



SUPPLEMENT

TO THE

VICTORIA

GOVERNMENT GAZETTE

OF FRIDAY, NOVEMBER 2, 1894.

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No. 139.]

FRIDAY, NOVEMBER 2.

[1894.

LEGISLATIVE ASSEMBLY.

MORNINGTON ELECTION.—PETITION.

I HEREBY certify that there was presented to me, this day, a Petition, of which the enclosed is a true copy.

GRAHAM BERRY,
Speaker.

Speaker's Chambers, Parliament House,
Melbourne, 2nd November, 1894.

[Enclosure.]

*To the Honorable Sir Graham Berry, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George,
Speaker of the Legislative Assembly of the Colony of Victoria.*

The humble Petition of the Honorable Louis Lawrence Smith, of Collins-street, Melbourne, in the Colony of Victoria,
duly registered legally qualified medical practitioner:

RESPECTFULLY SHEWETH—

That your Petitioner was a Candidate at the election of One Member to serve in the Legislative Assembly for the Electoral District of Mornington, held on the twentieth day of September, in the year of our Lord One thousand eight hundred and ninety-four.

That at such election Alfred Downward, of "Bicameral," Mornington, grazier, was a Candidate, and was by the Returning Officer declared elected by a majority of three votes, and was returned as Member for the said District.

That your Petitioner was next on the poll.

That at such election divers persons, to a number exceeding three, who were not lawfully entitled so to do voted for the said Alfred Downward.

That at such election divers other persons who were lawfully entitled to vote thereat, and were desirous of voting for your Petitioner, and who lawfully demanded ballot-papers to enable each such person to vote thereat, were unlawfully refused such ballot-papers, and were not permitted to and did not record their votes respectively thereat.

That the said Alfred Downward was guilty at such election of the misdemeanour of treating.

That the said Alfred Downward was, by his agent or some other person on his behalf, guilty at such election of bribery.

That your Petitioner therefore claims that the said Alfred Downward was not duly elected as Member for the said District, and that your Petitioner as and being the next on the poll was duly elected as such Member.

Your Petitioner therefore prays that the said Alfred Downward may be declared not duly elected for the said District.

That your Petitioner may be declared duly elected for the said District.

That the return may be amended accordingly.

That a scrutiny may be had if deemed necessary.

That voters improperly refused ballot-papers may be allowed to vote.

That, if necessary, a new election may be had.

And that your Petitioner may have such further and other relief as the circumstances of the case may require.

And your Petitioner, as in duty bound, will ever pray.

Dated this first day of November, in the year of our Lord One thousand eight hundred and ninety-four.

(Sd.)

LOUIS L. SMITH.

Witness—JNO. WALLACE, solicitor, Prell's Buildings, Collins and Queen streets, Melbourne.

November 2, 1894.

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LEGISLATIVE ASSEMBLY.

WANGARATTA AND RUTHERGLEN ELECTION.—PETITION.

I HEREBY certify that there was presented to me, this day, a Petition, of which the enclosed is a true copy.

GRAHAM BERRY,
Speaker.

Speaker's Chambers, Parliament House,
Melbourne, 2nd November, 1894.

[Enclosure.]

*To the Honorable Sir Graham Berry, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George,
Speaker of the Legislative Assembly of the Colony of Victoria.*

The humble Petition of James Stewart Butters, of Empire Buildings, Collins-street, Melbourne, finance agent:

RESPECTFULLY SHEWETH—

That your Petitioner was a Candidate at the election of One Member to serve in the Legislative Assembly for the Electoral District of Wangaratta and Rutherglen, held on the twentieth day of September, in the year of our Lord One thousand eight hundred and ninety-four.

That at such election John Bowser, of Wangaratta, journalist, was a Candidate, and was by the Returning Officer declared elected by a majority of thirteen votes, and was returned as Member for the said District.

That your Petitioner was next on the poll.

That at such election divers persons, to a number exceeding thirteen, who were not lawfully entitled so to do voted thereat.

That at such election divers other persons who were lawfully entitled to vote thereat, and were desirous of voting, and who lawfully demanded ballot-papers to enable each such person to vote thereat, were unlawfully refused such ballot-papers, and were not permitted to and did not record their votes respectively thereat.

That in connexion with such election certain irregularities happened at various polling booths of a nature which your Petitioner humbly submits were and are sufficient to vitiate the said election.

That your Petitioner therefore claims that the said John Bowser was not duly elected as Member for the said District.

Your Petitioner therefore prays that the said John Bowser may be declared not duly elected for the said District.

That a new election may be had, and that your Petitioner may have such further and other relief as the circumstances of the case may require.

And your Petitioner, as in duty bound, will ever pray.

JAS. S. BUTTERS.

Dated the first day of November, in the year of our Lord One thousand eight hundred and ninety-four.

Witness—JNO. WALLACE, solicitor, Prell's Buildings, Collins and Queen streets, Melbourne.