

1903.
NEW ZEALAND.

CHARGES AGAINST THE REGISTRAR OF ELECTORS, AUCKLAND

(REPORT OF COMMISSION OF INQUIRY INTO).

Presented to both Houses of the General Assembly by Command of His Excellency.

REPORT.

To His Excellency, the Earl of Ranfurly, G.C.M.G., &c., Governor of New Zealand.
MAY IT PLEASE YOUR EXCELLENCY,—

In pursuance of the powers and instructions contained in the accompanying instruments under Your Excellency's hand, we duly inquired into the matters and things mentioned therein, and have now the honour to report as follows:—

We opened the Commission at Auckland on the 16th March, 1903, and sat seventeen days, hearing the examination of witnesses and the addresses of counsel and of Mr. John King, the person charged.

Up till the issue of the Commission, no definite charges had been formulated, and the grounds of complaint against the Registrar of Electors were contained in the letters of various people, and the statements of deputations to Your Excellency's advisers. Public notification was given of the sitting of the Commission, and at the opening thereof all parties were invited to appear and lodge any complaints they might have against the Registrar within the scope of our Commission.

The parties appearing were a number of persons alleging wrong-doing on the part of the Registrar, and these were all represented by Mr. J. R. Reed, barrister, and Mr. A. Peak, solicitor. The Registrar was not represented by counsel, and it was apparent from the outset that he was placed at a considerable disadvantage in not having professional legal assistance, and we ourselves were embarrassed by the Registrar's want of skill in conducting an intricate contest, and the corresponding advantage possessed in that respect by the other side. Our endeavour was to ascertain all necessary facts, in order to determine the points in dispute, but probably we were not altogether successful in doing this. The exhaustive address of counsel in reply for the complainants, occupying four hours in delivery, was of assistance to us, but it would have been more satisfactory had there been any one able to speak for Mr. King.

On the opening of the inquiry the counsel for the complainants delivered definite and formal charges as under:—

That the Registrar corruptly attempted to influence the result of the Grey Lynn election:—

- (1.) By omitting to transfer names of electors from the city rolls to the Grey Lynn roll on the subdivision of districts;
- (2.) By transferring a number of electors to Grey Lynn, and still leaving the same persons on the City roll;
- (3.) By omitting to enrol a large number of persons on the Grey Lynn roll who put in their applications for enrolment, and against whom there was no valid objection;
- (4.) By inserting on Grey Lynn roll names of persons who applied for enrolment after the issue of writ, and whose application forms came through Masfield's Committee;
- (5.) By wrongfully expunging from the Grey Lynn roll, after issue of roll, names of persons who were qualified to vote for Grey Lynn;
- (6.) By refusing to allow inspection of rolls, or inspection of claims, for the purpose of ascertaining whether names of qualified electors who had applied for enrolment were upon such rolls, and not notifying electors that they had been enrolled after issue of main roll;
- (7.) By absolutely refusing to transfer from other rolls to Grey Lynn roll when special application made to do so.
- (8.) That persons applying for enrolment on Grey Lynn roll were inserted in City roll.