

15. Will you allow me to see one of them?—Yes [document handed in].

16. Well, of course, if all the Judges' reports take that form, we shall not get much information from them. Will you allow us to retain the several reports?—Yes. To the reports on the Middle Island cases, the Judges have appended a copy of the petition.

17. *Mr. Weston.*] So that there are two forms in which the reports are made?—No; the Judges have simply attached a copy of the petition.

Mr. A. R. BLOXAM, examined.

18. *The Chairman.*] You are Registrar of the Supreme Court at Christchurch?—Yes.

19. As such, have you the bills of costs incurred in the case of the Waikanui Election Petition?—I have

20. You have heard that part of the petition referring to the question of costs read?—I have.

21. Did you tax the two bills referred to in the petition?—Yes.

22. Are the amounts mentioned here, so far as you know, correct?—The first bill of Mr. Ivess against Mr. Wason, was allowed at £310 8s. 9d.

23. What was the amount claimed?—£503 7s. 1d. £504 2s. 1d. was the total amount claimed by Mr. Wason, which was reduced to £310 8s. 9d.

24. You had also to tax the other bill between Mr. Wason and his solicitor?—I had.

25. What was the amount claimed?—£390 13s. 5d.

26. What was the amount allowed by you?—£317 11s. 9d. The items from Nos. 1 to 94 were taxed; the rest were afterwards consented to.

27. When this bill came before you to be taxed in the first instance, did both sides appear?—On the first day, Mr. Beswick, the usual taxing clerk for Messrs. Harper came, and the bill, as far as item No. 94, was gone through. No one appeared on behalf of Mr. Wason.

28. Then, he practically allowed taxation to go by default?—Yes; an affidavit that notice of the time fixed for the taxation had been sent to him; and, also, that a letter had been received from him, acknowledging the notice, was filed.

29. *Mr. FitzGerald.*] What proportion do the items to No. 94 bear to the whole bill?—The amount is £52 8s. 11d.

30. Then, the taxation stood adjourned?—Yes. It was resumed on Wednesday, the 28th June, when the managing clerk in Mr. Stringer's office appeared on behalf of Mr. Wason.

31. What did you do then?—He consented to various amounts on behalf of Mr. Wason, and at his suggestion various amounts were consented to be reduced on behalf of Mr. Harper.

32. What was the total amount of the reduction?—£18 1s. 8d. Then the bill was allowed by consent, at £372 11s. 9d.

33. *Mr. Macandrew.*] Would the amount have been reduced still further if the bill had been contested?—The items would have been gone into and proved.

34. By any default of Mr. Wason himself, is this amount larger than it otherwise would have been?—In all probability it is.

35. Have you any idea to what extent?—It is very difficult indeed to give an estimate of that sort, because the witnesses' expenses were not proved.

36. *The Chairman.*] You taxed off £18 in one bill, the total amount claimed being £390. In the other bill, the claim was 504 7s. 1d., and you taxed off £193 13s. 4d. In the latter case, was the taxation attended in the ordinary way by both sides?—Yes; it was very strenuously fought.

37. What are the provisions of the Act in relation to taxation?—The Act provides that the bills shall be taxed as between solicitors and client. The principle on which taxation proceeded was principally this: These were the first cases under the Election Petitions Act, and reference was made to English authorities as to costs in election petition cases there.

38. As a matter of fact, you have been guided in your taxing by the practice in the English Courts?—As far as counsels' fees were concerned. In fact, in that respect, Mr. Ivess's bill is, I believe, drawn upon an English bill,—the case of—

39. What was the main item of taxation in Mr. Ivess's bill?—Counsels' fees. The amount claimed was £110 for Mr. Stout, and one-third less for the second counsel, £82 18s. 6d. A first consultation fee of 5 guineas, and 3 guineas for the second counsel was claimed. Refresher for Mr. Stout, 27 guineas, and £16 10s. for the second counsel. For the second day, similar refreshers were claimed. Counsels' travelling fees were also claimed, and I struck them off.

40. What was the total amount allowed to solicitors as fees and refreshers?—In Mr. Ivess's case, the costs of a certain amount of the petition was disallowed by the Court, so that I struck off one-fifth of the fees claimed, and also one-fourth of what was claimed for mere copying. I allowed Mr. Stout's fees (he being as ex-Attorney-General a leading member of the Bar, and taking into consideration that he was away from Dunedin four days,) at 100 guineas, without any refreshers at all, and the second counsel one-third less.

41. How many days?—The hearing itself lasted two days; but counsel were there the day before and after. Mr. Stout, himself, was away from Dunedin four days.

42. In point of fact the counsels' fees were paid for two days of actual trial?—Yes.

43. You prepared the usual allocation in regard to Mr. Wason's costs?—Yes [put in].

44. I understand you to say that, in taxing these cases, you had been governed largely by the practice in England in similar cases?—Yes; so far as allowing counsel more liberal fees than in other cases.

45. You said one bill had been apparently prepared on some English precedent?—Yes; from Scott, on costs.

46. Can you say what fees were allowed in that case?—Yes. I will read it [extract from book read]. There was a case where the fees claimed amounted to 500 guineas, and they were reduced to 110 guineas, and refreshers of 27 guineas. Refreshers were not allowed, but I allowed a lump sum. There is also another case in "Foster's Digest"—[extract read].