

top "Selwyn Local-option District," or something of that kind, was struck out by many people. The law gives the franchise to all sorts of people, educated and otherwise, and if they are instructed to strike out the top line and they are not able to read they may strike out the top line of the ballot-paper, which line the law does not provide for being there. I have acted as scrutineer, and seen papers on which people had struck out the two bottom lines below the proposals, and therefore the contention is that there should be absolutely nothing on the voting-paper but what the law requires to be there.

22. *Mr. Hardy.*] You spoke of a recount at Selwyn: when did that take place?—It took place within the prescribed time after the last poll.

23. Surely you must be mistaken about the place—Selwyn?—I think not. Selwyn is the next electorate to Ashburton.

24. It was not Courtenay?—No; I am absolutely sure it was Selwyn.

25. Has it ever occurred to you that the cry about striking out the top line might have the same effect on a candidate at an ordinary election?—It might.

26. I think it was Courtenay where the recount took place?—There was a recount in Selwyn.

27. *Mr. E. G. Allen.*] You say that the heading on the voting-paper was illegal?—Yes; it is illegal in the sense that the law does not prescribe that it shall be there.

28. The law does not say that you shall not put some mark upon the paper to distinguish the district?—I think you will find if you refer to some of the Acts which deal with elections that there is a schedule giving the form for stating what the district is. In the Licensing Act the schedule gives the form of the voting-paper, but there is no provision for the name of the district.

29. Well, perhaps it would be better to put it on the side instead of at the top, but it would not do to have no distinguishing mark, because, in the event of the papers being mixed up and being required for a district months after an election, you would not know where the papers of that particular district were?—I quite believe it would be an advantage to have something on the side so long as it did not confuse the ordinary voter.

30. *Mr. Commissioner Dinnie.*] Have you possession of those two voting-papers obtained at your suggestion by Mr. Isitt after the poll?—I have not got them, and do not know where they came from. I have not been in conference with Mr. Isitt once in the interval about the matter.

31. You have not seen the papers?—No.

32. Although you asked for them for special reasons you have not got them?—No; I simply made a suggestion, and I have not seen Mr. Isitt since in reference to the matter. I have not been up here, but have been principally in the South Island.

33. *Mr. R. McKenzie.*] Do you know anything about the theft of the ballot-paper that is here? Have you any idea as to who gave it to Mr. Isitt?—I have not the slightest idea.

34. Have you gone into the history of this matter before to-day?—No; but I should be sorry to believe there was anything like theft about it.

35. If it was not stolen how do you think Mr. Isitt got possession of it?—I do not know, unless the Returning Officers were under the same impression as myself and did not know what the law provides.

36. This was the paper that was taken on the morning of the election that I am speaking of?—I do not know anything about it. I have not heard of that till this moment.

37. You said you would not use the word "theft": I asked you, if it was not stolen, how do you account for Mr. Isitt having it?—I do not consider Mr. Isitt capable of theft.

38. But if it was stolen?—I should try to account for it in an honourable way.

39. Unless we can get some information as to where he got it we can only look upon it that he obtained it in a dishonourable manner?—I cannot say that.

*Mr. R. McKenzie:* You would not say he came by the voting-paper honourably if it is illegally in the possession of the person who handed it to Mr. Isitt?

40. *Hon. Mr. Hall-Jones.*] Are you aware that every Returning Officer in the colony is sworn in with a copy of the Licensing Act before him or in his hands?—I know they are all sworn in in some way, but I do not know the particulars.

41. *The Chairman.*] Did I understand you to say that you had acted as scrutineer?—I had acted as scrutineer at Ashburton in connection with the local-option poll.

42. Did you see what was done with the used and unused ballot-papers?—All those papers were sent from my booth to the Returning Officer.

43. What was done with them at your booth?—They were all packed up and sent to the Returning Officer for the district.

44. How were they packed up?—As far as I can remember they were packed up in an ordinary folded parcel, and tied round with string or tape.

45. But you were a scrutineer?—Yes.

46. And you did not scrutinize closely what was done?—Yes; I did what was required of me.

47. Did you not know that every paper was put in a packet, and the packet was tied up and sealed?—Yes; all that was done.

48. Then, you must have known that the used and unused voting-papers were treated in exactly the same way?—That was so in my booth.

49. Have you any reason to believe that your booth was conducted in any different way from every other booth in the colony?—No.

50. And, knowing that, you still suggested to Mr. Isitt that he should ask the various Returning Officers for used ballot-papers?—I never suggested that he should get used papers. Upon your statement now of the case, the suggestion would have been an absurd and useless one, if one had it in one's mind that none of the Returning Officers had any of these things in their possession, because they were all sealed up and sent away.

51. Is it not rather a suggestion that the Returning Officer should commit a crime or do a wrong?—A suggestion that that should happen never came from me.