

# HELSTON [84] (Cont.)

Election	Electors	Candidate	Party	Votes
1880	1,063	W.N.M. St. Aubyn A.W. Young	C L	466 429

## Petitions:—

1865: Void election

1866: The candidates had polled 153 votes each but the Returning Officer (who had voted for Campbell and was the father of Campbell's election agent) had given a casting vote to the Liberal candidate. A petition was lodged and the Committee decided that the Returning Officer had no right to a casting vote and should have returned both candidates. On scrutiny one vote was struck off Campbell's total and his election declared void. Brett declared duly elected. As a result of this case the House of Commons (July 26, 1866) resolved "that according to the law and usage of Parliament it is the duty of the sheriff or other returning officer in England, in the case of an equal number of votes being polled for two or more candidates at an election, to return all such candidates". The House decided to take no action against the Returning Officer who was the 75-year-old Mayor of Helston and said to be in poor health. He had failed to appear before the Committee hearing the petition but subsequently wrote to the Speaker claiming that he had consulted a legal textbook which indicated that he could give a casting vote.