

Mr. S. Locke.
20th July, 1876.

150. Have you any knowledge, Mr. Locke, which will enable the Committee to judge how far it was a matter of absolute necessity; or rather whether there was anything absolutely to prevent a poll being taken; or whether there was any amount of carelessness on the part of the Returning Officer?—I have not heard of any carelessness on the part of Mr. Campbell, junior. I understood that the reason of his absence from the polling-place was owing to there being a heavy flood at the time.

151. But we have two rather different accounts of this matter. One account attributes the delay to floods and another to an accident?—I think the accident was caused by Mr. Campbell, junior, being washed from his horse in crossing the river, and that he hurt his foot. That is the best of my information on the subject.

152. Practically, you consider that the flood did actually prevent the Returning Officer returning a poll at Kawakawa?—Yes, to the best of my belief and knowledge.

153. Have you any knowledge yourself, Mr. Locke, as to whether there would have been a large number of votes taken at Kawakawa?—I should judge so, as it is a thickly-populated district.

154. As regards the polling-place at Waiapu, can you tell us what took place there? There is nothing in your special return having reference to the polling at Waiapu, but we have had evidence before us which leads us to believe that something did take place there?—I received that information after sending in my return. I did not know it at the time of sending it in, but have since heard that Mr. Campbell, senior, took the return at Te Awanui, about eight miles from the advertised place—viz., Waiapu.

155. In the return of votes represented to have been taken at Waiapu, are you personally aware of any having been taken at Waiapu itself?—No. They must have been taken at Te Awanui.

156. Then no poll was taken at the authorized place at Waiapu?—No.

157. Can you give us any idea as to what was the cause of the irregularity?—None whatever. I have not seen Mr. Campbell since. Perhaps it may have been suggested that, as the Court House was there, that was the official place.

158. You have no knowledge as to any considerable number of persons who would have voted at Waiapu but who were prevented from voting in consequence of the poll being taken at Te Awanui?—I have not heard, except by a report that a great number of people congregated at Waiapu.

159. *Mr. Macandrew.* Are you Returning Officer for the Electoral District of Clive?—No.

160. For no other district?—For no other.

161. *Mr. Bastings.* You say you returned the writ as it came in?—Yes.

162. Did you indorse that writ upon your own judgment, or did you seek legal advice upon the subject?—I sought legal advice.

163. What legal advice was it?—I sought the advice of my lawyer in Napier, Mr. Carlyle; but he sought further advice at my suggestion from members of the legal profession in Auckland and Dunedin. I have the telegrams here if you would like to see them.

[The documents were read.]

164. *Mr. W. Wood.* I want to know how these proceedings were first instituted; what caused the writ to come in the way it did; and what caused proceedings being taken to prevent this person taking his seat?—In the first instance I applied to the Government, stating the case, and asking them to grant me legal advice. I received in answer a telegram stating the Solicitor-General could not offer any opinion on the matter, but I must act on my own responsibility. I then sought the legal advice I have mentioned, and was guided by it in the action which I took.

165. *Mr. Tole.* Do you know of your own knowledge whether the polling at other places in the Eastern Maori District was properly taken?—I have heard that there was some mess in the Bay of Plenty District; but I have received no report from Mr. Hamlin. All I know is, he applied to me, asking if he could have extra returning officers. My answer was Yes; but afterwards he asked for another deputy, and I then replied that he could not have any more.

166. What was the official name of the polling-place gazetted at the Bay of Plenty, where Mr. Hamlin asked for additional assistance?—He asked for additional officers for Maketu District.

167. What I want to know is, can you point out any one of those places where this poll was not properly taken, in your belief?—I fancy that Mr. Hamlin was not in the same place with the other Deputy Returning Officers. I understood they were in the same neighbourhood, but in different houses.

168. Was the poll taken at Ohinemutu?—Yes.

169. Do you know that a poll was taken at Parekarangi?—No; not that I am aware. I never heard.

170. *Mr. W. Wood.* Is Mr. Hamlin in Wellington now?—Not that I am aware of.

171. You have had no communication with him since?—No, I have not.

172. Do you know of any proceeding having been taken to prevent Karaitiana taking his seat in the House?—I know of none, except the petition handed in by Henare Potae and Major Ropata.

173. You know there was such a petition?—Yes, because it passed through my hands. It has been tabled in the House, I think.

174. Were you aware of this petition at the time it was being got up?—No.

175. Did it simply come through you as Returning Officer, and nothing beyond that?—Nothing beyond that.

176. Do you know anything of your own knowledge as to the persons who took an active part in getting up the petition?—I have not heard of any in particular. I suppose it would be the principal chiefs; the most active among them is Major Ropata.

177. You have not been among them much?—I have been at Poverty Bay, but I have not been in Waiapu since the election.

178. Does the petition emanate from Waiapu district?—Yes.

179. *Mr. Macandrew.* Were all the polling-places at which votes were taken advertised in the *Gazette*?—Yes, they were to the best of my belief.

180. Were all the polling-places at which votes were taken notified as polling-places in the