you been living in Avoca previous to January last?—No.  
 708. You had your home on the other side of the river?—Yes.  
 709. Do you see the date of that right?—The 26th of November.  
 710. Consequently you were living on the other side of the river when you got that right?—I cannot make out how that is.  
 711. *By the Chairman*.—You acknowledge that as your signature?—Yes.  
 712. Were you asked any questions?—Yes.  
 713. Were you cautioned?—Yes, like every other man.  
 714. In what way?—I was cautioned to see if I had the right to take out a right. I understood on account of my having been working on this side I was entitled to a right.  
 715. *By Mr. Dixon*.—You had been residing on the other side of the creek?—Yes, I was; but when I was working here I had to reside in the town.

Cross-examined by *Mr. Herring*.

716. How long have you been residing on the other side of the creek this year?—I cannot tell you.  
 717. When did you leave Mr. Ross's?—After I had done my work. I did not keep dates.  
 718. How old is Mr. Ross's garden?—It is a newly-made one. It is all planted this spring.  
 719. *By Mr. Dixon*.—Is it possible that you have made a mistake as between July, August, and September of this year and last year?—I might; I am an old man, and my memory is failing fast.  
 720. *By Mr. Herring*.—Were you working with Mr. Ross about the time his child was born?—Yes, there was not much time between.

*The witness withdrew.*

George William May, re-called and further examined.

721. *By Mr. Herring*.—You know Mr. Ross's garden?—Yes.  
 722. You heard the evidence of Mr. Ross, senior?—Yes.  
 723. In which he stated that he made that garden this year?—Yes.  
 724. Is that correct?—The garden was in existence last year when I came up.  
 725. *By Mr. Bowman*.—Do you know of your own knowledge that this man was working in the garden at all?—No; I only say that the garden was planted last year, and Mr. Ross has made a mistake as to its being this year.

*The witness withdrew.*

Arthur Ferrara Paten, examined.

726. *By the Chairman*.—What are you?—A journalist, editing the *Avoca Mail*.  
 727. Do you remember the end of last year?—Yes.  
 728. Did you use personal exertions to get people put on the roll?—I did.  
 729. How many?—That I could not say. I asked several people, and told them they could get electors' rights for 6d., and I thought they should exercise their privilege and take them out.  
 730. Did you induce any persons under age?—Not that I am aware of.  
 731. How long have you been resident here?—I have lived here all my life.

732. Charles E. Sproston—do you know him?—I do.  
733. How long have you known him?—I think he was born here.  
734. Did you know where he was living?—I know he resided across the river.  
735. And you are the editor of the paper, and, knowing that he lived across the river, you advised him to take out a right?—I asked him if he was of the age of 21, and he said, “Yes,” and I said he had better exercise his privilege. He has been for some years every day in Avoca.  
736. Did you know he resided on the other side of the river?—Yes.  
737. Then it did not matter if he was working here all the days of his life if he did not reside here?—That I did not know anything about.  
738. You, as editor of the paper, ought to know something about it, and yet you advised him?—Yes.  
739. James Reed—do you know him?—Yes.  
740. How long have you known him?—I think he was born here.  
741. Did you know then he was not 21 years of age?—I did not know whether he was 21.  
742. Did you not inform him that if he was not 21 it would not be long before he reached the age?  
—I did not know anything about that.  
743. Did the question of age ever crop up with him?—I do not think so.  
744. *By Mr. Bowman.*—If Reed said it did, would you contradict it?  
745. *The Witness.*—I decline to answer any question put by Mr. Bowman.  
746. *The Chairman.*—You must answer the questions.  
747. *By Mr. Bowman.*—If Reed stated that he was under age would you contradict it?—I would not. I must say that I do not think that any conversation of that sort occurred between us.  
748. If Reed says in his evidence that if it had not been for your influence he would not have taken out the right would you contradict him?—No, I would not.  
749. And you are not prepared to say that there was no conversation as to the age?—So far as I can remember there was not.  
750. Do you know Alexander Lamont?—I do.  
751. Do you know his age?—I do not.  
752. Do you know how long he has been in Avoca?—For some years.  
753. Did you advise him to take out an elector’s right?—I think I did.  
754. Did you know at the same time he was not of age, and that he told you?—I did not.  
755. If Lamont stated that he was under age to you would you contradict it?—I will.  
756. But you would not contradict Reed?—No; as to him I am not sure. I do not think any conversation as to age took place.  
757. Why did you take such a deep interest in getting those youths placed in this unfortunate position?—I did not desire to place them in any unfortunate position.  
758. Any one could tell those were boys by their appearance?—I think not.  
759. *By the Chairman.*—You say you had a conversation with one of the persons, Sproston; you particularly mentioned about the 21 years?—Yes.  
760. *By Mr. Dixon.*—Was there anything unusual in getting those people to take out their electoral rights?—I think not. It has been my usual practice every year. I have done the best I could for some time past.  
761. Was it of your own motion or was it in connexion with any organization in the district?—I did the best I could on my own motion.  
762. Independent of any organization?—There was no organization existed that I am aware of.  
763. Was there any inducement or influence brought to bear on you to make you such an active canvasser?—There was not.  
764. You are so patriotic that you wanted all the young fellows on the roll that could be?—Yes; that is it. I have always done it since I took out a right myself. I have always persuaded others. Any of those young fellows I got on I did not get on knowing they were under age, or wilfully lead them into trouble.

*The witness withdrew.*

Auguste Barbat, examined.

765. *By the Chairman.*—What are you?—Chaffcutter.  
766. Where do you live?—High-street, Avoca.  
767. For how long?—With the exception of a few months, all my life.  
768. *By Mr. Dixon.*—Do you know Frey?—Yes.  
769. How long have you known him?—All my lifetime.  
770. How old are you?—Twenty-four.  
771. You have known Frey all your life?—Yes.  
772. Do you know where he was born?—No.  
773. How old was he when you first knew him?—He was quite a child.  
774. And how old were you?—I was about eight or nine.  
775. How old was Frey?—He went to school with me. I should imagine he was very much younger than I.  
776. Would you be surprised to hear that he stated to this Committee that last year when he took out his right he was only seventeen years old?—I would be surprised.  
777. Were you in the same class at school?—No.  
778. Was he in the infant class and you in the fifth?—I think not.  
779. Did you advise Frey to take out his right?—I did not.  
780. If he makes the statement that you did would you deny it?—I will, on oath.  
781. If he stated that he would not have taken out that right had it not been for your advice?—I deny that.  
782. Would you be surprised to hear that he says further, that if any trouble should arise in consequence of his doing it he will hold you to blame for all time?—I would not. If he said that, he speaks false.

783. *By the Chairman.*—Do you expect this Committee to believe that you, from his personal appearance, were under the impression that he was 21 years of age at that time?—I do not say that I will.

784. Do you want this Committee to believe that from his appearance you persuaded yourself that he was 21 years of age at the time he took out his right?—No, I do not wish you to believe that.

785. *By Mr. Dixon.*—Did you induce any one else to take out a right?—No.

786. He was the only one?—Yes, and I did not “induce” him. He was in my employment, and I asked him if he had an elector’s right, and he said “No,” and he then asked me if he could go and get one; and he went. I never influenced him in any way.

*The witness withdrew.*

John Ross, electoral registrar, re-called and further examined.

787. *By Mr. Dixon.*—When you were examined before you stated that in every instance that you had read over those questions to the applicant for an electoral right?—Yes.

788. And also warned them that if they made a false declaration they would subject themselves to pains and penalties?—Yes, in every case.

789. Certain evidence was given by John E. Byrne.—[*The same was read to the witness by the shorthand writer.*]—You see he distinctly states that none of those questions were asked by you; is that correct or not?—In answer to that I say it is always my practice. I always did so.

790. In this case you deny the evidence?—Yes.

791. You have been three years registrar?—Yes.

792. And you know it is your duty to be posted up in the duties of an electoral registrar?—I endeavour to carry out the duties to the best of my ability.

793. Will you tell the Committee why you signed a number of those blank rights?—According to my reading of the Purification of Rolls Act those can be signed by me.

794. *By the Chairman.*—You cannot justify it by reference to the Electoral Act?—No.

795. The Purification of Rolls Act was not in existence when those rights were signed?—No.

796. Do you admit the irregularity of signing those?—Yes.

797. *By Mr. Dixon.*—In this one you will see you have signed the blocks as well as the rights—[*showing the same to the witness*]—I do not deny it.

798. In point of fact, if you misplaced that book, any one could issue those rights?—My office is locked when I leave it.

799. *By the Chairman.*—You say, under the Purification of Rolls Act you would claim this was regular; will you state the clause?—The instructions are as follows:—[*The witness read section 6.*]

800. That does not touch the matter of signature?—No.

801. Is there anything in the Act that allows you to permit your clerks to sign?—I do not know of any.

802. *By Mr. Bowman.*—Did you in any case fill in the replies before the applicant was before you?—No, except in the case of Redpath, which I explained to the Committee.

803. How did you get those replies?—From the man who employed him. I see that is an irregularity on my part.

804. Did you see this letter in regard to Redpath?—[*The witness read the same.*]

805. You see this man was put on the list by you, and you made no objection when it came up before the Revision Court. You only objected to three names there because they were on the rolls twice, and you had this knowledge that he had no right at all at the time you put him on the list?—That is true, but I did not think it was necessary for myself as well as the inspector to object.

806. You had the replies as if you had examined him, and a document signed by yourself, without ever seeing the boy?—I have admitted that.

807. *By the Chairman.*—What is the reason you did not object to his being on the roll as his right had not issued?—The inspector had objected, so it was not necessary for me. As to Redpath, I understood he was sent up by his employer, Rolfe, asking me to issue a right. I filled it in, and I asked Rolfe if Redpath was of age, and he said he was. I asked if Redpath was residing in the district, and he said he was, and that he would be up in the office to sign it, and he never came.

808. I see here that you have signed two blocks in blank; why were two blocks signed in that way?—One is a numbered book, and the other is unnumbered.

809. What is the difference between them?—When a person comes with an old right, you keep the original right and put the number in. The other has the number printed on.

810. *By Mr. Bowman.*—Were you aware at the time that it was necessary for you to cancel the date of them when you gave another?—Yes, I generally did so.

811. I will show that you have not. There is one (Kaiser) with the other one not cancelled at all?—They are pinned to the old right. I did not know it is necessary to cancel them.

812. It is according to the Act, and the butt should be cancelled also?—Perhaps so.

813. *By Mr. Herring.*—As to the list: before you make your own objections, do you get the list from the electoral inspector?—Yes, he forwards me the names he objects to.

814. And that showed what was his objection to Redpath going on the roll?—Yes.

815. And you published it in the newspaper?—Yes.

816. *By the Chairman.*—On what date did you get the list of objections from the inspector?—I could not say from memory.

817. *By Mr. Herring.*—As to Sproston: you heard his statement as to his having told you his residence, and you having told him it was all right?—I never made use of those words. I said he must reside in the district.

818. What took place as to Sproston?—It is not true that he asked me the questions he said he did.

819. *By the Chairman.*—Did you not, from your own knowledge, know that he was resident on the other side of the river?—No, I did not.

820. *By Mr. Dixon.*—You say you did not object at the Revision Court to Redpath, because the list of objections had been supplied by the electoral inspector?—Yes.

821. Are you quite sure you had that information in sufficient time to prevent you, as electoral registrar, appealing?—I think so.

822. Suppose in this case that the electoral inspector had omitted Redpath's name, would you have objected?—I would.

823. Would you have any documents in your office to show the date on which you received the list from the inspector?—I may have.

824. Can you assign any reason why you had not lodged the objection in this case before the last moment?—No, I cannot.

*The witness withdrew.*

William Gollop, examined.

825. *By the Chairman.*—What are you?—A miner, residing at Avoca when I am at home.

826. In what part?—I am not confined to one place. I live round about, sometimes near and sometimes away—anywhere I can get work.

827. As a rule, where do you live?—At Mockett's hotel.

828. Do you remember last year applying for an elector's right?—Yes.

829. Is that your signature?—Yes, in both places.

830. At the time you signed that what age were you?—I was over 21. I was about 21 years and three months.

831. Where were you born?—In Amphitheatre.

832. At the time you took this right out were any questions put to you by the registrar?—I fancy there were. It is so long ago, and I took such little interest in it, that I cannot swear whether there were or not.

833. Did the registrar ask you if you were of age?—He might have—I cannot remember.

834. Were these items filled in in your presence—[*reading the questions*]?—They might have been. I could not swear that they were or were not.

835. Did any conversation take place at all—you must know whether those questions were asked?

836. *Mr. Herring* objected to the question as not referring to the question of roll stuffing.

837. *By the Chairman.*—You are declared to be a resident in the Avoca electoral district; were you living on this side of the river or the other?—This side of the river when I took out the right.

838. Had you a house of your own?—No, I was roaming about getting work and living at Mockett's when I was out of work.

839. On the date you signed this document were you out of work and living at Mockett's hotel?—No, I was living a mile out on the Lamplough-road, farming.

840. Working for some one else?—Yes.

841. Whom were you working for?—Mr. Beck.

842. *By Mr. Dixon.*—You see these questions that were answered by you?—Yes.

843. Were those filled in before you applied for the right, or were they written by the electoral registrar when you applied?—They might have been and they might not.

844. Were all these questions put to you, and further, did the electoral registrar caution you when he put those questions, that you would be liable to certain pains and penalties if you made a false statement?—No, he did not caution me at all. He might have asked me; I do not remember; I never took that much interest in it.

845. *By Mr. Bowman.*—You say you lived in Avoca for four months before this; where were you during that time?—I could not state where I was. I have been all over the place.

846. Were you not living on the other side of the river when you applied for that right?—Sometimes I was on the other side of the river.

847. You then make a declaration that you were living four months in Avoca?—I know I was about during that time.

848. Where did you live during that four months. You said you lived at Mrs. Mockett's. Have you at any time for a month in succession lived at Mrs. Mockett's?—No. I lived in different places. I worked at Richter's, at the brick mill.

849. Where did you sleep?—When I was working?

850. During any portion of the time for four months before applying for the right—did you stay at Mrs. Mockett's?—Yes.

851. For how long?—I might have stayed a couple of days—it might have been more and it might have been less.

852. How long were you working for Richter?—About a fortnight.

853. Where else?—At Beck's, I was there three days.

854. Is there any other place where you were working?—At Lamont's, for a week.

855. Any other place?—Burke's, for three weeks. That is all I can remember just now.

856. That is 47 days altogether—how do you fill in the balance of the time to make up the four months?—I cannot tell exactly where I was all the time.

857. Did you sleep at each of those places—did you sleep at Beck's?—Yes.

858. Lamont's?—No, I slept at home then.

859. Where is that?—The other side of the river.

860. When you were at Beck's, where did you sleep?—I slept at home.

861. And at Richter's?—I slept there.

862. That leaves 37 days, how do you make up the four months?—I cannot remember where I was. I was here one day and somewhere else another.

863. You had a home the other side of the river?—That is my father's. I have no home at all.

864. How do you make up the four months?—I cannot make up the amount. I know I have been longer than the 37 days. I did not keep an account.

865. Did you not sleep at your father's place except when you were working for those people?—  
Yes.
866. That is 37 days you slept away from home ; how can you reconcile that with saying you were four months in Avoca. Did you think, though you were living the other side of the river, you were entitled to say you lived in Avoca?—I thought I was entitled to a vote. I never used my right.
867. How can you make up the difference between the 37 days and the four months?—I cannot make it up according to that.
868. *By Mr. Dixon.*—Who induced you to take out the elector's right?—Nobody.
869. You stated that you felt so indifferent about it that you could not remember whether the questions were asked?—Neither I did.
870. Yet you took the trouble of your own accord to go to the registrar and sign the blocks of that book, and still you were so indifferent that you do not know whether the questions were submitted or not?—Yes, they may or may not have been put.
871. Is not that peculiar?—I do not see anything peculiar about it.
872. How long have you resided the other side of the river?—About ten years.
873. During that ten years you have been working in different places all round?—Yes.
874. You feel now thoroughly convinced that on the day you took out your electoral right for four months previous to that you continuously lived in the Avoca district on this side of the river?—No, I would not say I continuously lived here. I was sometimes at home.
875. Then it is possible that one-half of the time you may have lived somewhere else?—No, I was here in Avoca.
876. You say you were four months in the Avoca electorate before you took out the right?—Yes, I was.
877. *By Mr. E. Murphy.*—Were you aware at the time that the Avoca River was the boundary?—No.
878. If you had been aware that you were doing anything illegal at the time would you have taken out the right?—No, I would not.
879. Suppose you had not at any time slept on this side of the river, would you have thought that you were justified in taking out the right for this electorate, because you lived with your father on the other side of the river?—Yes, I think I would have taken out the right.
880. Then is it possible you may have made a mistake when you took out the right?—It is very likely I have made a mistake.
881. You may have made a mistake as to the days you worked with those people?—Yes, it is possible.
882. Then you may have resided the whole of the time with your father?—I did not reside the whole time with him.
883. *By Mr. Craven.*—You thought you were doing quite right in getting the right, although you practically lived the whole time with your father?—Yes, I thought I had the privilege of taking out the right.
884. *By Mr. Bowman.*—Did you believe at the time that living on the other side entitled you to a right, and that you were entitled to vote in the Talbot and Avoca electorate?—Yes.
885. Had you an elector's right for Stawell?—Yes.
886. Then you really thought you could vote here, living the other side of the river?—I did.

*The witness withdrew.*

*Adjourned.*