



SUPPLEMENT
TO THE
VICTORIA
GOVERNMENT GAZETTE

OF FRIDAY, JUNE 8, 1877.

Published by Authority.

No. 60.]

MONDAY, JUNE 11.

[1877.]

VICE-PRESIDENT OF THE BOARD OF LAND AND WORKS.

HIS Excellency the Governor has been pleased to appoint

The Honorable JOHN WOODS, M.L.A., Commissioner of Railways and Roads,
to be a Vice-President of the Board of Land and Works.

By Command,

HENRY D. PITT,

Private Secretary.

Private Secretary's Office,
Melbourne, 11th June 1877.

LEGISLATIVE ASSEMBLY.

GRENVILLE ELECTION.—PETITION.

I HEREBY notify that there was presented to me, on Friday, 8th day of June instant, a Petition, of which the following is a true copy.

C. GAVAN DUFFY,
Speaker.

To the Honorable the Speaker of the Legislative Assembly of Victoria.

The Petition of the undersigned Richard Henry Lock, of Smythesdale, in the colony of Victoria, gentleman,

RESPECTFULLY SHEWETH—

That in pursuance of a Writ duly issued on the thirtieth day of April 1877, under the hand of His Excellency the Governor and the Seal of the Colony, an election of two members to serve in the Legislative Assembly for the Electoral District of Grenville in this present parliament was duly held.

That four candidates were on the fifth day of May 1877 nominated for said election, that is to say, John Bird, of Scarsdale, land owner; William Clarke, of Buninyong, gentleman; David Mortimer Davies, of Ross' Creek, gentleman; and your petitioner, Richard Henry Lock, of Smythesdale, gentleman.

That the number of candidates nominated as aforesaid being in excess of the number to be elected, a poll was taken on Friday the eleventh day of May 1877 at the undermentioned places, that is to say, at Buninyong, Scotchman's, Durham Lead, Yeuden, Clarendon, Grenville Diggings, Linton's, Happy Valley, Snake Valley (Carngham), Grassy Gully, Bulldog, Whimholes, Rokewood, Break-o'-Day, Shelford, Scarsdale, Piggoreet, Staffordshire Reef, Smythesdale (within the district), Ross' Creek, and at Cape Clear, all within the said electoral district.

That on the twelfth day of May 1877 the Returning Officer, William Henry Bacchus, Esqre., publicly notified, as by law required, that the number of votes recorded for each candidate was as

follows:—John Bird, 1169; William Clarke, 962; David Mortimer Davies, 1274; Richard Henry Lock (Your Petitioner), 1067; and declared the said John Bird and David Mortimer Davies to be duly elected members to serve in the Legislative Assembly for the said Electoral District.

That the said William Henry Bacchus, Esqre., as such Returning Officer as aforesaid, endorsed the names of John Bird and David Mortimer Davies on the said Writ, as having been duly elected under and by virtue of such Writ, and returned the said Writ so endorsed by him as aforesaid to His Excellency the Governor aforesaid.

That at the time of such nomination, election, and return of the said Writ, the said David Mortimer Davies was incapable of being lawfully elected a member of the Legislative Assembly of Victoria, and is now incapable of sitting or voting therein, by reason of his being before and at the time of his said nomination and election and return a Minister of a Religious Denomination in Victoria, to wit, the Congregational or Independent denomination.

That the said David Mortimer Davies was duly registered, in the book of registered clergy, pursuant to the provisions of the Act of the Parliament of Victoria passed in the twenty-seventh year of the reign of Her Majesty (being No. 268), as a Minister of Religion authorized to celebrate marriages, on the twenty-seventh of August 1867, and he continued so registered at the date of his said nomination, election, and return as aforesaid and up to the nineteenth day of May 1877.

That the said David Mortimer Davies, in divers ways, exercised the functions of a Minister of the said religious denomination between the month of August 1867 and the nineteenth day of May 1877, in Victoria.

That your Petitioner is advised and believes that the said David Mortimer Davies, being such Minister of the said Religious Denomination as aforesaid, was, at the time of the said election, unqualified to be elected or returned as a Member of the Legislative Assembly, and the said David Mortimer Davies was unduly elected and returned as such member as aforesaid.

That your Petitioner is advised and believes and submits that, by reason of the said David Mortimer Davies being so incapable of being elected a Member to serve in the Legislative Assembly as aforesaid, your Petitioner, being the person having the next greatest number of votes at the said election (after the said John Bird), is entitled to be declared elected a Member of the Legislative Assembly, and to have his name inserted in the said return to the said Writ in the place of the said David Mortimer Davies.

Your Petitioner therefore prays—

That you will communicate the matter of this petition to the Legislative Assembly of Victoria, in order that the case of your Petitioner may be referred to the Committee of Elections and Qualifications of the said Legislative Assembly, duly authorized to receive, enquire into, and report upon the same according to law.

And your Petitioner prays that in the event of such Committee reporting that the said David Mortimer Davies was not capable of being elected to serve in the said Legislative Assembly for the reasons aforesaid, then that your Petitioner may be declared to have been duly elected, and that the return to the said Writ may be amended by taking out the name of the said David Mortimer Davies and inserting in its place the name of your Petitioner. And that your Petitioner may have such further or other relief as the circumstances of the case may require or as to the said Committee may seem meet.

And your Petitioner will ever pray.

R. H. LOCK.

Dated at Smythesdale the seventh day of May A.D. 1877.