

1876.
NEW ZEALAND.

EASTERN MAORI ELECTION COMMITTEE,

(REPORTS OF THE, TOGETHER WITH MINUTES OF EVIDENCE.)

Reports brought up on 4th and 28th July, and ordered to be printed.

ORDERS OF REFERENCE.

(Extracts from the Journals of the House of Representatives.)

FRIDAY, THE 30TH DAY OF JUNE, 1876.

Ordered, That a Select Committee be appointed to inquire into and report as to the whole circumstances connected with the late election of a member for the Eastern Maori Electoral District. The Committee to consist of the Hon. Sir D. McLean, Mr. D. Reid, Hon. Mr. Stafford, Mr. Montgomery, Mr. Curtis, Mr. Lumsden, Mr. Williams, Mr. Tole, Mr. Bastings, Mr. W. Wood, Mr. Hunter, and the Mover. Such Committee to have power to call for persons and papers, and to report within one week; five to be a quorum.—(*Mr. Macandrew.*)

TUESDAY, THE 4TH DAY OF JULY, 1876.

Ordered, That the Interim Report received by the House from the Eastern Maori Election Committee be referred back to the Committee, to report whether any persons have been prevented from voting in the late election; and, if so, whether the number (if any) so prevented would have altered the votes given at the polling-places where the votes were taken. The Committee to report in one week.—(*Mr. Stout.*)

TUESDAY, THE 25TH DAY OF JULY, 1876.

Ordered, That the Petition of Henare Tomoana and others be referred to the Eastern Maori Election Committee.—(*Mr. Bryce.*)

INTERIM REPORT.

THE Select Committee appointed to inquire and report as to the whole circumstances connected with the late election of a member for the Eastern Maori Electoral District have the honor to report that they have agreed to the following resolutions:—

1. That this Committee is of opinion that, as no member has been returned for the Eastern Maori Electoral District, a fresh writ should be immediately issued, and an election held without delay.

2. That the Chairman make an Interim Report this day, and apply to the House for further time to make a final report.

Dated 4th July, 1876.

OSWALD CURTIS,
Chairman.

REPORT.

THE Select Committee on the Eastern Maori Election, to whom was referred back their Interim Report dated July 4th, to report whether any persons have been prevented from voting in the late election, and, if so, whether the number (if any) so prevented would have altered the votes given at the polling-places where the votes were taken, have the honor to report as follows:—

1. That this Committee, having considered the evidence produced before them, believe that Karaitiana Takamoana has been duly elected, and therefore recommend that he be allowed to take his seat in the House as the duly-elected member thereof for the Eastern Maori Electoral District.

2. That it appears that, owing to the polling-booth at Kawakawa not having been opened on the day of the poll, some of the electors have been prevented from voting; but, owing to the conflicting nature of the evidence, it is impossible to determine with certainty whether the result would have been altered: your Committee, however, are of opinion that it would not.

The evidence taken before the Committee is appended to this Report.

Dated 28th July, 1876.

OSWALD CURTIS,
Chairman.

MINUTES OF PROCEEDINGS.

MONDAY, 3RD JULY, 1876.

The Committee met pursuant to notice at 12 noon.

PRESENT :

Mr. Bastings, Mr. Curtis, Mr. Hunter, Mr. Lumsden, Mr. Macandrew,		Mr. Montgomery, Mr. Reid, Mr. Tole, Mr. Williams, Mr. W. Wood.
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The order of reference was read.

Resolved, on motion of Mr. Macandrew, That Mr. Curtis be appointed Chairman.

Notice of Motion.

Mr. Tole to move, That, until the allegations of the petitions may be fully determined, Karaitiana Takamoana take his seat in the House of Representatives as a member thereof.

Resolved, on motion of Mr. Macandrew, That this Committee do adjourn till to-morrow at 11 a.m. The Committee then adjourned.

TUESDAY, 4TH JULY, 1876.

The Committee met according to arrangement at 11 a.m.

PRESENT :

Mr. Curtis in the chair.

Mr. Bastings, Mr. Hunter, Mr. Lumsden, Hon. Sir D. McLean, Mr. Montgomery,		Mr. Reid, Hon. Mr. Stafford, Mr. Tole, Mr. Williams, Mr. W. Wood.
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The minutes of the previous meeting were read and confirmed. The writ, special return, and the petitions of Meiha Ropata, Wahawaha, and Henare Potae were read.

Mr. Tole moved, That, until the allegations of these petitions be finally determined, Karaitiana Takamoana take his seat in the House of Representatives as a member thereof.

The motion was negatived.

Resolved, on motion of the Hon. Sir D. McLean, That this Committee is of opinion that, as no member has been returned for the Eastern Maori Electoral District, a fresh writ should be issued immediately, and an election held without delay.

Resolved, on motion of Mr. Montgomery, That the Returning Officer and the Deputy Returning Officers at Waiapu and Kawakawa be summoned to give evidence before this Committee.

That the Returning Officer, and each such Deputy Returning Officer, be required to bring with him all instructions which he may have given or received, and all correspondence which may have taken place, respecting the election.

That the above-mentioned witnesses be required to be in attendance this day fortnight (July 18th).

Resolved, on motion of Mr. Montgomery, That the Chairman make an interim report this day to the House, and apply to the House for further time to make a final report.

The Committee then adjourned.

THURSDAY, 6TH JULY, 1876.

The Committee met pursuant to notice at 11 a.m.

PRESENT :

Mr. Hunter, Mr. Lumsden, Mr. Macandrew, Hon. Sir D. McLean, Mr. Montgomery,		Mr. Reid, Hon. Mr. Stafford, Mr. Tole, Mr. Williams, Mr. W. Wood.
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Resolved, on motion of the Hon. Sir D. McLean, That Mr. Montgomery be appointed Chairman for this meeting.

The minutes of the previous meeting were read and confirmed.

The following interim report to the House of the Committee was read:—

The Select Committee appointed to inquire and report as to the whole circumstances connected with the late election of a member for the Eastern Maori Electoral District, have the honor to report that they have agreed to the following resolutions:—

1. That this Committee is of opinion that, as no member has been returned for the Eastern Maori Electoral District, a fresh writ should be immediately issued, and an election held without delay.
2. That the Chairman make an interim report this day, and apply to the House for further time to make a final report. Dated July 4th, 1876.

The order of reference of the House of Representatives, dated July 4th, was read as follows:—

“Ordered, That the interim report received by the House from the Eastern Maori Election Committee be referred back to the Committee, to report whether any persons have been prevented from voting in the late election, and, if so, whether the number (if any) so prevented would have altered the votes given at the polling-places where the votes were taken. The Committee to report in one week. (On motion of Mr. Stout.)”

Resolved, on motion of the Hon. Sir D. McLean, That the Rev. Mohi Turei, the Hon. Mokena Kohere, Captain Russell, and Mr. Ormond be called upon to give evidence before the Committee.

Resolved, on motion of the Hon. E. W. Stafford, That the House be moved to request the Legislative Council to allow the Hon. Mokena Kohere to give evidence before this Committee.

Resolved, on motion of Mr. Tole, That Henare Potae, Henare Tomoana, and Karaitiana Takamoana be summoned to attend and give evidence before this Committee.

Resolved, on motion of the Hon. Sir D. McLean, That Meiha Ropata be summoned to give evidence before this Committee.

Resolved, on motion of Mr. Hunter, That the Chairman be requested to summon Mr. Ormond, Captain Russell, the Rev. Mohi Turei, and the Hon. Mokena Kohere to attend, to give evidence before this Committee at 11 a.m. to-morrow, July 7th.

Resolved, on motion of Mr. Hunter, That this Committee do adjourn till to-morrow at 11 a.m. The Committee then adjourned.

FRIDAY, 7TH JULY, 1876.

The Committee met according to arrangement at 11 a.m.

PRESENT :

Mr. Bastings,	Mr. Montgomery,
Mr. Lumsden,	Hon. Mr. Stafford,
Mr. Macandrew,	Mr. Tole,
Hon. Sir D. McLean,	Mr. Williams,
Mr. W. Wood.	

Resolved, on motion of Hon. Sir D. McLean, That Mr. Montgomery be appointed chairman for this meeting.

The minutes of the previous meeting were read and confirmed.

Rev. Mohi Turei attended and gave evidence.

Mr. Ormond, M.H.R., attended and gave evidence.

Captain Russell, M.H.R., attended and gave evidence.

The Committee then adjourned till Tuesday morning, 11th July, at 11 a.m.

TUESDAY, 11TH JULY, 1876.

The Committee met pursuant to notice at 11 a.m.

PRESENT :

Mr. Curtis in the chair.

Mr. Bastings,	Mr. Reid,
Mr. Macandrew,	Mr. Tole,
Hon. Sir D. McLean,	Mr. Williams,
Mr. Montgomery,	Mr. W. Wood.

The minutes of the previous meeting were read and confirmed.

Henare Tomoana attended and gave evidence.

Karaitiana Takamoana attended and gave evidence.

Hon. Mokena Kohere, M.L.C., attended and gave evidence.

The Committee then adjourned.

THURSDAY, 20TH JULY, 1876.

The Committee met pursuant to notice at 11 a.m.

PRESENT :

Mr. Curtis in the chair.

Mr. Bastings,	Hon. Sir D. McLean,
Mr. Lumsden,	Mr. Tole,
Mr. Macandrew,	Mr. Williams,
Mr. W. Wood.	

The minutes of the previous meeting were read and confirmed.

Telegrams from Captain Porter and Mrs. Campbell, relative to the arrival of witnesses, were read.

A telegram from Henare Matua to the Speaker of the House of Representatives was read.

Resolved, on motion of Mr. Tole, That Wiremu Wanoa, Native chief, now at Karamu, Napier, be at once summoned to attend and give evidence before this Committee.

Mr. Locke, Returning Officer, of the Eastern Maori Electoral District, attended and gave evidence.

A telegram to the witness from Henare Potae, and letters from Mr. J. H. Campbell and Mr. F. W. Campbell, Deputy Returning Officers, were submitted and read.

The correspondence between Mr. Carlisle, solicitor, and Messrs. Cook and Whitaker, barristers, relative to the Eastern Maori election, was submitted by the witness, and read.

The witness submitted all other papers relating to the Eastern Maori election in his possession.

Henare Tomoana attended and gave evidence.

The witness submitted a list of eighty voters stated to have been prepared to vote for Karaitiana Takamoana.

WEDNESDAY, 26TH JULY, 1875.

The Committee met pursuant to notice at 11 a.m.

PRESENT :

Mr. Curtis in the Chair.

Mr. Bastings,
Mr. Lumsden,
Mr. Macandrew,
Hon. Sir D. McLean,

Mr. Reid,
Hon. Mr. Stafford,
Mr. Tole,
Mr. Williams,

Mr. W. Wood.

The minutes of the previous meeting were read and confirmed.

The order of reference of the House of Representatives, dated 25th July, 1876, was read as follows :—

Ordered, That the petition of Henare Tomoana and others be referred to the Eastern Maori Election Committee.

The petition was read.

Mr. J. H. Campbell attended and gave evidence.

A letter and telegrams from Mr. Locke to the witness, as Deputy Returning Officer at Waipatu, were submitted and read.

Mr. F. W. Campbell, Deputy Returning Officer at Kawakawa, attended and gave evidence.

The Committee then adjourned till Thursday, 27th July, at 11 a.m.

THURSDAY, 27TH JULY, 1876.

The Committee met according to arrangement at 11 a.m.

PRESENT :

Mr. Curtis in the Chair.

Mr. Bastings,
Mr. Lumsden,
Mr. Macandrew,
Hon. Sir D. McLean,

Mr. Reid,
Hon. Mr. Stafford,
Mr. Tole,
Mr. Williams,

Mr. W. Wood.

The minutes of the previous meeting were read and confirmed.

Mr. Tole moved, That this Committee, having considered the evidence produced before them, believe that Karaitiana Takamoana has been duly elected, and therefore recommend that he be allowed to take his seat in the House as the duly elected member thereof for the Eastern Maori Electoral District.

The Hon. Mr. Stafford moved, as an amendment, That, in the opinion of the Committee, the electors who were debarred from exercising their powers of voting at Kawakawa, owing to the non-attendance of the Deputy Returning Officer at that place, should be enabled to record their votes by a poll being taken there with as little delay as possible; the result of the polling being added to the polls taken at the other polling places.

The amendment was negatived.

The resolution proposed by Mr. Tole was agreed to.

Mr. Reid moved, That it appears that, owing to the polling booth at Kawakawa not having been opened on the day of the poll, some of the electors have been prevented from voting; but, owing to the conflicting nature of the evidence, it is impossible to determine with certainty whether the result would have been altered. Your Committee are of opinion that it would not.

The Hon. Mr. Stafford moved, as an amendment, To strike out all the words after the word "altered."

The question being put, the Committee divided :—

Ayes, 3.—Hon. Sir D. McLean, Hon. Mr. Stafford, Mr. Williams.

Noes, 6.—Mr. Bastings, Mr. Lumsden, Mr. Macandrew, Mr. Reid, Mr. Tole, Mr. W. Wood.

Amendment negatived.

The resolution was agreed to as proposed by Mr. Reid.

Resolved, on motion of Mr. Reid, That these resolutions be reported to the House, with the evidence taken before the Committee appended, to-morrow.

Resolved, on motion of Mr. Macandrew, That this Committee do adjourn till Friday, 28th July, at 11 a.m.

The Committee then adjourned.

FRIDAY, 28TH JULY, 1876.

The Committee met according to arrangement at 11 a.m.

PRESENT :

Mr. Curtis in the Chair.

Mr. Bastings,
Mr. Lumsden,
Mr. Macandrew,
Hon. Sir D. McLean,
Mr. Montgomery,

Mr. Reid,
Hon. Mr. Stafford,
Mr. Tole,
Mr. Williams,
Mr. W. Wood.

The minutes of the previous meeting were read and confirmed.

Henare Potae attended and gave evidence.

Wiremu Wanoa attended and gave evidence.

Meiha Ropata attended and gave evidence.

Mr. Sheehan, M.H.R., attended and gave evidence.

The Committee then adjourned.

MINUTES OF EVIDENCE.

FRIDAY, 7TH JULY, 1876.

The Rev. MOHI TUREI, being in attendance, was examined as follows :—

Rev. Mohi Turei.

7 July, 1876.

1. *The Chairman.*] It appears that the Returning Officer for the Eastern Maori District did not take a poll at one of the polling-places. The place mentioned is Kawakawa. Do you know anything of the matter? Do you know of your own knowledge whether a poll was taken or not?—There was no poll taken at Kawakawa.

2. Are you aware, from your own knowledge, whether many electors might or would have recorded their votes at that polling-place had a poll been taken?—Yes, there would have been a great many votes polled there.

3. What number do you estimate?—There are 350 people resident in that place.

4. Do you think that all these 350 people, or the greater proportion of them, might have polled?—They would have voted—all of them, I think.

5. Have you any knowledge of the manner in which these men were likely to have voted had there been a polling-place? For what candidate would they probably have voted?—Hotene Porourangi.

6. Is there any other information you would like to give touching this matter?—Yes; I have something to say about the polling-place at Waiapu. If a poll had been taken there, there would have been a great number of votes polled there.

7. Was any polling-place proclaimed at that place by the *Gazette*?—Yes, the school-house at Waiapu was proclaimed a polling-place.

8. Was no poll taken there?—No, there was no poll taken there. It was taken at Te Awanui.

9. To what extent do you think the change of this polling-place influenced the election, and how?—There would have been a great number of votes polled at the proper place. There are 200 of us in the settlement who did not go to this place, Te Awanui, where the poll was taken. We should all have voted at Waiapu.

10. Do you know, or have you a decided opinion, as to the way in which the 200 persons, or the majority of them, would have voted? For what candidate would they have voted?—The 200 were ourselves. Other sections of the tribe would also have voted at Waiapu.

11. But for which candidate would they have voted?—The votes would have been divided; some would have voted for Karaitiana, but the majority would have been for Hotene. At any rate, 200 of us would have voted for him.

12. Is there anything else you wish to say?—I wish to make a suggestion if you will listen to it. I would suggest, if a fresh election takes place, that there should be three polling-places—one at Akuaku, at Waioamatatini Court House, and the other one at Kawakawa.

13. Are you a voter?—Yes; and would have voted. I did not vote at this election.

14. Why did you not vote?—Because the polling was not held at the proper place, Waiapu; because the weather was very bad; and because my wife was ill and I did not like to leave her. I should have gone to Waiapu though.

15. *Mr. Macandrew.*] Did any electors present themselves at these places, Waiapu and Kawakawa, to record their votes?—The people were all ready to vote. They had assembled to go to Waiapu, but we heard there was no poll there.

16. And at the other place?—I was not present, and therefore cannot say of my own knowledge. It was twenty miles away.

17. Have you been there since the election?—No, I have not been there.

18. What is your impression as to the number who would have voted for Hotene?—I dare say 300 would have voted for Hotene. A list of those who were going to vote for him was made at Kawakawa.

19. *Mr. Tole.*] Have you seen the list or roll of voters for this district?—The list made out was a private list made out before the poll was taken. It was a list of our own. Mr. Campbell has that list now.

20. Were all on the list voters?—Yes, they were all voters.

21. Who prepared the list?—Hoani Ngatai wrote it out.

22. Was the list in his handwriting?—No; he got the people to sign their names. He was engaged for two weeks going about with this list, getting people to sign it.

23. Was it a requisition then?—It was a list of names in two columns, headed "List of Persons who are going to vote for," "Hotene" being placed at the top of one column, and "Karaitiana" at the top of the other column.

24. For whom did Hoani Ngatai vote?—I don't know how he voted. He was supporting Hotene.

25. How many were there on the list?—Three hundred and fifty.

26. Do you think all those or a great proportion of them would have voted had the poll been held at Kawakawa?—Yes, and others beside.

27. *Mr. Williams.*] Where was the Court House at Waiapu—on which side of the river?—On the north side.

28. Is that the side where the Natives all are?—There are more on the south side; but those on the south side are some distance from Waiapu.

29. But I mean the people in the immediate vicinity of Waiapu?—The bulk of residents at Waiapu proper reside on the north side of the river.

30. Were these people whose names you have spoken of present on the day of the poll?—They were all ready to vote, but not all absolutely at the polling-place. They were going, and were on their way, when they were told that Mr. Campbell had gone across the river. A good many were present at the polling-place.

Rev. Mohi Turei.

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31. *Hon. Mr. Stafford.*] Could the electors at Kawakawa have got to the polling-place had there been a poll taken there?—A good many would have been able to vote, but a good many would have been prevented by the same cause which prevented the Returning Officer from being there—the floods.

32. *Mr. W. Wood.*] What number of voters are there in the two districts, Waiapu and Kawakawa?—About 500 of us. Probably more; but 500 will be within the mark. There are sixteen pas, in each of which the people are numerous.

33. Do they all belong to the same tribe?—They are all Ngatiporou.

34. Did any of them vote at any other polling-place at this election?—No.

35. Do people of the Maori race mostly vote as in a "block" vote—do the people of each tribe vote for the candidate belonging to their own tribe?—They would be inclined to vote for one of their own tribe, in order to obtain whatever benefits there might be to be obtained, the same as you Europeans do.

36. Were any of the candidates of your tribe?—Hotene. He was nominated at Napier by two Ngatiporou.

37. To which tribe do you belong?—I belong to the Ngatiporou, or rather a subdivision of it.

Mr. Ormond.

7 July, 1876.

J. D. ORMOND, Esq., M.H.R., being in attendance, was examined as follows:—

38. *The Chairman.*] Do you know the localities on the East Coast in which the polling for this East Coast election took place?—Yes; I know the district very well.

39. Do you know those districts for which it is said by the Returning Officer no poll was taken?—Yes, I know it by description. I have never been there.

40. Kawakawa?—Yes.

41. Then you have no personal knowledge of it yourself?—I have never been in the place, but for a long time I have had a great deal to do with the district officially.

42. You are aware that there was a failure to hold a poll at Kawakawa?—Yes.

43. Have you any knowledge of the number of men who were likely to have voted there, had a poll been held?—I can say this: that Kawakawa is one of the largest settlements of the Ngatiporou tribe; and as far as my recollection carries me, in time of war we generally got a contribution from them of something like three hundred men—that is from this place, Kawakawa.

44. How many do you suppose would have recorded their votes had there been a poll there?—I do not know that I can tell you that with any absolute certainty. From what I have heard, and from what I know of the district, I should think probably about three or four hundred. I dare say there might have been a great many more.

45. Have you any knowledge or decided belief of the manner or for whom these men would have voted?—The whole contest on the East Coast was a tribal contest: that is to say, the Natives of the Ngatikahungu tribe would have plumped for Karaitiana, and those belonging to the Ngatiporou tribe would undoubtedly have given a plump vote for Hotene, their candidate. In the case of the Arawas it would have been rather different. The votes would have been divided. There were two Arawa candidates, and each of them would have polled an equal or nearly equal number of votes.

46. There were four candidates: which of the four do you think would have secured the votes at Kawakawa?—Hotene would have got the plump vote of the Ngatiporou, I have no doubt.

47. Do you think that the flood which prevented the polling being held would have prevented many of those persons recording their votes had a poll been taken?—I cannot say with any certainty. From what I have heard, my impression is that it would not.

48. Is there anything else you wish to communicate to the Committee?—I have heard, and believe it so, that another polling-place, that at the Waiapu, where there are a large number of the Ngatiporou living, was also passed over and no poll held.

49. How would they have voted?—For Hotene.

50. What is the distance from Napier to Kawakawa?—About 150 miles.

51. *Hon. Mr. Stafford.*] To which tribes do the four candidates respectively belong?—Karaitiana to Ngatikahungu; Mita Hikairo to Arawa; Kepa Rangepuawhe to Arawa; Hotene Porourangi to Ngatiporou. With respect to the polling-place at Waiapu, I should like to state that from what has come to my knowledge I believe the failure to hold a poll there occurred in this way. Mr. Campbell, the Resident Magistrate, should have held the poll at the school-house, Waiapu. That was the appointed polling-place. I do not know whether the poll was opened in the morning or not; at any rate there appear to have been some votes recorded there; but whether that was done in the morning or not I am not aware. But, as I am informed, Mr. Campbell, desiring to get as complete a poll in that part of the district as he could, went eight or nine miles away to a place called Te Awanui, with the intention of getting the people to vote. He got across the river, and the flood coming down suddenly he was unable to get back. Probably he took the votes where he was.

52. *Mr. W. Wood.*] You live at Napier?—Yes.

53. Do you know how far from Napier the district in question is?—About 150 miles to Kawakawa. The other place, Waiapu, is nearer.

54. All that you have said is merely from hearsay?—Yes, I have not absolutely been at these places, but I have had a large connection with all the districts, and know a good deal about them, and, having had to do with East Coast affairs for a considerable time, know, I might say, every chief in the district and his following.

55. The occurrences at the election you merely know of by hearsay?—Yes. But I have seen the petitions that came down from the Natives; and have also seen the Returning Officer, from whom I gleaned the facts. Even the evidence of the Returning Officer would be hearsay evidence. The only direct evidence you could get is that of Mr. Campbell, or the Natives who were present at the time of the occurrences.

56. *Mr. Macandrew.*] Were all the places at which votes were recorded gazetted polling-places?—Yes; I believe so. At the time the Returning Officer made out the lists, he showed me the places he was going to recommend as polling-places, and I said I thought they would do.

Captain RUSSELL, M.H.R., being in attendance, was examined as follows:—

Capt. Russell.

57. *The Chairman.*] Do you know the East Coast, where this election was held, pretty well?—Yes; I know one portion of it.

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58. Do you know Kawakawa?—I know it by repute. I have not been there.

59. It is reported by the Returning Officer that no poll was taken there. Had a poll been taken, do you think many votes would have been given?—I can't say with any authority. I know the Ngati-porou is one of the most powerful and numerous tribes on the East Coast, or in New Zealand. In time of war, they always brought a large number of men into the field. This is one of their strongholds, and I believe they would have voted as one man for Hotene.

60. Do you know anything further touching this matter that you wish to state to the Committee?—I cannot state anything to the Committee of my own knowledge. I might repeat vague rumours, but I don't know that they would really affect the matter in any way.

The Committee adjourned till Tuesday next, at 11 o'clock.

TUESDAY, 11th JULY, 1876.

HENARE TOMOANA, being in attendance, was examined as follows:—

Henare Tomoana.

61. *The Chairman.*] Do you recollect an election for the Eastern Maori Electoral District taking place?—Yes. 11 July, 1876.

62. Did you vote at it yourself?—Yes.

63. At what polling-place?—I voted at Te Awanui.

64. Do you know anything of what took place at Kawakawa?—I believe no poll was taken there.

65. Do you know why?—I do not.

66. If the poll had been taken there, would there have been a number of votes given there?—Yes.

67. Can you tell us how many would have been given?—I cannot tell.

68. Would it have been a large number such as one or two or three hundred?—I do not think it would have reached two or three hundred.

69. Do you know anything of what took place at the polling-place at Waiapu?—I know what was done there.

70. Was a poll taken at Waiapu?—The poll was not taken at Waiapu. It was taken at Te Awanui.

71. Do you think many more votes would have been given if the poll had been taken at Waiapu?—I do not know. I should like to make a statement. I want to know whether I am the last witness, and whether Mr. Campbell is to be called. [Witness was informed by the Chairman that he was not the last witness, and that very probably Mr. Campbell would give evidence.] I should like to be present when Mr. Campbell gives his evidence.

72. Why do you wish to be present when Mr. Campbell gives his evidence, and why did you ask whether you were the last witness?—Because, when Mr. Campbell took the names, and I voted for Karaitiana, and it was asked that votes might be recorded on behalf of others who were away, I said "No one ought to be allowed to vote unless he was present." Mr. Campbell said I was right. I said I would take further action—legal action—if the officer in charge of the poll took the votes of any persons except those who were at Te Awanui. Mr. Campbell said the only persons entitled to vote were the persons who came to Te Awanui polling-place. I wish to ask these questions of Mr. Campbell. That is why I wish to be present.

[The Committee decided to consider the request.]

73. *Mr. Tole.*] In your opinion what proportion of the voters would have voted, or rather, if a poll had been taken, how do you suppose they would have voted—for what candidate?—I can only say about how many would have voted for Karaitiana. I do not know how many would have voted for Hotene.

74. What would have been the proportion?—I cannot tell. I only know those who would have voted for Karaitiana.

75. Well, how many would have voted for Karaitiana?—Eighty.

76. That was at the polling-place where no poll was taken?—Yes.

77. *Mr. Macandrew.*] Have you no idea how many persons would have voted for the other candidates?—No.

78. *Mr. Montgomery.*] How do you arrive at the opinion that eighty would have voted for Karaitiana?—They sent me down their names.

79. *Mr. Bastings.*] Where were you at the time of the election—that is, on the day of the election?—I was at Te Awanui.

80. How far is that from where the poll should have been taken, Waiapu?—It is further than from here to the Hutt. I cannot exactly mention the distance. It is a good deal further than the Hutt.

81. *Mr. Montgomery.*] Has Mr. Campbell the list you speak of?—No, I have it. It is at my lodgings.

[Witness directed to produce the list next sitting day.]

82. *Mr. Macandrew.*] When did you get this list—before or after the polling-day?—It was sent to me subsequently to the polling-day. They sent it down to me, and explained that owing to the weather they were unable to get to the place to record their votes for Karaitiana.

83. *Mr. Tole.*] Where was Mohi Turei on the day of the polling?—I did not see him. He did not come to Te Awanui. He was on the other side of the river.

84. *Mr. Williams.*] Do you know whether the votes stated to have been given at the Waiapu polling-place were given at Te Awanui?—They were the votes of the persons who attended to give their votes. They voted at Te Awanui, and not at Waiapu.

*Karaitiana
Takamoana.*

11 July, 1876.

KARAITIANA TAKAMOANA was called and examined.

85. *The Chairman.*] You were at the East Coast during the election?—I was at Napier.
86. Do you know what occurred at Kawakawa?—I heard of something that took place.
87. Will you tell us what you heard?—I heard there was no poll taken there. I also heard that the officer took no poll at Waiapu.
88. And that he took one at Te Awanui instead?—Yes.
89. Do you know why no poll was taken at Kawakawa?—I do not know the reason.
90. Supposing that a poll had been taken there, do you think that a large number of persons would have voted there?—It is a large place. There is a large population; but I do not know the number.
91. Are there 500?—I do not see how 500 could be accommodated there.
92. Do you know whether a poll was taken at Waiapu?—I heard that Mr. Campbell left 100 voters at the school-house, Waiapu, and went up to Te Awanui.
93. Do you know what reason he had for that?—I do not know. Those who were there—Henare and others—would be able to state the reason.
94. *Mr. W. Wood.*] Were these 100 voters, left behind by Mr. Campbell, thus deprived of their right to vote?—They were there for the purpose of voting, and did not go to Te Awanui.
95. Then, by his going away, he prevented them from voting?—It was through his going away that they were not able to vote. He did not intimate that he was going to Te Awanui.
96. *The Chairman.*] How far is the school-house at Waiapu away from where the votes were taken at Te Awanui?—It would be a little further than from here to the Hutt.
97. *Hon. Sir D. McLean.*] About twelve miles?—Yes.
98. *Mr. W. Wood.*] Which way would the 100 men you speak of, or a majority of them, have voted?—I do not know. Only the people up there could tell that.
99. *Mr. Tole.*] Do you know the man who sent in this petition to the House—Henare Potae?—Yes; I saw him at Napier.
100. Did he give any reason why he sent in this petition?—No. Mr. Locke, the Returning Officer, sent me a copy of the petition.
101. Did Henare Potae write this petition himself, or did some one write it for him? Do you know if any one influenced him in sending the petition?—I do not know that he was influenced in the matter. He had intended to come down to Napier himself and be nominated with Hotene, but did not get his passage down, and withdrew from being nominated.
102. Have you had any other conversation with him in reference to this election?—There was a conversation between him and myself at Napier. I asked him what he had come down for. He said he had been invited to come there by Sir Donald McLean. I said, "Have you had any conversation with Sir Donald McLean as to the reason why you came here?" He said, "No." I said, "Perhaps the reason you came here is that you wish Kepa's votes to be handed over to you, or yours to Kepa?" He said, "I do not know anything about it." I asked him if Sir Donald McLean was advising that. He said, "We have had no interview with Sir Donald McLean." I said, "Do not come to any agreement of that kind, because your votes will stand no show against mine."
103. There was no conversation, then, about the petition?—He said he had not yet had an interview with Sir Donald McLean. I said, "Do not agree if he proposes to have a fresh election, or if he says it would be right to have a fresh election."
104. Did you see him after the interview with Sir Donald McLean?—No; he did not tell me what took place. He was two days there. I saw him on two different days at Napier, but he went away without telling me anything that might have taken place.
105. Did he say Sir Donald McLean had asked him to petition?—No; not at all.

*Hon. Mokena
Kohere*

11 July, 1876.

The Hon. MOKENA KOHERE, M.L.C., being in attendance, was examined, as follows:—

106. *The Chairman.*] Are you aware that no poll was taken at Kawakawa during the last election?—There was no poll taken at Kawakawa. I was there on the day appointed for taking the poll.
107. Why was the poll not taken?—It was owing to the flood in the river.
108. Can you tell the Committee, or give the Committee any idea as to what number of persons would have been likely to vote, if the poll had been taken there?—About 250. That is the number of the persons at Kawakawa.
109. How many are there in places adjoining Kawakawa who would have been likely to come to vote at the Kawakawa polling-place?—About 120 from the three settlements on one side of Kawakawa, and about 150 from the other side.
110. *Mr. Williams.*] Then how many do you think would have voted at Kawakawa altogether?—About 400. I have seen 400 assemble.
111. Do you mean 400 according to the Maori way of counting or according to the European counting?—400 as the Europeans count.
112. *The Chairman.*] Are you giving us the number of people entitled to vote, or the whole population?—I only give the number of people entitled to vote.
113. *Mr. W. Wood.*] On a former occasion what proportion of the men voted?—We did not vote at the previous election when Karaitiana was elected.
114. *Mr. Macandrew.*] Has there never been a poll at that place previously?—There has been no voting at Kawakawa before this.
115. *The Chairman.*] Do you know anything of the voting at Waiapu?—The trouble at Waiapu was caused by Mr. Campbell going to Te Awanui.
116. Do you think the whole of the 400 at Kawakawa would have voted, if the poll had been held?—Yes.
117. And how would they have voted?—They would all have voted for Hotene, because he was the only Ngatiporou candidate.

118. *The Chairman.*] Do you think all would have voted for Hotene?—Yes, except the people of Maraetai, of whom there are ten. *Hon. Mokena Kohere.*
119. Can you tell us how many were prevented from voting at Waiapu through the change in the polling-place?—I do not know. A good many people were prevented from going to vote at Te Awanui because of the floods. 11th July, 1876.
120. Then the floods would have prevented a good many from voting at Waiapu if the poll had been held there?—Some on one side of the river would not have been able to vote on account of the floods.
121. But more could have voted at Waiapu than could have voted at Te Awanui in any case?—Yes.
122. The change in the polling-place prevented a good many people from voting?—Yes; Henare Tomoana and others went after the Returning Officer.
123. *Mr. Macandrew.*] You were present at Kawakawa on the day of the poll. How many electors came to the poll on that day?—No one came, as they had received intimation that the poll was not to take place. Mr. Campbell did not come.
124. The poll was from nine to four o'clock. At what time did they ascertain that Mr. Campbell would not be there?—Just before the poll was to have closed.
125. *Mr. Tole.*] You were there?—Yes; I live at Kawakawa.
126. *Mr. Bastings.*] Were there any indications the preceding night that there would be a flood?—The country had been flooded for a long time: ever since the previous October.
127. *Mr. W. Wood.*] Do you live near the polling-place?—The school-house at Kawakawa is near my house.
128. *Mr. Macandrew.*] Who gave the intelligence that the Returning Officer was not at the polling-place?—We understood that he was to be there, but was prevented by the floods.
129. Then was it taken for granted that he was not there—that he could not be there?—He sent Hoani Ngatai up to take a list.
130. The Returning Officer sent him?—He sent him up to take the names of the people, but he only got as far as a certain place, and the flood stopped him.
131. Was that before the polling?—It was subsequent to the polling-day.
132. Did the Returning Officer do that for the purpose of recording their votes?—I do not know.
133. *Mr. Macandrew.*] When did the people make up their minds that there could be no poll that day?—At the time of the closing of the poll—near four o'clock I mean. We then made up our minds that there would be no poll.
134. *Mr. Williams.*] Were you expecting the day before that there would be a poll?—Yes; we were expecting the officer to come up and take a poll.
135. Did the people go to the polling-place on the polling-day to meet the Returning Officer?—The people were all collected and ready to go. They were waiting to go to the poll. They had assembled the previous day.
136. Supposing Mr. Campbell had arrived on the day of the poll, could the people have been communicated with in time to allow of their being at the poll?—Yes; if we had sent up, the people would have been down in time to vote.
137. What is the distance you would have had to have sent?—A good distance, and a very rough road.
138. Was it twenty miles?—I do not know.
139. *Mr. W. Wood.*] Were any persons at Kawakawa during the day?—Yes; a large number of people were there, with their wives and children.
140. That was from the districts around?—Yes.
141. *Mr. Macandrew.*] How many were there at Kawakawa?—About 200.
142. What were they doing there?—Waiting for Mr. Campbell to come. They had assembled the day before.
143. *The Chairman.*] Have you heard of any list being made out of those persons going to vote for Karaitiana?—I did not hear of any list. But I know Henare Tomoana went up the district.
144. Canvassing?—Yes.
145. *Hon. Sir D. McLean.*] How many of those assembled at Kawakawa would have voted for Hotene, and how many for Karaitiana, had votes been taken?—They would all have voted for Hotene, except the ten I have referred to.
- The Committee then adjourned.

THURSDAY, 20th JULY, 1876.

Mr. S. LOCKE, being in attendance, was examined as follows:—

146. *The Chairman.*] You were the Returning Officer at the last election for the Eastern Maori Electoral District?—Yes. *Mr. S. Locke.*
147. You indorsed the writ with a special return?—Yes. 20th July, 1876.
148. Was it a fact that no returns were received from Kawakawa?—Yes; it was indorsed on the back of the writ.
149. Can you give the Committee any information in addition to that conveyed officially, as to the reason why there was no return from that district?—I only know what was reported—that Mr. Campbell, junior, was prevented from attending in consequence of meeting with an accident. It was reported that he had fallen from his horse and was laid up. [The reports furnished by Mr. Campbell, senior, and Mr. Campbell, junior, were produced and read; they were dated 12th February. Also, telegram from Henare Potae, dated 22nd January, and extract from a letter from Mr. Campbell, senior, to same effect.]

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

Gazette?—Awanui was not. I have heard that the Returning Officer there did not take the votes in the same place as gazetted. Mr. S. Locke.

181. There are a certain number of polling-places notified in the *Gazette*. Were there any more at which votes were taken?—In the Bay of Plenty there may have been; but it might have been in the same pa. 20th July, 1876.

182. Supposing twenty polling-places were notified in the *Gazette*, and votes were taken at twenty-two polling places?—It was never represented to me in that light.

183. *Mr. Bastings.*] What I have understood is, that votes were taken at one place not mentioned in the official *Gazette*?—Yes. That is so; at Awanui. I also granted assistance in the shape of allowing the appointment of two additional Deputy Returning Officers in Maketu district, and at the same time Mr. Hamlin asked me whether he could delay the voting a second day, so as to go on from one day to another. I telegraphed to the effect that he must close the poll on the 15th.

184. *Mr. Macandrew.*] I do not know whether this is a pertinent question, but I presume I may put it. Suppose you had been Returning Officer for the District of Clive, in which there were a number of polling-places, and some question as to the return of the poll was to be raised at one of these places, would you take the same course with regard to the return of the writ?—Yes, I should.

185. *Mr. Tole.*] Have you got the returns made up by the Deputy Returning Officers?—I can get them.

186. Does Mr. Campbell, in his return to you, mention the name of Waiapu or Awanui?—He mentions Waiapu, not Awanui.

187. *Mr. W. Wood.*] Have you had any explanation as to why he took the votes at one place, and not at the gazetted place?—I have had no communications with him. I had no occasion to do so on the subject since the election.

188. *Mr. Tole.*] Have you any personal knowledge of Kawakawa?—Yes.

189. Do you know anything of the number of the population?—I should think they ought to muster three or four hundred men in the neighbourhood.

190. What proportion of these would vote for Karaitiana?—I cannot tell.

191. *Mr. W. Wood.*] Was the *Gazette* circulated in the district, and the polling-places advertised in the Maori language?—Yes; it was advertised in Maori in four different ways—in the *Waka Maori* and other publications.

192. Do you read Maori?—I can.

193. Did you notice in that Maori paper an advertisement as to what return was made for that election?—The Natives were informed by me that a special return had been made.

194. My reason for asking that question was, that I was informed by a person who reads Maori that it was officially advertised Karaitiana had been returned?—I have heard of a paragraph in the *Waka Maori* to that effect, but it was not official.

195. *Hon. Sir D. McLean.*] It would be in a local.

HENARE TOMOANA, being in attendance, was re-examined as follows:—

Henare Tomoana.

196. *The Chairman.*] When you were before the Committee on the last occasion of its meeting, you said you had a paper sent to you by a number of electors at Kawakawa, stating that they would vote for one of the candidates?—Yes. 20th July, 1876.

(Paper produced, and translated as follows:—"These are the persons who would vote for Karaitiana, dated 19th January," the names following.)

197. What is this? (A piece of paper enclosed in the one just read.)—These are the names of Natives who would vote for Karaitiana, but they are included in the other list. They sent me this last after I came from Napier.

198. *The Chairman.*] This document is dated four days after the election took place.

199. *Mr. Tole.*] But he got this paper before the date on it?—No; I received the paper after the date upon it.

200. Did you speak to these people before the 19th January?—Yes, I did.

201. Had you got the consent of the Natives mentioned to vote for Karaitiana?—Yes.

202. Who made out that last paper?—It was sent to me under cover. I recognize the handwriting.

203. *Mr. Bastings.*] Is it in the handwriting of a Native chief?—Yes.

204. *Mr. Williams.*] Does this last paper represent the names of Natives who would have voted for Karaitiana in the district?—Yes.

205. Are the names on the small list included in those on the long one?—Yes.

206. But on one list it says, "These are the men who would vote for Karaitiana," and on the other it says, "These are the men who have voted for Karaitiana"?—I was at Waiapu when the small list was made out, and the Natives said they had voted for Karaitiana because they had previously signified their intention of voting for him.

207. Did any of these men stated to have voted for Karaitiana vote at Te Awanui?—No.

208. *Mr. Tole.*] Did you hear anything about the voting at Ohinemutu?—I did not hear anything.

209. Do you know a place called Parekarangi?—Yes.

210. Was there any voting there that he knows?—I have heard that there was a polling-place there.

211. *Mr. Wood.*] Do you know anything directly referring to this election which has not yet come out?—Yes; I will state my opinion of what prevented the election at Kawakawa. The election was commenced before the polling-day, the names of the Natives having been already taken down. Before the 15th of January they had held a kind of preliminary election at the school-house at Waiapu. It was held there by Mr. Campbell. On that date these Natives had put all their names down. And this, in my opinion, is why the Returning Officer did not come to Kawakawa, and that Mr. Campbell employed the 15th day to legalize the election—a sort of form.

Henare Tomoana.
20th July, 1876.

212. They had virtually performed the election before the time?—Yes. As to the excuse of there being floods and so on, it was not the real cause. Mr. J. H. Campbell gave a Native £5 to go round and get the signatures of the Natives.

213. *Mr. Tole.*] Did that Native vote?—He did.

214. Was he a friend of Karaitiana, do you know?—No, he was a friend of Mr. Campbell.

Witness then continued his statement: I left Waiapu on the 12th, and the Natives told me they had already voted. I told the people there—the Ngatiporous—that only those votes would be legal which were given on the 15th; and if Mr. Campbell sent in the names of those persons who had voted previously they could take action and shut them out. There was no flood to prevent the men coming to the polling-place. The day he should have come there was the 14th, and there was no flood on that date.

This concluded the evidence.

WEDNESDAY, 26th JULY, 1876.

Mr. J. H. Campbell.
26th July, 1876.

J. H. CAMPBELL, being in attendance, was examined as follows:—

215. *The Chairman.*] You are a Resident Magistrate, I think, and acted as Deputy Returning Officer at the late Eastern Maori District election?—I did.

216. Can you produce the instructions you received from the Chief Returning Officer?—Yes. (The paper containing the instructions referred to was produced and read.)

217. Is there any other correspondence which arose previous to this?—Only two or three telegrams I received from Mr. Locke, I think previous to his giving me the instructions. (The telegrams were read.)

218. Was this all that passed between you and the Chief Returning Officer before the election?—Yes, excepting that he sent up a notice inserted in the *Waka Maori* announcing the election.

219. I believe the poll took place on the 15th January?—Yes.

220. What was the advertised polling-place for the district to which you were appointed Returning Officer?—The school-house at Waiapu.

221. Did you open the poll in the usual way?—No, unfortunately in the hurry of the moment, for I had many things to attend to, I completely overlooked the fact of its being the school-house. I took it for granted that it was at the Court House the poll should be taken, that being the place at which all public meetings were held. The contrary never occurred to me. Therefore when the polling-day came I proceeded to Te Awanui.

222. What is the distance between the school-house at Waiapu and the Court House at Te Awanui?—Four miles.

223. Was any objection raised by the Natives to the poll being taken at Te Awanui?—I am not aware that there was any objection. The only thing I remember is, that in proceeding to Te Awanui I met Tomoana, and he made the remark to me, "I thought the poll was to be taken at the school-house." Until then I had no doubt that it was to be at the Court House.

224. You make a return of some forty or fifty?—Between forty and fifty.

225. Were these taken at the Court House at Te Awanui?—Yes.

226. Were no votes taken at the Waiapu School-house?—No.

227. *Mr. Tole.*] It was, you say, an oversight on your part?—Altogether I took it for granted that the poll was to be taken at the Court House. I was so very much occupied at the time, that I omitted to look closely enough to see that the school-house was specially mentioned. I took it for granted that it was the Court House, the place where the people generally met on special occasions. Moreover, there are a larger number of Natives on that side of the river.

228. There was no other cause except those you have mentioned?—No other. The course I took cost me a longer trip, and in consequence of the floods I was detained for over ten days.

229. *Hon. Sir D. McLean.*] At that particular time?—Yes.

230. *Mr. Tole.*] When were these floods?—They commenced on the 15th of January, at about daylight in the morning. When I proceeded to Te Awanui the river had risen very rapidly, and the floods continued for three or four days or a week afterwards.

231. On the day before was there any rain?—It rained slightly during the night. It rained very much on the mountains, but not with such great force as it did on the following day.

232. *Mr. D. Reid.*] What time in the morning might it be when you left home?—I left home about 9 o'clock.

233. Did you hear afterwards whether any Natives presented themselves to vote at the school-house?—I did not hear, in consequence, I suppose, of my being kept at Te Awanui for ten days owing to the floods.

234. Were many votes polled at the Court House?—About forty-three altogether.

235. If the poll had been taken at the proper place (in the school-house), do you think those who voted at the Court House would have recorded their votes on that day?—I am not sure as to that, whether we should have had as many, because there are comparatively few Natives on the Waiapu side of the river.

236. *Hon. Sir D. McLean.*] Do you include Waiomatatini?—Yes, and the inland settlements.

237. There are no Natives actually resident at Te Awanui?—The Natives live immediately behind there; but that is the place where most of them generally meet.

238. *Mr. D. Reid.*] Can you form any opinion as to what would have been the result—whether there have been as many votes recorded in that district, the poll having been taken at the Court House, as there would have been had it been held at the school-house?—I cannot positively say what the difference might have been.

239. But you can give your own opinion?—Had the weather been fine no doubt there would have been more, as it was necessary for a great many of the Natives to cross the river, and some of them might have been deterred from crossing.

240. Does that imply that more would have voted at the Court House or school-house?—I think *Mr. J. H. Campbell* probably more would have voted at the Court House.

241. *Mr. Lumsden.*] What was the advertised hour at which the poll was to take place?—At 10 o'clock. 26th July, 1876.

242. How many miles is your house from the polling-place?—Four miles.

243. I think you stated in effect that the floods did not prevent you reaching the polling-booth?—I had just crossed the river before it became impassable.

244. And you cannot say, absolutely, that the floods prevented people from recording their votes at the Court House?—No; I cannot say positively.

245. *Hon. Mr. Stafford.*] What was the name of the river flooded?—The Waiapu.

246. You live on the north side?—Yes.

247. You think if you had held the poll at the proper place the state of the river might probably have prevented some of those who went to the Court House from attending the school-house. And you are not aware what number attended at the school-house—the proper place?—I have no idea. I did not hear at all.

248. Did you not make inquiries when you came back?—No. It was so many days afterwards that it slipped from my memory.

249. How far was that from the Kawakawa?—About fifteen or sixteen miles.

250. Are you prepared to give evidence to the Committee as to why a poll was not taken at Kawakawa?—The only reason I know is that my son, being the only person I could get to go there, was hurt the day previous whilst hunting some horses, and on the morning of the day he was to have proceeded there, found he could not walk over the hills, which it was necessary to pass on foot.

251. Who appointed you Deputy Returning Officer?—Mr. Locke.

252. Who appointed your son?—I did, at Mr. Locke's request. He asked me if I could appoint a person, and my son being the only European I could get, I deputed him to do the work.

253. Is it in accordance with the electoral law for a Deputy Returning Officer to appoint a person to take a poll?—I am not acquainted with the law on that point. But those were the instructions given me by Mr. Locke.

254. Have you any personal knowledge of the Kawakawa District?—Yes, I have been there frequently.

255. Was there anything in the state of the weather to flood the streams in the neighbourhood of Kawakawa, besides the Waiapu River, to prevent voters from getting to Waiapu?—I think not, in the early part of the day, but there might have been in the afternoon of that day. I am not quite aware of the amount of rain that fell at Kawakawa.

256. What streams are in the neighbourhood of Kawakawa?—The Kawakawa, which takes its rise from Hikurangi, and comes down very rapidly. There are also one or two other streams.

257. Kawakawa is accessible to a considerable number of persons who might have voted?—Yes.

258. Can you give a rough estimate of the possible number who might have voted there?—Well, I think I may say from 250 to 300. Taking the whole neighbourhood of Kawakawa, I should certainly say there are quite as many.

259. And these people did not vote anywhere else?—No.

260. *Mr. Tole.*] How many voters do you think are at Kawakawa?—Altogether?

261. No; in the district itself?—There might be perhaps from 150 to 200—that is, including Hicks' Bay, the people of which would have voted. There are a greater number of votes at the latter place than at Kawakawa. There is also another settlement called Horoera.

262. How many are there there?—About fifty or sixty.

263. Is there not another settlement called Maruhou?—Yes.

264. How many are there?—About forty.

265. They would have voted at Kawakawa?—Yes.

266. Have you ever seen statistics as to the numbers of voters in the different places named?—I have frequently, on former occasions, taken as nearly as possible the names of those who could vote.

267. Did you prepare a list?—I did not actually prepare lists, but they have been sent to me by different chiefs, and I have sometimes collected them myself.

268. For publication in the Journals of the House?—I do not know what their destination was. I forwarded them to Mr. Locke.

269. *Mr. Lumsden.*] Were you aware of any list of voters prepared at the last election, Mr. Campbell?—The only thing I am aware of was a desire on my part to inform the Natives how to proceed on polling-day, without which information I felt sure the officer would be delayed in making explanations on the day of polling. I employed an intelligent Native to go round explaining how they were to give their votes. That was what I directed him to do.

270. *Mr. Macandrew.*] I should like to know whether the population of this district is increasing. Can you tell me?—It is not decreasing, but I do not think it is increasing very much.

271. Because you stated just now that there might be from 250 to 300 voters there; and I see by the return sent in by you some time ago, that the numbers are very much less, being eighty altogether in three different districts, namely, Kawakawa, Horoera, and Maruhou?—There is one reason for that I can state. In taking a census of Natives, you find that they move about from one settlement to another, the distances between them varying from fifty to one hundred miles; and it is very difficult to arrive at the actual numbers belonging to these places. It is impossible, I mean, to get an accurate census, and therefore I endeavour to get as closely as possible to the numbers I may find at the time.

272. The return here shows that of Maoris, fifteen years and upwards, there were eighty-five at Kawakawa, ten at Maruhou, and twenty at Horoera. I understand from you that had your son been sound in his limbs, a poll would have been taken at Kawakawa?—Certainly.

273. Were you aware at the time that the election would be invalid, no poll having been taken there?—At the time I certainly felt it was a most annoying occurrence, especially as I had no means of putting any one in his place; but I was not aware that it would render the election invalid.

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274. You did not think the election would be invalid?—No.

275. Mr. Lumsden.] You stated just now that the Natives were given to migratory movements at times. Can you state whether there was a large number of Natives at that time gathered together in this district?—Actually at Kawakawa at the present time there are comparatively few. Since the war they have scattered very much over the country. Numbers have gone up miles inland, so that actually at Kawakawa there would not be at present more than from forty to fifty voters.

276. You cannot state that the 250 Natives mentioned by you would have voted had a poll been held?—I only stated the probable number that might have voted had they chosen to avail themselves of the privilege.

277. Mr. Macandrew.] What proportion of the number of Natives mentioned in this return are under twenty-one years of age?—I suppose between one-third and one-half the population. I must state that the population at Kawakawa and Hicks Bay is very much larger now than when that census was taken.

278. Hon. Mr. Stafford.] They must die off very rapidly?—They do die off rapidly.

279. Mr. Williams.] Is not this the district from which the Ngatiporou tribe sent out men to fight?—It is.

280. Have you any idea how many men went to the fight?—I have seen at one time, I think, as many as 250 in the field.

281. And did not these men come from the districts of Waiapu and Kawakawa?—Many of them came from Kawakawa and Hicks Bay.

282. Mr. W. Wood.] Are the people of these four separate districts all of one tribe?—They are of one tribe, but separate families of that tribe, commonly called hapus, meaning from the same ancestors.

283. Do you think they would have voted for the same candidate?—I cannot say as to how they would vote.

284. Is it customary for men of the same tribe to vote for the same candidate?—I am not aware.

285. You know of a paper being sent round among the Natives. I think I understood you to say that you sent round with that paper an intelligent Native, to whom you gave instructions to take down the names of the Natives?—To take down any names he could get. My particular object in sending him was to explain to the Natives how they were to proceed at the polling, so as to save time, there being only one day.

286. He did take a list of names?—He did.

287. Did he take a list of names of those who would vote for one candidate, and those who would vote for another?—No. He took their names merely as voters.

288. How many names had he on that list?—I am not quite sure, but I daresay about 200. He only went a certain distance, owing to the heavy flood. I desired him to go as far as possible.

289. Did any of them refuse to give their names, or say they did not intend to come?—No, they did not.

290. Have you the list in your possession?—It is at Waiapu.

291. Did you receive any request as to bringing down all papers connected with the election?—All correspondence. I brought letters received from Mr. Locke; but I did not think it necessary. I was not asked to bring the list of names.

292. Can you say distinctly that there are over 100 names on that list?—Yes. There are over 100, and approaching 200 so far as I recollect. I think the chief Morgan sent me a list of names from his own district.

293. Has your son's foot quite recovered?—Yes. It was in January it happened.

294. Just at the date of the election?—The day previous to the election he was to have started early in the morning, but he was hunting horses, as I have already stated, and met with the accident which prevented his attendance at Kawakawa.

295. How far are you from any other European?—There is one European at Te Awanui—a store-keeper, but he can neither read nor write.

296. Mr. Macandrew.] Is it possible that the Natives whose names appear on this list might have considered that they were polling—that they were recording their votes?—I have heard it stated by a gentleman present, but I did not understand it so, because Maori *Gazettes* were freely distributed through the district, clearly pointing out that the 15th was the day for voting.

297. Was that the mode of polling on previous occasions?—Well, no. On previous occasions the poll was not taken. A list of names was taken and sent in.

298. Did you have Natives coming to vote in that desultory way previously?—They might have done, some of them, but not the whole of them, because I had notices freely distributed among them.

299. What was your object in sending these notices round?—To save time. We had only one day to poll the votes, and, if I had not acted as I did, the time of the Returning Officer would have been taken up in explaining to many of the Maoris what they were to do.

300. To inform them as to the mode of polling their votes?—Yes. It takes a long time to clearly explain the matter to Natives if they do not happen to be well up in it.

301. What was the object of taking the names down if simply your desire was to impart information?—I desired also to get an idea of the numbers that would be at the poll.

302. Mr. W. Wood.] By what process did you take the votes?—There are voting papers provided, and each voter, as he comes to the booth, gives his name and states for whom he votes, and his name is put on the paper and witnessed to by the person appointed.

303. Mr. Tole.] You could have ascertained their numbers without taking down the name of each voter?—The object was to secure greater accuracy.

304. Mr. Macandrew.] This Native whom you sent round, was he to suggest to the Natives which candidate they should vote for?—I think he did in some instances. I know in some of the latter papers he put down the name of one candidate, Hotene, but not on all of them.

305. Mr. Tole.] You did not give him instructions to get the names in this way?—No, I did not. My desire was simply that the Natives should be informed how to proceed.

306. Not to advise them for whom they should vote?—No.

F. W. CAMPBELL, being in attendance, was examined as follows :—

Mr. F. W. Campbell.

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307. *The Chairman.*] Were you appointed Deputy Returning Officer at the late Eastern Maori District election?—I was.

308. Have you a copy of your appointment?—No, I have not a copy.

309. You had an appointment in writing?—I got it from my father.

310. The election was on the 15th of January?—Yes.

311. You were appointed Deputy-Returning Officer for the Kawakawa?—Yes.

312. Did you open the poll on that day at the Kawakawa?—No. On starting for the Kawakawa I went out to catch a horse. It was raining at the time, about the time the flood commenced. My horse stumbled and fell, my foot being jammed under the horse, which caused me great pain. I was not able to wear boots after it. I tried to get on, but could not walk to lead my horse where necessary. Had the weather been good I should have been able to ride.

313. There was a river between Waiapu and Kawakawa?—Two rivers, the Oruatua and the Kawakawa River, which were flooded at the time.

314. Were they so much flooded that you would not have been able to cross them had you not met with an accident?—They were very high. I could not have crossed them at the time, and there was only a rough Maori track over the hill.

315. Do you know whether the Natives assembled at the Kawakawa for the purpose of voting?—No, they did not assemble on that day, but they got notices.

316. Do you know any reason why they did not assemble?—There was an opposition man there; Tomoana was canvassing there, and a great many were on his side.

317. How does that account for their not assembling? They could still have assembled for the purpose of voting?—No, because Tomoana had a great deal of influence there, and kept his men away.

318. Can you tell the Committee at all what number of Natives qualified to vote there are in reach of that district, and who would have been able to attend the poll and vote if they felt so disposed?—Well, there were about seventy or eighty at Kawakawa who could have attended, but the majority were of the opposition.

319. How many Natives might have voted if they had chosen: that is the question?—Not being there I could not exactly find out how many would have been likely to vote.

320. Still, you can give a guess at the number you think it likely there would have been?—I think the only ones who would have voted were Morgan's people, at Oruatua, and there are not more than thirty or forty there. The rest were for the other side.

321. We did not ask you which way they would vote. What the Committee want to know is, How many would have been able to vote for any of the candidates? How many were qualified to record votes, and were likely to come to that particular polling-place, as being the nearest, and consequently most convenient for them?—If you are asking me how many, I can, of course, guess. I should think about fifty.

322. Now, supposing them to number about fifty, do they live in the immediate polling-place at Kawakawa?—Some are living at Hicks' Bay. They are living in different districts—not in the same pa as they used to. Some of them live ten miles apart.

323. You think, then, there were about fifty above the age of twenty-one qualified to vote?—Yes.

324. *Mr. Macandrew.*] When were you at Kawakawa last?—I was there about twelve months ago.

325. You have not been there since the election?—No; I was to have gone, but coming down here put me off.

326. *Mr. W. Wood* expressed a desire to hear further evidence on the subject of Te Moana's visit to the district.—About the time the polling took place, Henare Te Moana came up with some people from Napier, and went around among the Natives; and what influence he used I do not know, but he induced a great number to go on his side.

327. Which candidate was he in favour of?—Karaitiana.

328. You think he was very successful, then?—I have no idea as to that; but he seemed to have the voice of a great many.

329. *Mr. Tole.*] Was there any mention made of the candidates for election in explaining the way to vote?—It was explained that Hotene was to be a candidate.

330. *Mr. W. Wood.*] You spoke of an opposition just now: to which of the candidates did you refer?—I spoke of an opposition to Hotene, the candidate I was canvassing for.

331. *Mr. D. Reid.*] Why do you look upon Hotene as the opposition?—I was for Hotene at the time, and Te Moana was for Karaitiana.

332. *Mr. Macandrew.*] Were you canvassing individually for Hotene?—Not individually. I did not mean to say canvassing either—that was a mistake; but I was on Hotene's side as Returning Officer, and Te Moana was canvassing for Karaitiana.

333. *Hon. Sir D. McLean.*] Do you not know that as Returning Officer you have no right to be on either one side or the other?—I did not mean that. I made a mistake there.

334. *Mr. Macandrew.*] Are you aware whether any one was sent down to take the names of the Natives going to vote?—Did my father mention any notices?

335. I am putting a question to you. Are you aware of anything of the kind?—There was a messenger sent with notices informing the Natives they were to appear on the day of polling.

336. And to take down the names?—Yes.

337. Who was he?—A man named Hoani Ngatai was sent round.

338. You do not know whether he canvassed?—No. He was merely sent round to give the notices.

339. *Mr. D. Reid.*] Did he take any interest in the election himself?—No. He took no interest in it at all, being an independent Native.

340. Did he vote?—Yes. He voted for Hotene.

341. *Mr. Tole.*] How do you know he voted for Hotene?—Because he voted at Te Awanui before he started.

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342. How did you know he voted for Hotene, because of his voting at Te Awanui?—Because he signed the paper.
343. Did any one pay your expenses while you were canvassing?—No one.
344. Did any one ask you to canvass for them?—No one asked me to canvass for them; that is where I made the mistake, not being a Returning Officer before.
345. *Mr. Lumsden.*] Could you describe the nature of the explanation given to the Natives?—They were to vote for Hotene as a person to represent their cause in Parliament.
346. *Hon. Sir D. McLean.*] Did you hear any one say they were to vote for Hotene?—Not asking them to vote, but explaining the nature of the thing.
347. *Mr. Macandrew.*] Who paid the Native who went round to explain?—He was paid by my father, at least I think so.
348. *Mr. W. Wood.*] I believe he had a number of papers with him to give to them, and another to sign: is that not so?—Yes.
349. What was the paper they were to sign?—That was one of those books they generally sign whoever they are voting for.
350. And the Natives did sign it?—Yes, some of them.
351. Yes, and were there any papers sent round to vote for Karaitana?—I am not aware, but I should say they must have been.
352. But those your father sent round were only for Hotene?—Yes.
353. And how many names were signed as promised? What were they—promised or real votes?—Real votes, I think.
354. How many were down on that paper?—I cannot exactly remember just now.
355. And the other side had papers on which to vote for Karaitiana, I suppose?—I did not see them.
356. You knew there was a person in the district, a relative of Karaitiana?—Yes.
357. And you know that he prevented many from voting for Hotene.
358. *Mr. Williams.*] Was this what you have been speaking of—the book that was taken round by the messenger to collect names?—I think it was, but I am not certain. It was like a large cheque-book.
359. And that was the book taken round?—Yes.
360. And was it taken round before the proper day for polling or not?—I think it was taken round before the polling-day. He started the day before me, but was stopped by the river.
361. Then this Maori took the poll the day before you were to have taken it?—He waited for me, but I could not get round on that day.
362. *Hon. Mr. Stafford.*] If you had been able to get round, and had met that Maori, when you called the poll would you have accepted that list as being as good a return as another?—I should have done what I was ordered to do. I should have got them all together and taken their votes.
363. Supposing some of those Natives whose names were signed in that book did not present themselves at Kawakawa in person when you were taking the poll, would you have counted those names and have returned them as having voted?—I should have gone and seen them first, and asked them whether they did sign.
364. And if they replied in the affirmative you would have returned them?—Yes.
365. You have spoken of two candidates only. Were you not aware of more than two?—I was only aware of one—that is, Hotene.
366. You spoke of two, Karaitiana being the other?—He came afterwards. At the time I heard of it first there was only one candidate.
367. Have you never become aware that there were more than two candidates for that district?—Which way do you mean?
368. That there were more than two persons who offered themselves for election. Did you not happen to hear of Kepa and Mita of Napier?—No.
369. You never knew how many persons were proposed at the polling-place at Napier?—No.
370. Were you not aware that there were four?—No.
371. *Mr. Macandrew.*] I understood you to say that no Maoris came to the polling-place on the 15th January because certain parties had been round previously, that is, certain friends of Karaitiana on the one side, and a Maori on behalf of Hotene on the other?—Some of the Natives did not attend, and owing to the flood I could not go.
372. But I understood you to say that no voters came to Kawakawa on that date?—Well, that is only a rumour I heard.
373. Was not that book given to you accepted as a poll?—Yes, it was.
374. Your father brought that book down with him?—He did.
375. Have you that book with you?—I have not.
376. How many Europeans live at Waiapu?—The schoolmaster is the only European there. Probably, including the surrounding parts, there are seven or eight white people and a detachment of Constabulary.
377. How far does the schoolmaster live from your father's place?—About a mile.
378. Is the schoolmaster a smart, well-educated man?—Yes.
379. *Mr. Macandrew.*] What is your occupation, Mr. Campbell?—I am a sheep-farmer on a small scale.
380. You do not hold any appointment?—No. I accepted this as having nothing else to do, and trying to get the work of the election over quickly, as we had only a week to do it in.
381. You say there is only one European within a mile of your father's house, but I suppose there are others within three or four miles of the place?—At Te Awanui there are two or three Europeans.
382. What are they?—Storekeepers.
383. How many are there within five miles each way?—On the south of Waiapu River there are five Europeans, besides Armed Constabulary, of whom there are five, making ten in all.
384. Is the schoolmaster a young man?—Yes; I should take him to be about thirty years of age.
385. *Mr. W. Wood.*] You have horses at home, I suppose?—Yes; I have horses.

J. H. CAMPBELL, re-called and examined, as follows:—

Mr. J. H. Campbell.
26th July, 1876.

386. *The Chairman.*] You were speaking of a small book in which the number of names of voters were taken down in order to guide you as to the number who attended the poll. Have you got that with you?—I am sorry to say I have not. I have only one, and that is at Waiapu.

387. *Mr. Macandrew.*] That was the book taken round by the Native?—Yes.

388. Cannot that book be got by sending for it?—It is among important papers in a box in my house, and I am not sure whether any one would be able to get it. If I had thought of it, I should have brought it with me. The book merely contains the names of the voters for the purpose of showing them how to vote.

389. *Mr. D. Reid.*] Did the Native you sent round fill in the name of the candidate?—In some of them. I recollect seeing the name of one candidate on some of the forms. However, that was not in accordance with the directions he received from me.

390. You only observed the name of one candidate, you say?—Only one.

391. What was his name?—Hotene: I suppose that was the only name they knew of at the time, because when he went round it was previous to the return of Hotene from Napier; so that they were not aware of any other candidate at that time.

392. *Mr. Macandrew.*] Are you aware whether Karaitiana's brother went round on his behalf?—He only arrived at Waiapu one day and a-half before the polling-day.

393. Was that subsequent to Hotene going round?—Ten days, or a fortnight, at least.

394. When was the nomination at Napier?—The nomination at Napier took place on the 5th, I think.

395. Was it on the 4th of January this Maori went round?—Yes, that was the day. He started on the 4th.

396. Did you not know who had been proposed at Napier?—We did not hear anything at that time.

397. *Hon. Mr. Stafford.*] Is there no telegraph?—It only goes as far as Gisborne.

398. How far is Gisborne from Waiapu?—One hundred miles.

399. Then you trust to communication by sea?—Sometimes, but also by land.

400. Is there any postal communication?—Yes.

401. How is that post carried?—It is carried by a horseman once a fortnight.

402. Did you know on the day of polling how many candidates there were?—Yes, because one of Mr. Locke's telegrams stated there were four candidates. The first we knew of the matter was on Hotene's return on the 10th.

403. *Mr. Tole.*] When did you instruct your son; on what day?—Two or three days before the 15th.

404. Subsequent to the 10th?—Oh, yes.

405. *Mr. Macandrew.*] I understood you to say that when you found, on the morning of the poll, that your son could not proceed to Kawakawa, you were rather put out?—I was indeed, because I knew of no one else to send.

406. Could you not have found any one else?—There is only one man at Te Awanui, Mr. Walker, and he unfortunately cannot read or write Maori.

407. Is he biassed in politics as well?—He might be. I am not aware.

408. Is there no schoolmaster in the neighbourhood?—There was a schoolmaster, who had then just arrived. I opened the school on the 3rd. He was a complete stranger to the place, and would not have known how to proceed.

409. *Mr. Tole.*] Had your son any experience in taking the poll?—No, except what he had seen on other occasions, and from the instructions I gave him.

410. Do you think it would be of any use telegraphing for that book to get it down in reasonable time?—I do not know any one who could find it.

411. *Mr. Lumsden.*] Had the schoolmaster been in any Native district before?—No; he was from the South, and had not been ever in this island before.

412. *Mr. Tole.*] Was it a Native school he had to teach?—Yes, at Waiapu.

413. Did he know anything of the language?—No.

414. *Mr. Williams.*] Did I understand you to say it was a book like a cheque book that the votes were taken in?—Yes. The particular one referred to was an old book that had been lying in my house since the last election, and I used it for the purpose of showing how the voting was to be done.

415. *The Chairman.*] How could you get this book down; by post?—By post; that is the only means of communication between Waiapu and Gisborne.

416. Can you tell us, Mr. Campbell, how these votes were taken?—The name of the electoral district is on the first line, name of the voter comes next, written by himself or for him, and the third line below is for the name of the candidate voted for.

(The witness, at the request of the Chairman, drew a plan of the form in which these books are printed.)

417. Is there nothing to show the number of candidates in the field?—No.

418. Is it not necessary that the electors should be informed of the candidates?—It is supposed that every candidate has an agent to look after his interest.

419. *Mr. Tole.*] Supposing I came in to vote as an elector of that district, what should I have to do? Is that the form that would be presented to me?—That is the book.

420. I should sign here (pointing to the plan)? Yes, and put the name of the candidate for whom you vote.

421. Does each voter have one of these forms?—Yes.

422. It was a book in this form that the Native had?—Yes.

423. Was there the name of one of the candidates in it?—In some of the leaves there was the name of Hotene.

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424. Was that taken before the election?—He started on the 4th, and got nearly as far as Kawakawa when he was turned back by the floods. I was anxious for him to get as far as Te Kaha, in the Bay of Plenty. I directed him to do so.

425. There was no distinction made between the candidates I suppose, such, for instance, as they do at Home, in speaking of Whigs and Tories?—No, there was nothing of that kind. The greater argument was that it would be well to return a Ngatiporou candidate, because they had never returned a Ngatiporou man to the Assembly.

426. Are you sure the words "Opposition and Government" were not used in respect to the candidates?—By a few immediate friends of Henare Tomoana only; but they were taught by him. He instructed these few when he came from Napier.

FRIDAY, 28TH JULY, 1876.

Henare Potae.
28th July, 1876.

HENARE POTAE, being in attendance, was examined as follows:—

427. *The Chairman.*] You sent a petition to the House of Representatives against the return of Karaitiana?—Yes.

428. Will you tell the Committee on what grounds you object to his being declared elected?—Because the law was not carried out. The regulations were that there should be a poll taken at Kawakawa, and another at Waiapu.

429. And there was no poll taken at Kawakawa?—There was no poll taken at the Kawakawa.

430. Nor at Waiapu?—Nor at Waiapu.

431. Can you tell the Committee whether there are a large number of persons voters at Kawakawa?—There would have been a great many; a very large number would have voted there.

432. Will you say as nearly as you can how many would have polled there?—There would have been 250 at the Kawakawa, I think.

433. Can you tell for which candidate they would have voted—the greater part or all of them?—They would all have voted for Hotene.

434. There was no poll taken at Waiapu, but there was at Te Awanui?—That was the fault. It was taken at Te Awanui, the place not gazetted. That was the fault of the Deputy Returning Officer.

435. Where were you on the day of polling?—I was at Tokomaru. It is twenty-five miles from Te Awanui.

436. You were not at either polling-place, the Waiapu or Kawakawa, on the day of polling?—I was not at either of those places on that day.

437. Do you think a greater number of voters would have voted at Waiapu if the poll had been taken there instead of at Te Awanui?—There would have been about 900 votes at Waiapu.

438. Can you tell for which candidate they would have voted?—They would have voted for Hotene; but if I had been the candidate, over a thousand would have voted for me.

439. Do you know anything about a book that was sent round for signatures?—Yes, I know about it; but Ropata is the man who can give evidence on that point.

440. Was it before or after the day of nomination that the book was sent round for signature?—It was before the day of polling that Mr. Campbell sent these books about for people at distant places to send their names in. It was through Henare Tomoana that the error was found out. If it had not been for Tomoana, it would have passed without anybody being the wiser.

441. *Hon. Sir D. McLean.*] What would have passed?—The books.

442. Do you mean that the Natives who sent in their names in those books were giving their votes?—Yes.

443. Who gave them to understand that that was voting?—Mr. Campbell.

444. Had there been a Returning Officer at the polling place on the proper day, would they (those who had sent in their names, I mean) have come to the poll?—They would have said, I will not come, because I have sent in my name already.

445. They considered they had voted?—Yes.

446. Do you know how many signed that paper?—I do not know. The books were carried about by Major Ropata, Mohi Turei, Raniera Kawhia, and Hutana Taru.

447. Did all these vote for Hotene?—They voted for Hotene.

448. Do you know of a list being taken round for Karaitiana?—Yes.

449. Were they done in the same way?—I do not know what description of list that was; whether it was one of those books, or just an ordinary list.

450. Of these 900 people, would those who had not put down their names have voted on the day of polling?—Yes.

451. *Mr. Macandrew.*] Why did not you go to the poll on that day yourself?—Because Mr. Campbell did not tell me to go.

452. Did you not know the date of the polling day?—Yes; I knew that the poll was to be taken on the 15th of January, at the school-house.

453. And you did not go?—I was at Turanga.

454. On what ground did you petition against this election, when you yourself did not take the trouble to go to the poll?—Because I knew that the election was wrong according to law.

455. But there could be no hardship to you, so far as you were concerned?—I saw a document wherein it was stated that the election would be wrong if the whole tribe had not an opportunity of voting.

456. Who asked you to get up this petition?—I did it myself, of my own knowledge.

457. Did any one tell you the election was illegal—contrary to law?—No one told me. I found it out for myself. I had seen it before.

458. What was the document to which you refer, and from which you thought the election was wrong?—It was a Parliamentary paper. It was written in English. I have not got it with me. I

showed it to my European friends, who explained it to me, and thus I saw that the election was wrong. *Henare Potae.*

28th July, 1876.

459. Did you show it to Mr. Campbell?—No.

460. *Mr. W. Wood.*] Who was the European or Europeans who explained this paper to you, that convinced you the election was wrong?—Captain Reid was one; but there were a lot of others. It was not referring especially to this election, but to a number of others before.

461. What steps did you take on Captain Reid informing you that the election was wrong. What else did Captain Reid inform you or advise?—The explanation was not referring to this election particularly. It was general. I applied the knowledge I obtained from that paper to this election, and I found it (the election) was wrong.

462. Where did you obtain this paper—who sent it to you?—I received it officially. I am a Native Assessor, and receive such papers as that in an official way as an officer.

463. State the nature of the information that convinced you the election was wrong?—I cannot state exactly what were the words in it, because I am not acquainted with English, but I was told that if the voting was wrong—informal—I could protest against it.

464. Were you advised to do so?—No. I was not advised to do so. I had that paper, and I asked my friends to explain it to me; and I followed the course which in that paper appeared to be indicated.

465. Was Mr. Campbell advising the Natives how to vote, or who they should vote for, or what part did Mr. Campbell take in the election. I want to know what part Mr. Campbell was filling during the election, and if any, in whose favour?—I do not know. Major Ropata would know about that, because he saw what took place.

466. *Mr. Macandrew.*] Did Mr. Campbell tell any one else about these papers?—Yes. He told Mohi Turei, Ropata, and many others. He told them to sign their names on these papers.

467. *Mr. W. Wood.*] And what were the papers? Which candidate's name was on them?—Hotene's name.

468. Did Mr. Campbell ask them to sign their names for any other candidate on that paper?—It was only Hotene's name. There was no other. I was to have been a candidate myself, but for certain reasons—something wrong I had done—I was not put forward.

469. *Mr. Tole.*] How long have you been a Native Assessor?—Fifteen years.

470. Were Ropata and Mohi Turei canvassing for Hotene?—Yes.

471. You did not see this book, did you?—I saw one book at Napier which Mr. Locke showed me, and Mohi Turei's name appeared in it as a witness.

472. Was that before or after the election?—It was after the books had been sent in to Mr. Locke, the Returning Officer—after the 15th January.

473. Mr. Locke showed you these books after the election?—Yes.

474. What did he show them to you for?—Because the work had been done wrong.

475. Did you ask Mr. Locke to let you look at them?—I asked him nothing. He was Returning Officer for the whole district. He showed me the books, and he showed me one in which Turei's name appeared as witness.

476. How many candidates were in that?—Only Hotene.

477. Do you know what part of the district the book you saw came from?—It was the Waiapu book.

478. Did Captain Reid give you any advice about this petition?—No.

479. You said a little while ago that somebody told you the election was wrong. Who was it?—I did not say that. I said that as an Assessor I received certain documents, and one of these was in English, and I asked one of my European friends to explain it, and he did so.

480. Was it an officer of the Government who explained it to you?—No.

481. Where did you draw up the petition?—At Turanga.

482. Where is that?—At Gisborne.

483. Did you go from there to Napier?—I came from Tolaga Bay to Napier, on account of the death of Sir Donald McLean's brother. That was my reason for going. It was after I went home on that occasion that I saw the paper I allude to, and I asked my European friends to explain it to me.

484. To whom did you give the petition? Where did you present it?—I put it in the Post Office.

485. Have you seen Wiremu Wanoa since he came down?—He is here.

486. Were you talking to him yesterday morning?—What about?

487. You were speaking to him?—Yes, I spoke to him.

488. Were you talking to him about the election?—No.

489. Do you remember saying to him that he ought to go over to your side on this election?—No. It was not I that spoke to him. It was he that spoke to me about the election, and I said, Wait until the matter comes before the Committee. I said to him, Friend, what was your reason for stopping at Napier, your friends having gone back and left you there by yourself? He said he was waiting for a vessel to take some ploughs up. I told him that the steamer was going constantly to and fro between Napier and Gisborne. He said there was no other vessel would take the things at such a cheap rate. I said I will pay the freight for taking your ploughs to Turanga from Napier. I said, I know you are stopping here at Napier with some deceitful object: You want to say that the election was taken in a proper manner at Waiapu; and he said to me, I am not going to say anything of the kind. I said, You caused trouble before at Waiapu, and you are going to cause trouble again. Now, you will get into trouble again. That is all.

490. I suppose when you said he was separated from his tribe, you meant that he was taking a different part from what you believed Ngatiporou were taking in this matter?—I understood that he was against me, and wished Karaitiana's election to be maintained. I did not want Karaitiana to be elected; I want the election to take place again.

491. Did you as much as tell Wanoa that he was degrading himself and his tribe in taking this course?—He is not a chief. He will be kicked out of the place when he goes back.

492. Why will he be kicked out of the place; what has he done?—He is a man of very low degree, and it is not right that such men should talk to chiefs at all.

Henare Potae.
28th July, 1876.

493. You are sure you did not speak in this way, that he was degrading himself?—I did say so. I said he was no man.

494. You said in the beginning you had no conversation at all with him about this election?—It was not I who commenced the conversation. It was he, and it resulted in my telling him he was no man. I told him to get out. He is nobody—no chief at all.

495. *Mr. D. Reid.*] Did you know of a meeting at which Mr. Campbell explained to the Natives the method of voting?—No.

496. Who wrote the petition? Did you write it yourself?—I wrote it myself.

497. *Mr. Williams.*] With reference to the one name always appearing on those papers, did Mr. Campbell tell them to put down this name, or were they asked who they would vote for?—I do not know. Ropata is the man who will be able to give information on that point. The action I took was to send in my petition as early as possible, so as to prevent it being too late. I sent it to the Speaker. Ropata will give evidence enough to fill the whole of this room.

Wiremu Wanoa.
28th July, 1876.

WIREMU WANO, being in attendance, was examined as follows:—

498. *The Chairman.*] Will you tell the Committee where you were on the day of the election for the Eastern Maori District?—At Waiapu.

499. Was there a poll taken there?—No. At Te Awanui.

500. What tribe do you belong to?—I belong to the Ngatiporou tribe.

501. If the poll had been taken at Waiapu, do you think a greater number of people would have voted?—Yes, if it had been taken at the house appointed.

502. How many do you think could have voted?—There are seventy-eight of our party—that is, extending up as far as Kawakawa.

503. What do you mean by "our party"?—I mean, that is the number that would have voted for Karaitiana.

504. How many do you think would have voted for Hotene?—I do not know.

505. Would any other candidate have got any votes?—I do not know about anybody but Karaitiana and Hotene.

506. Were you present at a meeting held by Mr. Campbell to explain to the Natives the way in which they were to record their votes?—No.

507. Were you present at any meeting called by Mr. Campbell at the time of the election?—I do not know.

508. Do you know anything of a book or books being sent round among the Natives in which they were to write their names?—I did not see it. I saw a paper on which people were to write their names for the election—not a book. That was before the time of the election. It was carried round to the different settlements.

509. Were they to sign their names for any particular candidate—Hotene or Karaitiana?—For Hotene, but it was not agreed to.

510. Who took this paper round?—It was Hoani Ngatai.

511. *Mr. Williams.*] Did you mean that a letter was written to these people, or a paper taken to them?—It was not a letter. He took a paper round to the different places asking the people to sign their names which they did not do.

512. Did you attend to give your vote on the polling day?—At the polling-place at Waiapu do you mean?

513. At any of those places where the poll was taken?—No; I was too late. I did not vote anywhere.

514. *Mr. Macandrew.*] But you came to the polling-place?—I came to Waiapu with the intention of voting, but when I got there I found that the poll was being taken at Te Awanui.

515. *Mr. D. Reid.*] Did you arrive on the day of the poll?—I arrived on the 15th January.

516. At what time?—At 12 o'clock.

517. Did you learn then that the poll was being taken at the Court House, Te Awanui?—Yes; but I went to the place where I ought to have gone—to the proper polling-place.

518. Did you learn that the polling was being held at the Court House?—I heard about it. But there was nothing about that polling-place in the *Gazette*. The polling-place we were told to go to was the school-house.

519. *Mr. Macandrew.*] When you arrived at the school-house, and found there was no Returning Officer, you did not know that he was at the Court House?—It was a good while after I got there that I learnt he had gone to Te Awanui.

520. Then you did not go to the Court House?—It was too late.

521. Did you have to cross a river to get there?—Yes.

522. Could you have crossed it?—The river was all right, but I could not have got there in time. I had no horse, and should have had to walk.

523. Are you a chief of the Ngatiporou?—Yes, in my own hapu.

524. By birth, are you as big a chief as Henare Potae or Ropata?—Ropata is related to me. He is an uncle of mine.

525. Then you are as big a chief as Henare Potae?—Henare is related to me. He is a sort of cousin, and a nephew too.

526. *Mr. Williams.*] Are you related on your father's or your mother's side?—On the father's side I am a cousin, and on the mother's side an uncle.

527. Who sent round Hoani Ngatai with this paper?—Mr. Campbell.

528. Do you know whether he was paid for doing that?—I do not know.

529. The day before the election, was it raining or was it a fine day?—It was a fine day.

530. There was no difficulty in getting from Waiapu to Kawakawa?—If a man started on that day from Waiapu at 9 o'clock in the morning, he would arrive at Kawakawa in the evening.

531. How many voters altogether are there in Kawakawa and the settlements about there; Horoera and Maruhou?—Seventy-eight.

532. Then would there have been voters from any other place?—These are all the people from *Wiremu Wanoa*.
Horoera and Maruhou.
533. Had the weather been fine, then, and other circumstances being favourable, there would only have been about seventy-eight voters?—Those are all who would have voted.
534. In your opinion, for whom would they have voted?—For Karaitiana.
535. *Mr. Lumsden.*] What do you think to be the Native population of Kawakawa and Waiapu, men, women, and children?—110 of Horoera, Maruhou, and Te Kawakawa.
536. *Mr. Williams.*] Does that include the seventy-eight voters?—Yes.
537. *Mr. Tole.*] Did Henare Potae speak to you yesterday morning about the election?—He did not say much. He said a little.
538. What was it he said?—He spoke to me about my having gone over to another tribe to vote for Karaitiana.
539. Did he say it was not right of you?—Yes.
540. Has Mohi Turei been speaking to you about the election?—Yes.
541. What did he say to you?—He remonstrated with me about some of the Ngatiporou tribe going over to Hau-Hauism, saying that he was the means of saving them from destruction; that I had acted wrongly in supporting Karaitiana, and that I should get into a scrape myself in a short time.
542. Did he ask you to go over to their side?—Yes.
543. *Mr. Macandrew.*] Were the seventy-eight Natives who would have voted for Karaitiana of the Ngatiporou tribe?—Yes.
544. *Mr. D. Reid.*] How many are there altogether of the Ngatiporou tribe?—I do not know the numbers of the different hapus, but it is a very numerous tribe.

Major ROPATA being in attendance, was examined as follows:—

Major Ropata.

545. *The Chairman.*] You recollect the 15th January, the date of the East Coast election?—Yes. 28th July, 1876.
546. Where were you on that day?—I was at my own place, Waiomatatini.
547. You were not at Waiapu or Kawakawa?—Waiomatatini is at Waiapu.
548. Did you vote?—I went to vote on that day, but I had previously voted.
549. In what way did you previously vote?—Because it was before the election that Mr. Campbell sent the books round to the different settlements, so that the people might send their names as voting for one of the candidates.
550. And you signed your name in this book?—I signed the book, and so did all my hapu.
551. Was it a book of printed forms, in which each elector signed a different form?—Yes; they were papers about the size of bank notes.
552. Was there anything written as well as printed on these papers before they were signed?—It was agreed that Hotene's name should be written in when we got the books. On these forms there were places for the name of the candidate, the person voting for him, and the witness.
553. Before any of the electors signed, was the name of Hotene written in?—The name of Hotene was written.
554. Who wrote it in?—Mr. Campbell.
555. Then you had a book of forms in which the name of the candidate was filled into each before it was taken round?—Hotene was present at the time, and he wrote his own name.
556. *Mr. Tole.*] But did he write it in the place for the candidate or for the voter?—It was in the place for the candidate.
557. *The Chairman.*] It was Hotene who put his name in the place for the candidate?—Yes.
558. Did he do that on more than one paper?—He signed his name in other sheets of the book.
559. Did you take the book round?—No; I did not take the book round. All the signatures were taken in my own house.
560. *Mr. Macandrew.*] Were the voters collected at your house then?—Yes. I am speaking of the members of my own hapu. They assembled there.
561. When they were signing these papers did they think they were voting?—Yes, that was the way.
562. Those who signed those papers did not vote at the poll?—They did not think it was necessary to go to the poll on the day appointed. They thought they had voted, having signed their names in the book.
563. Do you know how many people went to Awanui on the day of the poll, and who voted?—There were twenty-five of us.
564. Who actually went?—Yes.
565. Did these twenty-five sign the papers?—They did not previously sign, these twenty-five. They signed on the day of polling.
566. *Hon. Sir D. McLean.*] Taking the whole of the settlements, what is the number of the whole Ngatiporou tribe?—I think more than 700 votes could have been polled on that occasion.
567. *Mr. Lumsden.*] How many signatures were there?—About 70.
568. *Mr. Bastings.*] Do you mean that 700 could have voted?—They did not vote except by sending in their names, taken in these books, which were sent to their places.
569. *Mr. W. Wood.*] Did you see young Mr. Campbell on the 14th January, in the morning, or any time on the 15th?—I do not remember having seen him on the 14th or the 15th.

JOHN SHEEHAN, Esq., M.H.R., being in attendance, was examined as follows:—

Mr. Sheehan.

570. *The Chairman.*] The Committee would be glad to know, Mr. Sheehan, if you can throw any light upon this subject. In the first place, with respect to the polling-places, were you present at either of them, either at Kawakawa or Waiapu, on the day of polling; or whether you can explain why no poll was held at those places; or whether you can give any information in any other way to guide them in their decision?—I was present at no polling-place. I had a number of matters of my own to look after at that time, and I do not know of my own knowledge what were the circumstances

Mr. Sheehan.
28th July, 1876.

which led to the failure to take a poll at Kawakawa. The evidence I would have given I believe has already been given, namely, as to the number of people who would have voted at Kawakawa had the poll been taken there. I was given to understand by representations made that some 300 or 400 people might have polled there. I took a good deal of trouble in hunting up information from the census of Native tribes taken in 1874, and I think the evidence I would have given as to the number is before the Committee, having been given by one of the other witnesses. The total number of the Ngatiporou tribe is 841 from fifteen years of age and upwards.

571. *Hon. Sir D. McLean.*] That is the male population, I suppose?—Yes, the male population over fifteen years of age.

572. *The Chairman.*] That was in the year 1874?—In the year 1874. I may be allowed to say that this was the third general election under the Maori Representation Act. In the two previous elections the poll had been taken in a different way—that is, in Maori fashion. The restrictions and limitations of this last polling were not imposed on previous occasions. The poll was taken by the names of the different hapus being taken down on paper and brought to the Returning Officer as the vote for each hapu. On this occasion the Government very properly altered that practice; but insufficient notice was given to the Natives, and it was thereby that 303 votes were lost to Karaitiana in the Wairarapa district. They brought their names in on pieces of paper according to the practice on previous occasions, and the votes were, very properly, rejected by the Returning Officer.

573. You can tell us nothing further?—No; that is the evidence I would have given in reference to the numbers of the people.

574. *Mr. W. Wood.*] Is this statement given on hearsay?—There are witnesses here who can prove it, who brought in the papers to the Returning Officer.

575. *Hon. Sir D. McLean.*] There were some votes for Karaitiana?—Some voted, yes; but there ought to have been 350.

576. Do you consider there are 350 Natives altogether in the Wairarapa?—I think there are more than that, Sir.

577. *Mr. Macandrew.*] Can you say how many signed the papers and were rejected?—Three hundred and three.

578. And they were for Karaitiana?—Yes; and they were rejected on the ground that the law requires persons to go to the polling-places and record their votes.

579. But I suppose the same thing applied with regard to the other candidates, the votes being given in the old way?—That is the only instance I know of.

580. *Mr. Tole.*] How many votes are there at Kawakawa, do you think?—I have gone over the list very carefully, and do not see how there could be more than ninety or one hundred people there who could have voted, and that would be decidedly allowing very liberally for the proportion of people over twenty-one years of age.

581. You think they would not be likely to go from any other settlements?—No.

582. *Hon. Sir D. McLean.*] Not from Hicks' Bay?—I think they would, sir; but as a matter of fact, I think there were only thirty-nine people present on the day of the poll. They were under forty at any rate.