

a reply being sent to Mr. Isitt calling his attention to "The Electoral Act, 1902," section 2, clause 133. I find that this is not the only memorandum sent out by Mr. Isitt, similar ones having been also forwarded to Mr. Thomson and Mr. Lyon, Returning Officer for Newtown (and probably others); the latter, with a copy of reply, is attached, marked "B" and "C." The object of obtaining possession of ballot-papers subsequent to the election is a matter for consideration.

As regards Mr. Wright, he appears to know nothing of the matter beyond indorsing the ballot-paper at Mr. Isitt's request. It will be observed, however, that the facilities offered to evil-disposed persons to obtain possession of ballot-papers previous to an election are many. First, it is just possible to obtain some from the persons concerned in the printing department where the ballot-papers are printed; second, I am satisfied they are accessible whilst they are in the possession of the Returning Officer previous to being sent out, and those retained could no doubt be tampered with if any one desired to do so; third, it is evident that during transit to the various booths, and whilst deposited there during the afternoon, evening, and night previous to the election, the facilities offered to abstract voting-papers are manifest, the keys being attached to the boxes, and the necessary care is not exercised in securely locking the booths up during the night. In a serious contest like the present these are all matters worthy of consideration. The difficulties, therefore, which are encountered when endeavouring to trace the source from which the ballot-paper in question emanated are equally great, owing to the facilities above mentioned, and unless there is a means of enforcing Mr. Isitt to disclose the identity of the person from whom he alleges he received the ballot-paper attached all inquiries seem futile.

W. DINNIE, Commissioner.

## MINUTES OF EVIDENCE.

TUESDAY, 17TH NOVEMBER, 1903.

FRANCIS WHITMORE ISITT examined. (No. 1.)

1. *Mr. Hardy* (Acting-Chairman, in the absence of Mr. Symes).] You are the petitioner in this case?—Yes.

2. Do you wish to give evidence or to make a statement?—I should like to make a short statement and to give evidence, and then, if subsequent evidence is called, I should like to have an opportunity of examining the witnesses.

3. It has been decided by the Committee that the evidence shall be taken on oath, and that any statement you make now shall be taken down in the form of evidence?—Yes.

[Witness sworn.]

4. What is your name?—Francis Whitmore Isitt.

5. What statement do you wish to make in reference to this case?—I wish to state that on the 25th March, 1903, I was at my office at about ten minutes to 9 o'clock a.m., when an elector came in and asked me if I would faithfully promise not to disclose his name if he showed me something. I made the promise. He was very imperative about that, and he then showed me what I thought was an imitation ballot-paper, and laid it upon the table. I took it to be an imitation ballot-paper that some one had copied. I said, "Is it an imitation ballot-paper?" and he said "No, it is a genuine one." I asked him where he got it, and he said it was put on his table about an hour before. This was before the poll took place. I said, "Can you not tell me where you got it from?" and he said, "I cannot answer any questions." While I was talking to him Mr. Wright, of the firm of Wright and Carman, came in, and I asked the elector if I could show it to Mr. Wright, and he said, "Yes, if he also promises not to disclose my name." Mr. Wright joined us, gave the promise, and was shown the paper. I then wrote my name on it in case it should be of any value, and the hour, and I asked Mr. Wright to do the same. We then went across to the nearest Justice of the Peace, Mr. E. Arnold, and asked him to certify to our signatures, and that we were there at 8.57 a.m. I felt that it was a serious matter, but did not know quite what ought to be done. The elector went away after leaving the ballot-paper, while we went to the Justice of the Peace. I had a photograph taken of the ballot-paper, to show that we had it an hour before the poll. I deposited it (the paper) with Mr. Hoby for safe custody, and asked a legal friend what we ought to do, and by his advice I went to the Inspector of Police, who sent a sergeant with me, first in search of Mr. Thomson, and afterwards to inspect the paper. My memory is not quite clear about this, but I went down some time in the morning and saw Mr. Thomson, the Chief Returning Officer, and he showed me a pile of papers.

*Mr. R. McKenzie*: I think these proceedings are somewhat irregular. I think the petition and the report of the Commissioner of Police should be read before any other evidence is taken.

6. *Mr. Hardy*.] Mr. Isitt knows the substance of the petition, but he has not listened to the reading of the report by the Commissioner of Police?—I have no wish to do so, for any discrepancy in what I have to say will simply be a matter of memory. I have heard the petition read, and I had a long interview with the Commissioner. I have no other desire than to state the facts to the best of my knowledge and belief.

[Petition and report of Commissioner of Police read.]

*Witness*: My memory is a little at fault as to when I actually saw Mr. Thomson and whether I showed him the ballot-paper on the polling-day or not. Mr. Wright saw the ballot-paper in the presence of the witness who gave it to me. I have done everything I could to induce the elector to permit me to disclose his name, but he is afraid of two influences that might ruin his business.