



VICTORIA
GOVERNMENT GAZETTE

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MONDAY, MAY 14.

[1917.

LEGISLATIVE ASSEMBLY.

GEELONG ELECTION.—PETITION.

I HEREBY certify that there was presented to me, on Friday last, 11th May instant, a Petition, of which the enclosed is a true Copy.

FRANK MADDEN,
Speaker.

Speaker's Chambers, State Parliament House,
Melbourne, 14th May, 1917.

[ENCLOSURE.]

To the Honorable Sir Frank Madden, Kt., Speaker of the Legislative Assembly of the State of Victoria.

The Humble Petition of THOMAS MICHAEL MCCORMICK, of Gravel Pit-road, South Geelong, in the State of Victoria, Leather Dresser,

RESPECTFULLY SHEWETH :

1. That a Writ was duly issued on the third day of April, One thousand nine hundred and seventeen, to proceed to the election of a Member to serve in the Legislative Assembly for the Electoral District of Geelong, upon the retirement of the Honorable William Plain from the representation of the said Electoral District of Geelong, owing to his resigning therefrom and vacating such seat for the Electoral District of Geelong.

The said election was held upon the 20th day of April, One thousand nine hundred and seventeen.

2. That your Petitioner was a duly nominated candidate at such election, and was qualified and capable of being elected a Member of the Legislative Assembly of the State of Victoria.

3. That one Robert Purnell, of No. 47 Moorabool-street, Geelong, in the said State, Shipping Agent and Carrier, was also nominated as a candidate at such election.

4. No other persons were nominated for or stood as candidates at such election.

5. That as a result of such election the Returning Officer announced that Robert Purnell had received Four thousand three hundred and nineteen votes and your Petitioner Three thousand seven hundred and ninety-one votes, and thereupon the Returning Officer declared the said Robert Purnell duly elected as a Member of the Legislative Assembly of the State of Victoria for the Electoral District of Geelong, and indorsed and returned the said Writ accordingly.

6. That the said Robert Purnell was not qualified to be a candidate at such election, inasmuch as he was at the time of his nomination not qualified to be elected a Member of the Legislative Assembly.

7. That the said Robert Purnell was not qualified to be elected as a Member of the Legislative Assembly, inasmuch as he was at the date of his nomination, on the day of election, and at all other times material subject to the disability created by section 24 of *The Constitution Act Amendment Act 1915* (No. 2632) that is to say :

That the said Robert Purnell was on the dates aforesaid directly concerned and interested in a bargain or contract entered into on behalf of His Majesty and His Majesty's Government of the State of Victoria by John Goldsworthy White, Secretary of the Tender Board of Victoria, on the twentieth day of November, One thousand nine hundred and sixteen, whereby the said Robert Purnell agreed to supply the Government of Victoria with Firewood from the first day of January, One thousand nine hundred and seventeen, to the thirty-first day of December, One thousand nine hundred and seventeen.

8. That your Petitioner claims that he was the only qualified candidate at such election and was duly elected as Member of the Legislative Assembly at such election and should be declared duly elected as such Member.

Your Petitioner therefore humbly prays :

That you will be pleased to communicate the matter of this Petition to the Legislative Assembly of Victoria in order that the same may be referred to the Committee of Elections and Qualifications of your Honorable House.

And also prays :

That it be declared that the said Robert Purnell was not a candidate at such election.

That the said Robert Purnell be declared incapable of being returned as a Member to serve in the Legislative Assembly for the Electoral District of Geelong and of sitting as such a Member.

That the election of the said Robert Purnell be declared void.

That it be declared that your Petitioner was returned as Member to serve in the Legislative Assembly for the Electoral District of Geelong, and that the return for such Electoral District be amended accordingly.

That it be declared that the said Robert Purnell is not now qualified as a Member for the said Electoral District and that his seat be declared vacant.

And that your Petitioner may have such further and other relief as the circumstances of case may require or as to the said Committee of your Honorable House may seem meet.

And your Petitioner as in duty bound will ever pray.

Dated this eleventh day of May, One thousand nine hundred and seventeen:

THOMAS MICHAEL McCORMICK.

Witness—MARK LAZARUS, Parliamentary Agent and Solicitor, 438 Chancery-lane, Melbourne.