



SUPPLEMENT
TO THE
VICTORIA
GOVERNMENT GAZETTE
OF FRIDAY, JUNE 22, 1877.

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FRIDAY, JUNE 22.

[1877.]

LEGISLATIVE ASSEMBLY.

I HEREBY notify that there was presented to me, on Friday, 22nd June instant, a Petition, of which the following is a true copy.

C. GAVAN DUFFY.

NORTH MELBOURNE ELECTION.—PETITION.

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

The Petition of John Joseph Byrne, of Queensberry street, Hotham, clerk and valuator,
J.J.B.

RESPECTFULLY SHEWETH—

That a Writ for the Election of two Members for the Electoral District of North Melbourne to serve in the Legislative Assembly for the present Parliament of Victoria was, on the thirtieth day of April in the year of our Lord One thousand eight hundred and seventy-seven, issued by His Excellency Sir George Ferguson Bowen, the Governor of Victoria, directed to the Returning Officer of the said electoral district, commanding him to proceed to such election, and appointing respectively days and places for the nomination and taking the poll therefor.

2. That Joseph Story, John Laurens, Bryan O'Loughlen, James Wisewould, William Ievers, John Joseph Walsh, and Charles Grey Bird were the only candidates respectively duly nominated under said Writ for the said North Melbourne Electoral District.

3. That a poll was taken for the said election of said two Members in pursuance of said Writ, on the eleventh day of May last past, being the day appointed therein, at the places appointed in said Writ.

4. That the Petitioner herein is, and then was, at the time of taking such poll pursuant to said Writ, an elector for the said Electoral District of North Melbourne on the Electoral Roll of the Royal Park Division of said district, and voted at the taking of said poll at such election.

5. That the Returning Officer on the twelfth day of May last announced the following to have been the number of votes respectively given to each candidate at such poll:—

For Joseph Story	...	...	Fourteen hundred and ninety-six,
For John Laurens	...	...	Fourteen hundred and eighty-six,
For Bryan O'Loughlen	...	...	Fourteen hundred and seventy,
For James Wisewould	...	...	Seven hundred and forty-three,
For William Ievers	...	...	Six hundred and seventy-five,
For John Joseph Walsh	...	...	Two hundred and five,
For Charles Grey Bird	...	...	One hundred and ninety,

and declared the said Joseph Storey and the said John Laurens to be duly elected the two Members for the Electoral District of North Melbourne, and thereupon returned to the Governor aforesaid the said Writ with the said two names endorsed thereon as such two Members.

6. That on the taking of said poll divers votes for the said Joseph Story and the said John Laurens were improperly admitted and counted thereat, and divers votes for the said Bryan O'Loughlen were rejected, set aside, and not counted at all.

7. That divers false and fictitious ballot papers were used at the taking of said poll, and were surreptitiously introduced into the ballot boxes, and the votes in such fictitious ballot papers were erroneously counted thereat as genuine votes.

8. That in making up the lists from all the ballot papers in their several booths several of the Deputy Returning Officers have erroneously counted the votes in the said ballot papers, and have erroneously counted a number of votes for the said Joseph Story and the said John Laurens, which votes should not have been so counted; and also have improperly omitted from such lists a number of votes given for the said Bryan O'Loughlen.

9. That at said election divers electors were personated at said poll, and votes colorably given at said poll, whereas such votes were null and void and ought to be struck off said poll.

10. That by reason of the votes in the aforesaid false and fictitious ballot papers and the other votes so as aforesaid improperly admitted or counted, and also by reason of the votes so as aforesaid improperly rejected or set aside, and the votes so as aforesaid erroneously omitted in the counting of the votes in the ballot papers at said poll, the said Joseph Story and the said John Laurens obtained an apparent and colorable majority only, whereas in truth and in fact the said Bryan O'Loughlen had a majority of the votes of the electors of the said district who voted at the said election, and was duly elected as a Member to serve in Parliament for said district, and ought to have been returned as such Member.

Your Petitioner therefore respectfully prays that you will communicate the matter of this Petition to the Legislative Assembly in order that the same be referred to the Committee of Elections and Qualifications; and prays that all and every the ballot papers used, not used, and set aside at the taking of the poll at such election for North Melbourne may be respectively again examined and tallied with the poll books used thereat, and that the votes in such ballot papers be again counted, and that the fictitious ballot papers and those improperly admitted on such taking of the poll may be now rejected and struck out, and that those erroneously rejected or set aside on such taking of the poll be also now admitted and counted as good votes, and that the votes given colorably for the electors who were so personated be struck out, and that the said Bryan O'Loughlen may be declared to have been duly elected at such election, and to be the person that ought to have been returned. And that the said return to said Writ may be amended accordingly. And that the Petitioner herein may have such further relief as the circumstances of the case may require or as to the said Committee may seem meet.

And your Petitioner will ever pray, &c.

JOHN JOSEPH BYRNE.

Dated at Melbourne this twenty-second day of
June, One thousand eight hundred and } J.J.B.
seventy-seven.

Witness—
JAMES CARROLL, J.P.