

1882.
NEW ZEALAND.

ELECTION PETITIONS INQUIRY COMMITTEE

(REPORT OF THE), TOGETHER WITH THE MINUTES OF PROCEEDINGS,
EVIDENCE, AND APPENDICES.

Report brought up 17th August, 1882, and ordered to be printed.

ORDERS OF REFERENCE.

Extracts from the Journals of the House of Representatives.

WEDNESDAY, THE 12TH DAY OF JULY, 1882.

Ordered, "That a Select Committee be appointed to report whether, in any of the cases in which election petitions have been tried by Election Petitions Courts, the circumstances are such as render it just and reasonable that the persons upon whom the costs of such trials have fallen should be relieved therefrom by a grant from the Colonial Treasury. Such Committee also to inquire into the reasonableness of the costs which have been allowed in such trials, and as to the scale of costs to be allowed in the future."—(*Mr. Sheehan.*)

THURSDAY, THE 13TH DAY OF JULY, 1882.

Ordered, "That the Select Committee appointed to report on certain cases tried before the Election Petitions Courts consist of the Hon. Mr. Dick, Captain Morris, Mr. Turnbull, Mr. Wynn-Williams, Mr. FitzGerald, Mr. Weston, Mr. Conolly, Mr. Shrimski, Mr. Macandrew, and the mover. Three to be the quorum; to report in three weeks."—(*Mr. Sheehan.*)

FRIDAY, THE 28TH DAY OF JULY, 1882.

Ordered, "That the Election Petitions Inquiry Committee have leave to postpone the bringing up of their report for a week."—(*Mr. Sheehan.*)

THURSDAY, THE 10TH DAY OF AUGUST, 1882.

Ordered, "That the Election Petitions Inquiry Committee have leave to postpone the bringing up of their report for a week."—(*Mr. Sheehan.*)

REPORT.

YOUR Committee, having carefully considered the matters referred to them, have the honor to report as follows:—

In respect to Mr. Wason's case, it would appear, from the evidence of the taxing officer, that the costs referred to in Mr. Wason's petition as having been taxed on his behalf were not properly taxed, notwithstanding the fact that they were brought before the proper taxing officer of the Court for that purpose.

It appears, from Mr. Bloxam's evidence, that Mr. Wason was represented by a solicitor other than his own private solicitor, and that the items were agreed to as the taxation proceeded; and the Registrar stated that he did not consider it was his business to interfere if the client sent a solicitor before him to consent. It is therefore evident that the costs were not taxed.

The Committee have also had before them a letter from Messrs. Harper and Co., as well as one from Mr. Wason, from which it would appear that the costs were sent up to the Registrar to undergo strict taxation.

On a careful consideration of the whole of the evidence brought forward, as well in the foregoing case as also with regard to the following election petitions, namely, *Buckland v. Harris*, *Hollis v. Allwright*, *Rutherford v. Sutter*, *Hirst v. Daniel*, *Ballance v. Watt*, and *Cowlshaw v. Pilliet*, which have been tried, your Committee have come to the conclusion that they cannot recommend that the petition of Mr. Wason should be complied with, nor can they recommend that any portion of the costs should be refunded by the State to those candidates whose cases have been referred to, as it would be impossible to admit that the Crown can be held liable for the errors of the public officers of State. To do so

would involve the admission that the State should be pecuniarily responsible to litigants for losses incurred from mistakes made by Magistrates and Judges. If the costs in such cases as those referred to were repaid by the Crown, your Committee are convinced such a proceeding would result in the encouragement of very great litigation in filing petitions against the return of members, and that in all probability the demand upon the State would amount to many thousands of pounds after every election.

With regard to the costs of petitions generally,—

Your Committee have to report that, in their opinion, the costs in the cases which have been before the Committee have in all of them been allowed by the Taxing Masters at a very exorbitant rate, and more particularly so in the cases of the Wakanui and Wanganui petitions.

In the Wakanui case, the Registrar not only allowed two counsel, but he allowed (in addition to fees for consultations, &c.) to the leading counsel, as a fee on his brief, £86 2s.; and to the junior counsel, who was the solicitor to the petitioner, the very excessive fee of £57 8s. In this case the costs as allowed by the Taxing Master of the Supreme Court amounted together to about £682.

In the Wanganui case, the Registrar at Wellington allowed £170 for preparing brief, and fee on brief £130.

By reference to the bills of costs in the Wakanui and Wanganui cases it will be seen that, in the former case, the fee allowed for instructions for a brief with about thirty witnesses was only £20; while, in the latter case, with a brief of only about twenty-three witnesses, £210 was claimed and £170 allowed.

The Committee cannot refrain from expressing a very strong opinion that there must be something radically wrong in the system pursued in the various taxing offices of the different branches of the Supreme Court, when it is found that the public officer, who, it may be assumed, is appointed to the office for the protection of litigants from the payment of excessive costs, can justify the allowance of such fees to counsel, and costs generally, as those which have been allowed in the cases referred to. This is specially noticeable when these costs are compared with others taxed by another officer of the same Court, when it is found that he disallowed the second counsel on both sides, and reduced the whole of the costs at a rate which is probably double that taxed off in the Wakanui and Wanganui cases, and yet the cases, it appears, involved equally as serious and important questions of law.

The Committee have no hesitation in stating that they consider the whole of the costs in the various cases out of all proportion to the importance of the questions raised, and are strongly of opinion that steps should be taken by next session to have a scale of charges prepared, which can be added by amendment of the Election Petitions Act; and that such scale should not exceed the amount which a petitioner is now required to deposit as security for costs.

Your Committee also beg to report that the Corrupt Practices Act requires amendment to protect candidates from being persecuted by persons who may commit corrupt practices without their knowledge, and thereby not only defeat their return, but put them to unnecessary and serious legal expenses. The Act also requires amendment as to intimidation, as it appears from the Franklin case that a perfectly innocent candidate was declared unduly elected in consequence of a person, without his knowledge, having, it was alleged, intimidated a voter.

JOHN SHEEHAN,
Chairman.

17th August, 1882.

MINUTES OF PROCEEDINGS.

FRIDAY, 14TH JULY, 1882.

THE Committee met at 10.30 a.m.

Present : Hon. Mr. Dick, Mr. Macandrew, Captain Morris, Mr. Sheehan, Mr. Shrimski, Mr. Turnbull, Mr. Wynn-Williams.

The orders of reference of the 12th and 13th July were read.

Resolved, That Mr. Sheehan take the chair.

On the motion of Captain Morris, *Resolved*, That Mr. Ivess, Major Harris, and Major Campbell be summoned to attend at the next meeting, to give evidence before the Committee.
The Committee adjourned until Tuesday, the 18th July, at 10.30 a.m.

TUESDAY, 18TH JULY, 1882.

The Committee met pursuant to notice.

Present: Mr. Conolly, Hon. Mr. Dick, Mr. FitzGerald, Mr. Macandrew, Mr. Sheehan (Chairman), Mr. Shrimski, Mr. Turnbull, Mr. Weston, Mr. Wynn-Williams.

The minutes of the previous meeting were read and confirmed.

Major Campbell was called, and produced the Judges' reports of the Stanmore, Wakanui, Franklin North, Wanganui, Wallace, and Lyttelton election petitions. He was then examined, and his evidence taken down.

Mr. J. C. Wason's petition was read.

Mr. Bloxam, Registrar of the Supreme Court, Christchurch, was then examined, his evidence being taken down. He was desired to telegraph immediately for the bills of costs of the Lyttelton and Gladstone election petitions. Mr. Ivess was also examined, and his evidence taken down.

Resolved, That the evidence as taken be printed day by day.

The Committee adjourned until Wednesday, the 19th July, at 11 a.m.

WEDNESDAY, 19TH JULY, 1882.

The Committee met pursuant to notice.

Present: Mr. FitzGerald, Captain Morris, Mr. Sheehan (Chairman), Mr. Shrimski, Mr. Turnbull, Mr. Wynn-Williams.

The minutes of the previous meeting were read and confirmed.

Resolved, That the evidence of Mr. Bloxam and Mr. Ivess, when printed, be forwarded to Messrs. Harper and Co. and Mr. Wason, for their information.

Major Harris was then called, and gave evidence on the Franklin North election petition, which was taken down.

Resolved, That Mr. Daniel be summoned to attend at the next meeting, to give evidence before the Committee.

The Committee then adjourned until Thursday, the 20th July, at 12 noon.

THURSDAY, 20TH JULY, 1882.

The Committee met pursuant to notice.

Present: Hon. Mr. Dick, Mr. FitzGerald, Mr. Macandrew, Captain Morris, Mr. Sheehan (Chairman), Mr. Shrimski, Mr. Turnbull, Mr. Wynn-Williams.

The minutes of the previous meeting were read and confirmed.

Mr. Bloxam was called, and produced the respondent's bills of costs of the Lyttelton and Gladstone election petitions. He was also re-examined, his evidence being taken down.

On the motion of Mr. Macandrew, seconded by Mr. Shrimski, *Resolved*, That Mr. Buckland be informed that the Committee do not think it necessary for him to be summoned at the expense of the colony under the circumstances, but will be very happy to receive any evidence he may be pleased to offer.

The Committee then adjourned until Friday, the 21st July, at 12 noon.

FRIDAY, 21ST JULY, 1882.

The Committee met pursuant to notice.

Present: Mr. Macandrew, Mr. Sheehan (Chairman), Mr. Shrimski.

The minutes of the previous meeting were read and confirmed.

Resolved, That Captain Morris be requested to attend at the next meeting, to give evidence before the Committee.

On the motion of Mr. Macandrew, seconded by Mr. Shrimski, *Resolved*, That the meeting of the Committee be adjourned until Monday, the 24th July, at 10.30 a.m.

MONDAY, 24TH JULY, 1882.

The Committee met pursuant to notice.

Present: Mr. Conolly, Mr. FitzGerald, Mr. Macandrew, Captain Morris, Mr. Sheehan (Chairman), Mr. Shrimski, Mr. Turnbull, Mr. Wynn-Williams.

The minutes of the previous meeting were read and confirmed.

Major Harris was again examined on the Franklin North election petition, his evidence being taken down.

Mr. Sutter was then called, and gave evidence on the Gladstone election petition, which was taken down.

Mr. Daniel was also called, and gave evidence on the Wallace election petition, which was taken down.

Captain Morris's evidence was then taken on an election petition of which he was the petitioner in the year 1876, before the present Act was passed, such evidence being taken down.

Resolved, That, as the evidence of Mr. Bloxam had not yet been received from the printer, an extract of that portion of it containing an allegation concerning the payment of Mr. Wason's costs re Wakanui election petition should be forwarded to Messrs. Harper and Co., Christchurch, and to Mr. Wason, Corwar, South Rakaia, by this afternoon's mail.

The Committee then adjourned until Tuesday, the 25th July, at 10.30 a.m.

TUESDAY, 25TH JULY, 1882.

The Committee met pursuant to notice.

Present : Mr. Conolly, Mr. Macandrew, Mr. Sheehan (Chairman), Mr. Wynn-Williams.

The minutes of the previous meeting were read and confirmed.

It was moved by Mr. Wynn-Williams, seconded by Mr. Macandrew, That Messrs. Pilliet and Watt be requested to attend at the next meeting of the Committee, for the purpose of giving evidence.

Resolved, That the meeting of the Committee be adjourned until Wednesday, the 26th July, at 12 noon.

WEDNESDAY, 26TH JULY, 1882.

The Committee met pursuant to notice.

Present : Captain Morris, Mr. Sheehan (Chairman), Mr. Weston, Mr. Wynn-Williams.

The minutes of the previous meeting were read and confirmed.

Mr. W. F. Buckland, having presented himself, was examined on the Franklin North election petition, his evidence being taken down.

Mr. Watt was then examined on the Wanganui election petition, his evidence being taken down.

A letter was read from Mr. Pilliet, to the effect that he does not advance his claim singly; but would be happy to give evidence on the question of general costs if desired. The Chairman was instructed to reply to the effect that, under the circumstances, his evidence would not be required.

The Committee then adjourned until Thursday, the 27th July, at 12 noon.

THURSDAY, 27TH JULY, 1882.

The Committee met pursuant to notice.

Present : Mr. FitzGerald, Mr. Sheehan (Chairman), Mr. Shrimski, Mr. Weston, Mr. Wynn-Williams.

The minutes of the previous meeting were read and confirmed.

It was proposed by Mr. Weston, seconded by Mr. Shrimski, and carried unanimously, That all the bills of costs produced in evidence be printed and attached to the evidence.

On the motion of Mr. Weston, seconded by Mr. Shrimski, *Resolved*, That the Chairman be directed to obtain extension of time for bringing up the report.

Resolved, That the Committee stand adjourned until the evidence is in print.

MONDAY, 31ST JULY, 1882.

The Committee met pursuant to notice.

Present : Mr. Conolly, Hon. Mr. Dick, Mr. Macandrew, Mr. Sheehan (Chairman), Mr. Shrimski, Mr. Turnbull, Mr. Weston, Mr. Wynn-Williams.

The minutes of the previous meeting were read and confirmed.

The order of reference allowing extension of time for one week was read.

Mr. Allwright was then examined on the Lyttelton petition case, his evidence being taken down.

On the motion of Mr. Shrimski, seconded by Mr. Wynn-Williams, *Resolved*, That the evidence of Mr. W. F. Buckland, in consequence of its having been informally and materially altered in purport, be not admitted; and, further, that such evidence be not received or printed.

Letters from Messrs. Harper and Co. and Mr. Wason were read in reply to letters sent them with reference to Mr. Bloxam's evidence, and ordered to be printed and attached to the evidence.

The Committee then adjourned until Wednesday, the 2nd August, at 11 a.m., for the purpose of considering their final report.

WEDNESDAY, 2ND AUGUST, 1882.

The Committee met pursuant to notice.

Present : Mr. FitzGerald, Mr. Macandrew, Mr. Sheehan (Chairman), Mr. Shrimski, Mr. Turnbull, Mr. Weston, Mr. Wynn-Williams.

The minutes of the previous meeting were read and confirmed.

Mr. Joseph Devine, clerk to Messrs. Buckley, Stafford, and Fitzherbert, was called, and produced papers with reference to the costs in the Wanganui election petition, giving his evidence on the subject, which was taken down.

Resolved, That the respondent's bill of costs in the Wanganui election petition be printed and attached to the evidence.

Resolved, That proof copies of the final report should be printed, with a view to further amendment.

Resolved, That Mr. Ballance be telegraphed to, with a request that he would communicate with the Committee as to the amount of his bill of costs in the Wanganui election petition.

The Committee then adjourned until further notice.

THURSDAY, 10TH AUGUST, 1882.

The Committee met pursuant to notice.

Present : Mr. Conolly, Hon. Mr. Dick, Mr. Macandrew, Captain Morris, Mr. Sheehan (Chairman), Mr. Shrimski, Mr. Turnbull, Mr. Wynn-Williams.

The minutes of the previous meeting were read and confirmed.

On the motion of Mr. Conolly, seconded by Mr. Wynn-Williams, *Resolved*, That this Committee declines to recommend that the House should refund to any of the candidates any portion of the costs incurred in the election petition trials.

Resolved, That the report as amended be adopted and printed.

Resolved, That, in consequence of the delay in the printing of the evidence, owing to the pressure of work at the Government Printing Office, extension of time for seven days be applied for by the Chairman for bringing up the report.

The Committee then adjourned.

MINUTES OF EVIDENCE.

TUESDAY, 18TH JULY, 1882. (Mr. SHEEHAN in the Chair.)

Mr. J. IVESS, M.H.R., examined.

1. *The Chairman.*] Have you any evidence, Mr. Ivess, to offer in support of the prayer of this petition of Mr. Wason's?—I have in regard to certain parts of the prayer. As to the bill of costs just placed before the House, there are several items of course to which I would take exception, because I hold they are unfair, inasmuch as the Court disallowed certain parts of the petition, and I find that the petitioners are claiming a refund of those costs. I petitioned that the election should be declared void on several grounds; amongst others, that several aliens and minors had been permitted to vote. I find that the bill of costs claimed for attendance on behalf of aliens and of minors. Those were struck out in my bill, although they were allowed in the other. The Judges said they could not go behind the roll. Then, again, I see that Mr. Pointz, who was Secretary for Mr. Wason's Committee, claims £40 for services rendered in regard to the petition. What those services were I do not know, unless they went in the direction of analysing the roll to find out how many aliens and minors there were, as against me. Then, again, there is £28 for Mr. Crispe, who attended on behalf of the Returning Officer. He certainly attended, but he never spoke once. The other side had Mr. Button and Mr. Harper to watch the case for Mr. Wason. I can support the bill of costs, with the exception of those three items. The election was rendered void through certain *laches* on the part of the Returning Officer, over whose action Mr. Wason had no control. It was entirely through the errors of this gentleman. The voting was so close, 440 and 442 respectively, that these four persons, if they had been permitted to vote, would have turned the scale on either side. There were certainly dual votes recorded, and it was necessary to set machinery in motion to get them restored. Even if those four persons had voted, then it would have been necessary to petition against the election.

2. I do not think there is any doubt about that, that is shown by your having to recontest the seat. I was going to show that Mr. Wason was quite in the hands of the Court; in either case, even if those four men had recorded their votes, it would have been necessary to petition against the election. Twelve persons voted for only six who were qualified. Mr. Wason was quite unconscious of that, and as to in whose favor they would vote. It was only when the roll came to be gone over that this was discovered.

3. Can you point out to the Committee upon what paragraphs in your petition you won and lost respectively?—I won on Nos. 1, 2, 3, and 4, which were formal. I lost on 5 and 6. Won on 7.

4. I understand from you that you only give evidence to show that Mr. Wason was compelled to defend his election at your instance, you having petitioned?—Yes; he had no option at all, because he was quite unconscious as to the action of certain voters.

5. And in the bill of costs of his solicitors against him you take exception to certain items, because similar items were not allowed in your case?—Yes; I do not think them fair.

6. Having been concerned in the trial, being the petitioner in the Court, can you say, as a matter of fact, that the election fell through, not through corrupt practices on behalf of either candidate, but through the mistakes of officers employed by the Government?—Entirely through the mistake of the Returning Officer and Deputy Returning Officer. The candidates were not in any way amenable.

7. And you think it just and reasonable that the persons who had to bear the costs of the trial should be relieved from the Colonial Treasury?—Yes.

Major CAMPBELL, examined.

8. *The Chairman.*] You are Clerk of Parliaments, and also Clerk of the House of Representatives, Major Campbell, I believe?—Yes.

9. As such, have you in your possession the several notifications received from the Election Petition Courts in regard to disputed elections?—I have.

10. Can you tell us the names of the various seats in respect to which a new election was ordered?—The seats for which new elections were ordered are Stanmore, Wakanui, and Franklin North.

11. Are there any seats in respect to which the actual polling was set aside without the election itself being declared void—such as the case of Wanganui for instance?—I have no official knowledge on that point.

12. You have all the reports from the Judges who tried disputed election cases?—Yes. In addition to those I have named, there are reports from the Judges on the petitions against the elections for Wanganui, Wallace, and Lyttelton. A petition was also lodged against the election for Gladstone, but was withdrawn, and the Judges have so reported.

13. Those are all the cases then?—Yes.

14. Do the reports from the Courts show upon what ground the judgment went?—No; they are simply the Judges' reports and certificates of their decisions.

I. 8.—1.

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].

47. Now, the scale of costs is practically very much in excess of what would be allowed for a case in the Supreme Court?—As far as counsels' fees are concerned. The witnesses' expenses would be heavier, because the witnesses would have to go to Christchurch. Part of Mr. Wason's bill was made up of a fee for a solicitor, instructed by Mr. Wason, to appear on behalf of the returning officer. Then there was an item of £89 16s. for Mr. Poyntz, who was engaged on behalf of Mr. Wason in getting up particulars as to the votes. His expenses were consented to; witnesses' expenses were consented to; as was also the item for the counsel for the returning officer, 19 guineas.

48. Taking it in this way, the total amount allowed, partly on taxation and partly by consent, was £372 11s. 9d. Presuming all the items had been contested, what amount do you think would then have been allowed on taxation. I mean if it was an ordinary action in the Supreme Court?—Presuming everything to have been the same, the counsels' fees would have been the only thing different. Counsels' fees would probably then have been 50 guineas, and one-third less for a second counsel, if the case had been of sufficient importance,

49. *Mr. Dick.*] How much did Mr. Stout really get?—If Mr. Ivess had succeeded in the whole of the petition, Mr. Stout would have been allowed 100 guineas, and the junior two-thirds of that. In the Supreme Court, on costs taxed as between solicitor and client, Mr. Stout would have been about 50 to 60 guineas, and junior counsel one-third less respectively.

50. Are all the other expenses the same as they would have been in the Supreme Court?—Very nearly. Some items of 13s. 4d. would then have been 6s. 8d.

51. Allowance for witnesses the same?—Yes.

52. *The Chairman.*] Mr. Poyntz's expenses would not have been allowed in the Supreme Court?—Not as between party and party.

53. You have no particulars of how Mr. Poyntz's account was made up?—No, because the item was consented to.

54. You do not know if it was full payment, or payment of a balance.—No.

55. Then, there are Mr. Crispe's costs, I see?—He appeared on behalf of the returning officer, by direction of Mr. Wason.

56. If this bill of Mr. Wason's had been taxed in the ordinary way, you think the amount allowed would not have been nearly so much?—Yes; certainly it would not.

57. To what extent do you think there would have been a reduction?—In round numbers, it must have been reduced by £60 or £70, including the item for counsel for the returning officer.

58. And you would have struck off the charge for Poyntz?—Not as taxing between solicitor and client. I should have satisfied myself that he had been properly employed, and that receipts were given for his charges.

59. Suppose Mr. Wason and his solicitors had quarrelled, and fought the thing, do you not think there would have been a very material reduction?—Yes; very likely.

60. Apart from the fact that there is no specific provision on the subject of costs, was there anything about the trial which made the case a more arduous one than an ordinary case in the Supreme Court?—Generally, it was of more importance. It was entirely new work, and I know all the counsel were very much engaged in getting the law up. I know, too, that it was very laborious for the Judges. Of course, I only know these facts incidentally.

61. Apart from its being a new line of business, was there any special reason why you should allow larger fees in this case than in ordinary cases?—Not in respect to witnesses. The expenses for witnesses were here allowed by consent. Had it been otherwise it would have had to be proved that they had been paid. I have no doubt they were actually paid.

62. *Mr. Fitzgerald.*] Would they have been paid exactly the same as was charged for them if the case had been a Supreme Court one?—Probably they would have been paid more in that case, because they would have had to come to Christchurch instead of being in the district. The rate per diem, I believe, was the same.

63. Was not this taxation of Mr. Wason's bill in the nature of a friendly action between the parties?—Yes.

64. *Mr. Turnbull.*] What induced you to adopt the English precedents as a whole, as a guide. You have apparently not considered the difference in magnitude of the cases?—I adopted the same principle only in this respect, that counsel's fees should be on a more liberal scale than for a Supreme Court case.

65. *Mr. Wynn-Williams.*] Supposing you put it this way. Suppose Mr. Stout was allowed 110 guineas, what would the leading counsel have been allowed in a similar case at home?—I had to take into consideration the time Mr. Stout was away from his business.

66. If a lawyer had come from Wellington to Ashburton, would you have allowed more?—As between solicitor and client the taxing master has no option. If an individual chooses to have counsel from a distance he must pay for it. But I should not have allowed more on that account, as taxing between party and party.

67. As to the junior counsel, did you take into consideration the importance of the case, or simply allow him fees by scale?—The junior is almost always given one-third less than the leader.

68. But, as taxing master, do you exercise no discretion as to the number of counsel. Supposing there had been a third counsel?—A second counsel is almost always considered necessary. I should not have allowed a third counsel, nor, if the case had been of no importance, a second.

69. But do you not exercise your judgment as to the importance of the case; this seems to me a simple case?—I may say that the decision in the election petition case for Lyttelton had been allowed to stand over. The question was, whether aliens were entitled to vote or not. It was expected the same question would be raised in this case, and I believe the Judges expected Mr. Stout to argue it. However, it was not gone into, by agreement of counsel, before the trial. The junior counsel got up the case.

70. You said this was a new kind of litigation. It seems to me that it is not new?—All the counsel had to get up the new law.

71. Why did you allow a junior counsel?—Because I considered it of sufficient importance, and the other side did not contest it.

72. *Mr. Turnbull.*] You said you took into consideration the question that this was a first case, and that there was a question which came up at Lyttelton which would probably be argued here?—The question in the Lyttelton petition was, whether aliens should be allowed to vote, or whether the roll was to be final. That question was adjourned, and I believe the Judges thought Mr. Stout would argue it before them in this case.

73. But did you allow more costs for that reason?—No; but I mention this to show the importance of the case.

74. Were Mr. Wason's witnesses allowed a higher rate than witnesses of the same grade who were called on behalf of Mr. Ivess?—I should say they would not be, but at the same rate. They were not proved before me.

75. *Mr. Connolly.*] Were you present at the trial?—I was.

76. How many witnesses were there?—Only one side was gone into. About fifteen were examined, but there were twenty-seven in attendance.

77. In a case in the Supreme Court, lasting two days, where there were twenty-seven witnesses, would you allow a second counsel?—Yes.

78. *Mr. Dick.*] Did you tax the costs in any other case?—Yes; in the Lyttelton case. That was a very moderate bill. I think about a guinea was deducted from about 80 or 90. The case lasted a day, and the leading counsel got 30 guineas, if I remember right. The other side did not raise any objection to any of the items. The bill could have been made much larger.

79. Were leading members of the profession engaged?—Mr. Holmes, with Mr. Cowlshaw as second, on Mr. Allwright's side; on the other side, Mr. Harper and Mr. Button.

80. And what about the Gladstone case?—The costs have come in to be taxed. That case was not heard.

81. *Mr. Weston.*] Can you account for the apparent inequality of the fees?—I cannot account for it at all. When the Lyttelton's bill came in I remarked that it was a very moderate bill.

82. *The Chairman.*] In comparison with the others?—Not only that, but taking all the circumstances into consideration.

83. As to the incidental expenses connected with Mr. Poyntz, had you any opportunity of considering them?—No.

84. I understand you to say that one reason for allowing such high fees was that the business was new—a new Act and a new system. Now, allowing that to have been a reason, do you think any reason would exist for higher fees now, the whole practice being settled, and several judgments being given under the Act, would there be higher fees now than in the Supreme Court?—I do not think so, if we were not bound to follow the English precedents.

85. *Mr. Wynn-Williams.*] Have you any knowledge why higher fees are allowed in England for election petition cases than for ordinary cases?—I do not know.

86. And you think in future cases it would be quite sufficient to allow the same fees as in an ordinary case in the Supreme Court?—Certainly, if directions to that effect were given to the taxing masters.

87. I am asking your opinion?—Yes; and it should be settled, whether they should be taxed, as between solicitor and client, or as between party and party.

88. *Mr. Ivess.*] As to the costs for Mr. Poyntz and Mr. Crispe, perhaps you would have struck them out if the bill had been contested?—I should have required proof of them.

89. *The Chairman.*—Do you know whether these costs have been paid?—I cannot say as a matter of fact, I can only give it as my opinion that they have not been paid.

90. Have you heard any information as to whether, if they were not allowed by the House, Mr. Wason would be called upon to pay them?—A remark was dropped by the clerk that if Parliament did not grant the money, Mr. Wason would not be called upon to pay the whole of it. That statement was only incidentally made.

91. *Mr. Weston.*] That was nothing to do with you?—No.

92. *Mr. Ivess.*] Were there several items disallowed in my costs, which were allowed in Mr. Wason's, as to minors and aliens?—This bill was between solicitor and client. The work was done, as against Mr. Wason, by his own solicitor.

WEDNESDAY, 19TH JULY, 1882. (Mr. J. SHEEHAN in the Chair.)

Major HARRIS, M.H.R., examined.

93. *The Chairman.*] You are a member of the House of Representatives?—Yes.

94. You stood as a candidate for the representation of Franklin North, at the general election last year?—Yes.

95. You were opposed by Mr. Buckland and others?—Yes.

96. What was the result of the polling as declared on the day of election?—I had 323 votes, Mr. Buckland had 321, Mr. Luke 157, and Mr. Gordon 8.

97. You were at the head of the poll?—Yes.

98. And you were declared to be returned accordingly?—I was.

99. Afterwards your position was assailed by petition under the Corrupt Practices Prevention Act?—Yes.

100. By Mr. Buckland?—Yes.

101. Where was the case heard?—At Papakura. Judgment was given at Otahuhu.

102. How long did the case last?—Three days, including the day on which judgment was given.

103. The case resulted, I believe, in the seat being declared vacant, and a fresh election being ordered?—Yes.

104. What was the order made about costs? Members of the Committee will see that I am making these questions leading in order to come as soon as possible to the point of the enquiry?—Mr. Buckland, I think, had to pay the costs on nine issues, and I had to pay the general costs attached to others. I do not properly understand the matter now.

105. Was it this? Upon certain issues which Mr. Buckland failed to prove, he had to pay costs, and upon the issues which he proved, you had to pay costs?—Yes.

106. Can you tell us what was the total amount of costs you were asked by your solicitor to pay, both as against you to Buckland and to your solicitor, for the hearing of the case which you say lasted three days?—I had not all the documents with me. I think the amount was £385.

107. Have you a copy of the judgment?—No, I have not; but I have sent for it.

108. I have a printed copy in the *New Zealand Herald* of the 17th of March. The decision against you was not because you had been guilty of a breach of the Corrupt Practices Prevention Act?—Nothing of that kind was mentioned.

109. You had to recontest the seat?—Yes.

110. You did so?—Yes.

111. And won the election?—Yes.

112. *Mr. Turnbull.*] What had you pay to Mr. Buckland?—I had to pay over to him £150 11s. 5d. He withdrew two cases, lost on seven, and won upon the other one.

113. *The Chairman.*] What was the amount of his bill?—The original amount of the bill was £361, but it was taxed down to £150 11s. 5d.

114. What was Mr. Lusk's own individual bill against you?—The amount was £385, with what I had to pay Mr. Buckland. That would make £234 8s. 7d. the amount of his bill against me.

115. This was for the case lasting three days?—Yes.

116. The Court sat at Papakura two days, and, after that judgment was given at Otahuhu?—Yes.

117. I suppose counsel engaged would have to leave their ordinary business in Auckland for two days?—Yes.

118. If they travelled up and down by train?—Yes.

119. *The Chairman.*] I will now read the certificate of the Judges. [Certificate marked B read.] In point of fact the election was made void purely owing to some misconception of the Returning Officer?—Yes; that was the Judge's decision. With the permission of the Committee, I will state how this happened. At Howick, there was a person named Dovell, who had been in the district six weeks. He had his name on the roll as an elector. He went to vote at Howick, when a person named Hattaway followed him and objected to him, on the ground that he had not been in the colony twelve months, or in the district six months. Hattaway asked the Deputy-Returning Officer, Mr. Smith, to question Dovell, and, at the same time, detailed the questions to be asked. One was, "Have you been six months in the district?" The Deputy-Returning Officer asked him this, and Dovell, finding that he had been overstepping the mark, got frightened and would not vote. He was told that if he did vote, his vote would be put on one side and not counted with the others. He then withdrew. Hattaway's vote was struck off me afterwards, it was alleged, for intimidation. It was held that, if it had not been for this the result of the polling, as between Mr. Buckland and myself, would have been even. In consequence, the Judges declared the election void, and stated that the Deputy-Returning Officer was to blame.

120. *Mr. W. H. W. Williams.*] Is that stated in the report? Do the Judges say so in their judgment?—

121. *The Chairman.*] In giving judgment His Honor the Chief Justice said: "We have come to the conclusion that Dovell was prevented from recording his vote by the conduct of Hattaway, and also in consequence of the conduct of the Deputy-Returning Officer. The question, however, is, whether he was prevented from recording his vote by the action of Hattaway. We think there was an intention to object to Dovell's vote on the part of certain persons who believed his name was put on the roll improperly, and that there was a penalty attached. They also knew that he would probably vote for Mr. Buckland, and it is clear that the intention to object to him was on that ground, and that Hattaway was acting with a number of persons who were outside the polling place, and that, upon Dovell entering it, Hattaway followed him, and practically threatened that if he voted he would probably be prosecuted. Substantially a threat was used with regard to his giving his vote. I do not say that I am at all of opinion that Hattaway was doing anything that he thought improper, but he was under the impression that Dovell being wrongly on the roll, he ought to be prevented from recording his vote, and he did not hesitate to threaten him with prosecution if he voted. I think it was clear that he was prevented by these threats from voting. It has been ably argued by Mr. Lusk that Dovell, being conscious of having committed an offence by being placed improperly on the roll, was prevented by that from carrying his vote into effect, but that made the impression on his mind stronger when Hattaway used the threat. The fact that he was conscious of an offence would make the impression stronger. The result was, that Hattaway's vote was void, and must be disallowed to the respondent. This leaves him still a majority of one. The question remains, what is to happen with regard to Dovell's vote? We think it cannot be given to the petitioner so as to make an equality of votes, but the effect is, that a vote which if given might have placed the petitioner and the respondent on an equality, was refused, and, that being the case, are we to say that there was a due election? We think not. We cannot say what the Returning Officer would do, and we declare the election void. I cannot avoid commenting on the manner in which the election was carried out at Otahuhu. It plainly was not in accordance with the Act. It was the duty of the Returning Officer to have informed the candidates that he would have separate ballot boxes, and if he had they would be under his own control. The election, as conducted, was calculated to cause confusion. The result is, that six votes were not ticked, and it is impossible to say whether they were good or bad votes, and

even on this ground it was impossible to say what the result of the election would be, but we rest our decision on the plain ground that a vote was prevented through intimidation, and it is unnecessary to give a ruling on the other points. The recent decision in the Wakanui case was, that a vote refused rendered the election void." Mr. Justice Gillies concurred.

122. *Mr. W. H. W. Williams.*] The Judges refer to intimidation by the man Hattaway?

123. *The Chairman.*] Yes; that he had stopped Dovell from voting, and that the election was void.

124. *Witness.*] I was not within ten miles of him on the day of the polling. Then, as to the decision of the Judges. If this man had been allowed to vote I should have still been one ahead all the time?

125. *The Chairman.*] The question is, whether Mr. Harris has been compelled to contest this election a second time, and pay these costs through any fault of his own. I have sent for the actual papers and bills of costs.

126. *Mr S. E. Shrimski.*] I suppose you were careful with regard to expense?—Of course I was. When I found that my opponent had taken steps to secure the attendance of certain witnesses, I did not do so. There was a great deal of evidence given.

127. *Mr. W. H. W. Williams.*] Have your solicitor's costs been taxed?—No; I have left money in his hands. I have left £400 in his hands. I have no receipt for money from him.

128. *Mr. S. E. Shrimski.*] You did not incur any unnecessary expense, thinking to have it refunded from the Crown?—No; I thought I should have to pay it myself.

129. *The Chairman.*] How many witnesses were there?—I think about six or seven.

130. How many witnesses were called by Mr. Buckland?—I think about thirty.

131. *Mr. R. Turnbull.*] I should like to ask why it was necessary to employ two counsel?—I had not two counsel. Mr. Lusk was assisted by his partner, and no charge was made for that. In Mr. Buckland's case young Mr. Whitaker was employed, and Mr. Buckland asked me to pay him £64, but that amount was struck off in taxation. He would have had to pay that himself.

132. *The Chairman.*] Then the costs of second counsel were not allowed in taxation?—No; those costs were not allowed.

133. *Mr. S. E. Shrimski.*] What distance had counsel to travel from their place of residence to the Court?—I think the distance is twenty miles by rail from Auckland.

134. *The Chairman.*] And the case lasted three days?—Two days and a few hours.

135. *Mr. R. Turnbull.*—At what time does the train leave Auckland in the morning?—At seven o'clock.

136. *The Chairman.*] Returning about what time?—They would get to town again by the six o'clock train in the afternoon.

THURSDAY, 20TH JULY. (Mr. SHEEHAN in the Chair.)

Evidence of Mr. BLOXAM, recalled.

137. *The Chairman.*] You have received certain papers I believe?—Yes; I have.

138. What are they?—They are the taxed bills of costs in the petition Hollis against Allwright.

139. Is this the bill as between the parties?—Yes.

140. William Hollis and Harry Allwright?—Yes. In my evidence the other day I referred to what I thought was the amount—namely, £90. Altogether it is about £127.

141. The total amount then was £127 17s. 4d., and £2 14s. 7d. was taxed off, leaving a total of £124 12s. 9d?—Yes.

142. How long did the trial last?—One day, and counsel attended a second day for judgment.

143. How many counsel were employed?—Two counsel.

144. And the fees were allowed?—Fees were allowed as claimed. No objection was raised to them. They were 85 guineas and £27 15s.

145. *Mr. Dick.*] Is that the case of Hollis v. Allwright?—Yes.

146. *The Chairman.*] It is only one bill?—No bill of Allwright's has come in yet at all.

147. You now produce bills of costs between Robert Rutherford and James H. Sutter in the Gladstone case?

148. *Mr. Macandrew.*] May I interrupt by asking you another question? I understand you to say that there was a trial for two days in the case you have mentioned?—No; for one day.

149. And the taxed costs were £124 12s. 9d.?—Yes.

150. For one day?—Yes.

That's pretty sweet.

151. *Mr. Dick.*] Is that for counsel on both sides?—No; two counsel were on one side.

152. *The Chairman.*] This is the bill of costs as between the parties; between Mr. Allwright and the petition against him.

153. *Mr. Dick.*] Was the judgment given that both parties should pay their own costs?—No; the order was that the costs of the respondent, incidental to the petition, be paid by the petitioner.

154. Then Mr. Allwright's claim is to be paid by the other side?—Yes.

155. And yet he has not sent it in?—Petitioner's costs have not yet been sent in.

156. *The Chairman.*] The order is to pay Mr. Allwright?—Yes.

157. Nothing at all about the petitioner?—No.

158. Is he a man of straw, or a person from whom the costs will be forthcoming?—I cannot say that at all, sir.

159. *Mr. Macandrew.*] It would not be a fair question, I suppose, to ask on what principle taxation is conducted?

160. *The Chairman.*] I will get this bill in first of all if you don't mind. (To witness.) This is the bill of costs between Robert Rutherford and James H. Sutter? These are the respondent's costs on the withdrawal of the petition?—Yes. The case was not heard in open Court. It was withdrawn.

161. That bill has not been taxed?—No.

162. And the total amount claimed is £89 18s. 9d.?—Yes.

163. Are counsels' fees allowed?—I cannot say what may be allowed.

164. What are claimed then?—The sums of £20 and £16. The question may arise whether they should be allowed altogether, or not at all.

165. Then, the claim made on behalf of counsel in the case is composed of these items: for senior counsel 21 guineas, and for junior counsel 16 guineas?—Yes.

166. Have these costs been paid?—They have not been taxed.

167. *Mr. Wynn Williams.*] In the Lyttelton petition, I see there is £74 11s. 6d. paid for counsel altogether?—Yes.

168. Fees for consultation, with drawings and so on. That is more than half the total amount of the costs?—Yes.

169. Do not you think that that is out of all proportion to the work in a small case like that where the fees amount to more than half the total amount?—No. In any case there may be very little solicitors' business, and yet counsels' fees may be large; there is no analogy between them. Counsels' fees could not be calculated in proportion to solicitors'. I do not consider a case affecting questions which involve a seat in the House a small case.

170. Yes, I know they do. I do not know how you judge of these things; but I should say that where the proceedings are so small that the solicitors' costs only amount to about £25, there cannot be very much in the case. The mere fact that it involves a seat in the House, is only a consequence. I cannot get at all at the principle on which these fees are allowed. You said the other day that in the case of the Wakanui petition, the fact was, that the questions involved were new to the parties concerned, and, therefore, you considered they were entitled to a heavier fee?—Not solely on those grounds. There are a great number of things to be taken into consideration in fixing counsels' fees.

171. Yes; but did not you say the other day that, although the case is new to the counsel and Judges, it is not new as a matter of law?—It is new to New Zealand.

172. And, therefore, they were entitled to larger fees; the more ignorant the parties concerned, the bigger would be their fee?—I do not see that it involves that at all. Of course one has to take into consideration that a man may fee counsel at all sorts of fees; but leading counsel will not take a small fee, and, if a man wishes to have the best counsel he can obtain, I suppose he must pay for it.

173. This is rather puzzling, because another Registrar in the North Island only allowed one counsel on each side, and the question involved in that case was far more difficult to decide than in the Wakanui case; it was a question of intimidation.—It must be a matter of opinion. For instance, although this may not be evidence in any way, a gentleman connected with your firm considered that it was not too heavy.

174. I cannot help what he thought.

175. *Mr. Turnbull.*] As I said the last time in reference to the magnitude of the questions involved between the cases arising in the English Parliament and this, and the extraordinary ability which is obtained there, I ask whether, taking those circumstances into consideration, we should have adopted any new departure by allowing such a sum as would have been allowed in an ordinary Supreme Court case?—That is a question on which almost anybody might differ.

176. This was a Special Act—the Corrupt Practices Act—and a special knowledge would be required for that alone. But the getting up of that case would necessitate not merely the getting up of the Corrupt Practices Act, but the getting up of precedents in the English cases.

177. That would not be a new feature?—A new feature in New Zealand. There have been no election petitions except before the House.

178. *Mr. Williams.*] The cases quoted are all old law in England.

179. *Mr. FitzGerald.*] I understand you to say you put a good fee on a first case such as this was, because the Act had only recently come into force, and also because of the importance of the case itself?—If I had to fix a fee, as I had practically in this case, I should certainly take that into consideration.

180. *Mr. Turnbull.*] Did the charges made in the Lyttelton case come before you, Mr. Bloxam, before the Wakanui case?—The first, Ives against Wason, was on the 15th, and the Lyttelton case was on the 26th.

181. Then the Wakanui case was the case you would consider first?—Yes. On the question whether aliens were entitled to vote, there was a very long argument.

182. Had the bill for the Lyttelton case come in first, would that have guided you in reference to the charges in the Wakanui case?—I do not think it would, because there was no objection raised at all to any of the charges made in the Lyttelton case except one simply in reference to subpoenas, and in that case the question arose as to whether the subpoenas had been issued an undue time before the trial or not.

183. Would a knowledge of the fee charged by Messrs. Harper in the Lyttelton case have guided you in taxing the Wakanui case?—No. If they had claimed a large fee in that case I should have gone into the matter. All the circumstances of the case must be taken into consideration by the taxing-master.

184. *The Chairman.*] What he means is this: If you had taxed the Lyttelton case first, would that have led you to reduce the amount in the Wakanui case?—I do not think it would. It is a difficult matter to decide. Cases cannot always be compared one with another.

185. *Mr. Dick.*] The charge for the Lyttelton case made by the lawyers is lower than the Wakanui one considerably, is it not?—Yes.

186. That would have made no difference in your taxation?—I don't think it would. I think the charges sent in in the Lyttelton case were very moderate.

187. In the Gladstone case, I see that the bill is not taxed?—Yes.

188. Would you consider that a fair charge?—That question will arise, no doubt, on the taxation.

189. You have not considered it yet?—I can't consider it till I hear the arguments on both sides. It will depend whether the briefs as regards counsels' fees were given an unnecessary time before the trial or not; and the question will arise whether it will be allowed altogether, or not at all.

190. *Mr. Shrimski.*] I wish to ask whether it is the intention to reopen the case of Wason in regard to Mr. Bloxam?

191. *The Chairman.*] He is here to answer all questions that may be put to him.

192. *Mr. Shrimski* (to witness).] You said you had overheard the Clerk say that Wason would never be called upon to pay it?—I did not say "Not called upon to pay." I meant to say, if I did not say it, that he mentioned incidentally, he would not be called upon to pay such a large amount—that they would make a reduction.

193. Then, we are to understand, I suppose, that the application now for the expenses to be paid, is merely for the purpose of getting it from the Crown?—I can't say that, sir.

194. Would you infer that?—I should have inferred that it is the practice of solicitors sometimes to send in a long bill of costs, and say they will take so much for it.

195. *The Chairman.* In regard to the word "overhearing" used in your evidence, I believe the remark alluded to was passed at table, and not that you overheard it in any unfair sense?—Yes.

196. *Mr. Macandrew.*] I should like to ask if the amount taxed by the taxing process is taxed by any rule of law defining the matter?—As regards counsels' fees, all the charges are taxed on certain principles, and the taxing-master's opinion is generally taken on a review as to amounts, although it is very seldom upset on review, unless he has gone on wrong principles.

197. Then the whole thing depends on the view of the taxing-master?—Yes; to a very great extent.

198. Well, suppose there is a case in which A.B. charges £10, and C.D. charges £20, would the taxing-master treat them differently if the principle involved was the same?—If one gentleman chooses to charge less than he could fairly do, the taxing-master would not say that the other person should be reduced. It would be on the same principle as this: one mercantile man may take less for his goods than another, or it might cut the other way.

199.—It appears to me, then, that in the case to which you are referring, it was a "try on." If a merchant were to send in a bill for a certain quantity of sugar, say, at a given price, and were to state that he is willing to take half that amount, it would be very singular?—But that would be different from a bill of costs sent in to be taxed.

200. The whole thing is a mystery to me.

201. *Mr. Shrimski.*] I look upon it that the taxing-master ought to have power to exercise his own discretion?—So they have.

202. *Mr. Macandrew.*] Would it not be possible for a taxing-master to reduce a bill of £300 to £50?—If he did, no doubt his decision would be passed under review, if he did it arbitrarily and without reason, it would be referred back to him. It seems to me that the whole thing is arbitrary.

203. *Mr. Williams.*] Mr. Bloxam has repeatedly stated, when I asked if he would allow larger fees in the Lyttelton case, he would do so if there was no objection by the other side. Is that correct?—Yes; in reference to that particular case.

204. But it does not apply to all taxation?—No; I know personally that Mr. Holmes had been getting up that case a long time before. I believe for a week.

205. Yes; but you stated that if there were no objection on the other side you would do so?—Certainly, if there had been any objection it would have gone in, and, knowing the whole circumstances of the case, I would have allowed it, even though there had been an objection.

206. But supposing there was no objection in the Wakanui case?—That was by counsel, as between solicitor and client, and not between party and party.

207. Therefore, as there was no objection, as between solicitor and client, you allowed it?—Yes; the other transaction was between party and party.

208. Quite so. That, however, is only a matter of degree. What I understand you to say is this, that because the other side did not object to the amount you passed it?—Yes.

209. I don't know whether I ought to ask this question, but we ought to get at it. I want to ask the witness if he does not think the duty of a Registrar is to protect the public from both lawyers, and not to allow a fee because an opposing lawyer consents to it.

210. *The Chairman.*] The question is a proper one to put.

211. *Mr. Williams.*] Don't you think your duty is to protect the public against both lawyers?—Yes; against collusion. But this is impossible between solicitor and client. If the client comes and consents to pay a certain amount, I don't see that a taxing-master would have any grounds in the case to say that he should be forbidden to pay it.

212. *Mr. FitzGerald.*] What was the fee here between solicitor and client?—£110.

213. Supposing it had been £1000. Do not you think that in that case, considering the amount an outrageous one, you, in the interests of the public, should step in and say "No?"—It would not be in the interests of the public if the client did not object.

214. Would you not, considering that to be an outrageous charge, because there was consent as between solicitor and client, would you not interfere?—I should consider I had no power to interfere. The case would be simply parallel to that of a man confessing judgment.

215. *Mr. Williams.*] It is quite obvious that a Registrar is *ex officio* called upon to interfere, otherwise there is no object in taxing it?—Yes; but there is a difference between taxing by consent and taxing the amount when it is objected to.

216. *Mr. Dick.*] If a bill is brought in to be taxed, is it not the duty of the master to see whether it is a proper fee to be charged?—No, sir, not as between solicitor and client. I should guard myself by making it that it was "by consent." The man consents to pay. I could not, if you came before me and said, "I am willing to pay my solicitor £1,000." I would not say, "You shall not do so; you shall only pay £500."

217. Yes; but you can say "the right charge is only £500." You ought to put at the bottom what the right charge is.—No; that's not the principle of taxing.

218. Then what is the use of taxation?—To fix charges if objected to. A person may object to many items, and consent to others.

219. Then why do they come before you to be fixed? Would you prepare a sort of arrangement showing what should be the charges for the different cases?—That would be very difficult, because I could not fix the fee, for instance, for which Mr. Stout would come up here.

220. But couldn't you fix what the leading counsel and second counsel should get, and so on?—I could not say counsel should come up here for £50. He might say I won't come for less than £100.

221. *The Chairman.*] I will try to make it clear to you. The point that Mr. Williams and Mr. FitzGerald want to get at from you is this: Supposing this bill brought before you for taxation, by consent, had been for £2,000 instead of £500, would you have felt yourself warranted, by consent of the opposite side, in taxing it to that amount?—Yes; when by consent. I don't know whether there be any authorities in such cases. I have not looked them up, and I can't bring any to recollection.

222. In view of the fact that you had reason to believe that Mr. Wason was not going to be called upon to pay the whole amount, do you think it is proper to allow an exorbitant sum?—I don't consider that I allowed any sum as taxing-master, except in a mere technical sense.

223. Then, you understood that the bill was being taxed really as a matter of form?—Yes.

224. Had you any idea of who the invisible benefactor was that was going to pay the amount?—By conjecture, only, from what I saw in the papers when there was a discussion in the House.

225. *Mr. Macandrew.*] Did the taxing take place subsequent to the meeting of the General Assembly?—Yes; on the 26th.

226. *The Chairman.*] You gathered from what took place before you, as taxing-master, that if the amount as taxed were not paid from some other source than Mr. Wason himself, he would not be called upon to pay the full amount?—Yes; I understood that. I think I may fairly say that, from the way in which the clerks worded it.

227. I want now to ask you two or three formal questions. The practice, I believe, is this in the Supreme Court between the parties, in taxing these bills of costs, you rely, as far as possible, upon English precedent?—We follow English precedents—English rulings.

228. That is your authority?—Yes; if there is any doubt in a case we refer to the text books.

229. Yes; of which there is a considerable number I believe?—Yes.

230. Having now heard the cases mentioned yourself, can you say whether, in the future, a fee should be allowed greater than is allowed in ordinary cases in the Supreme Court?—If the election petition is an ordinary one, no. If there were any directions, as I put it before, of any nature on which the masters are to tax.

231. I am going to ask that presently. I want to get your own opinion now. Knowing the Act, and seeing its working, and having to tax bills of costs, can you see any reason why bills of costs should not be taxed in the same way as ordinary cases in the Supreme Court?—No; I don't think so now. I think in the election petitions most of the intricate points of law have been settled by present judgments—the question of aliens for instance.

232. Do you think it would be desirable to have regulations in regard to taxation?—Very desirable. This is one of the difficulties of taxing-masters here, there are no regulations.

233. And if so prepared, regard should be had to what should be done in the Supreme Court, as to time taken up and nature of case?—Yes; if a client chooses to bring up counsel to Christchurch, from Dunedin or Wellington, I would only allow him at the same rate as what he could have got counsel for at Christchurch.

234. Suppose Mr. Stout had claimed, and had been granted a fee of 500 guineas?—That would have been exorbitant on taxing party and party costs, as between solicitor and client, and I should have reduced it. I should have followed the precedents in the English cases where very high fees have been reduced. Our Act follows the English Act. They have been reduced there where they have been extremely high, and I should certainly do the same.

235. With reference to the question of taxing election costs between party and party, as between solicitor and client: on that point, I mentioned that if costs were taxed, solely as between party and party, it would have the effect of reducing them to the loser, I should like to remark that I presume the object of directing that they shall be taxed in that manner, is, in order to prevent frivolous petitions being brought, as a person would be less likely to run the risk of being cast on costs on the higher scale than on the lower.

MONDAY, 24TH JULY, 1882. (Mr. SHEEHAN, Chairman.)

Captain MORRIS, M.H.R., examined.

236. *The Chairman.*] You know the functions of this Committee, Captain Morris?—Yes.

237. One thing we are going into is the costs of disputed elections, and we are comparing the cost under the old system and the new. You were, I believe, a petitioner in this House in 1876?—Yes.

238. What did it cost you?—I only know that the total of the whole thing was about £640, but that includes a case in the Supreme Court. It is all put together. I think you may put down the costs, as far as the case in the House was concerned, at £400 about.

239. That was before a Committee of the House?—Yes.

240. Did yourself and Captain Reid appear by counsel?—Yes.

241. You won the petition?—Yes.

242. What had you to pay?—I was allowed £150, so it cost me altogether from £250 to £300. The witnesses were the greatest cause of expense.

I. 8.—2.

243. You had to bring a number of witnesses to Wellington and keep them here?—Yes.

244. *Mr. FitzGerald.*] How much were counsels' fees?—About £125, I think.

245. *The Chairman.*] That includes other legal charges?—Yes.

246. Who were engaged?—Mr. Shaw for me, and Mr. Barton for Captain Reid.

247. Then they were both local practitioners and would not be taken away from their place of business?—No.

248. *Mr. Turnbull.*] How many days did the enquiry last?—About a month or six weeks.

249. But then the Committee would only sit occasionally?—Yes. Sometimes one day a week, and sometimes two or three days. Sometimes there was no quorum, and on other days the sitting would only last a few minutes. The witnesses had to be kept here all the time.

Mr. T. DANIEL, M.H.R., examined.

250. *The Chairman.*] You were a candidate at the last election, and a petition was filed against your return?—Yes.

251. By whom?—By Mr. Henry Hirst, my opponent.

252. I see here is the Judges' order in the case. [Order read.]

253. *Mr. Daniel.*] The case was this way. There were two rolls, the ordinary roll and the supplementary roll. The Deputy-Returning Officer at Wairio ticked off the name of a man who voted there on the main roll, despite the protests of the man who told him his name and qualification were on the supplementary roll. There was another man of the same name (a relation,) 23 miles away, and the Returning Officer there ticked him off on the main roll. There was a similar case with two other men, whose names were similar, and both were ticked off on the same roll. My majority was only two, and when it was found that four men had voted apparently on two names only, Mr. Grant forced me to find the men. It took me a deal of time, and I had men in all directions hunting up these four voters. At last, I found one of them was in the Invercargill Hospital, dangerously ill. I telegraphed to Mr. Feldwick to take his depositions on oath, but the Returning Officer said he would have the man dead or alive, and I had to pay £5 to bring him up and send him back again. Mr. Feldwick very kindly came with him to be ready to take his depositions, if the man died on the way. I had a great deal of trouble to find the other man, too.

254. *The Chairman.*] I see, the names of the parties who caused the confusion, were Ford and Glinn?—Yes, there were two Fords and two Glinns.

255. *Mr. Connolly.*] You won the case before the Judges?—Yes.

256. And Mr. Hirst had to pay all the costs?—I have had to pay nothing; but I expect I shall have to.

257. *The Chairman.*] Where was the case heard?—At Riverton.

Major HARRIS, M.H.R., further examined.

258. *The Chairman.*] You took part in an election petition enquiry with reference to the Franklin North seat?—Yes.

259. Were you petitioner or respondent?—Respondent.

260. Who was the petitioner?—Mr. W. F. Buckland.

261. What was the result of the enquiry?—The election was declared void.

262. Have you received any documentary evidence from Auckland?—Yes. [Documents put in.] I may inform the committee I made a mistake in the total amount of costs. Instead of being £385, it was £398. That was the total on both sides.

263. *Mr. Macandrew.*] What was your part?—My part was £247 13s. 2d.

264. *The Chairman.*] I see that the total amount Mr. Buckland claimed was £362 1s. 11d: £139 4s. 11d. was taxed off, leaving £223 17s. Against this £73 5s. 7d. was allowed you on account of issues found in your favor. Then you received a bill of costs from your own solicitor for £247 13s. 2d. Therefore the total you had to pay was £398 4s. 7d.?—Yes.

265. Was your lawyer's bill taxed?—No.

266. *Mr. Macandrew.*] Why not?—The solicitor was the one I always employed. I knew he would do it as reasonable as possible, and I took the bill as it was sent to me.

267. *The Chairman.*] Mr. Lusk appeared as senior counsel, and Mr. Burton, who appeared with him, was allowed no fee I see?—I understand so.

268. I observe the fee for counsel and clerk, with brief, was £80 14s. 6d.?—Yes.

269. Then there is a refresher for counsel and clerk, £16 5s.; 5 guineas for attending at Otahuhu when the case was closed. Another refresher for counsel and clerk, £16 5s. Those are the principal counsels' fees that have been allowed?—Yes.

270. That is a total for counsel of £117 19s. 6d.?—Yes.

271. I understand that the election was declared void not through either candidate having been guilty of a breach of the Act?—Nothing was brought against either of us.

272. And that the main reason for voiding the election was a mistake made by the Returning Officer or his substitutes?—Yes; Hattaway went into the polling booth and questions were put at the instance of Hattaway by the Returning Officer, which ought not to have been.

273. *Mr. Connolly.*] This was not done at the instance of either candidate or his agent?—No.

274. Where were you at that time?—At Otahuhu, ten miles away.

275. And whatever Hattaway did there was entirely without your knowledge or consent?—I knew nothing whatever about it.

276. *Mr. Turnbull.*] How far from Mr. Lusk's place of business did the trial take place?—About 20 miles. That took him two days. The decision was given about ten miles away, and that took him another day.

277. How many witnesses were there?—I had about eight in attendance, and Mr. Buckland had about thirty, but only about eighteen altogether were examined.

278. *The Chairman.*] Have you agreed to accept Mr. Lusk's bill as it stands without taxation?—Yes. He has always been my solicitor, and I would agree to pay whatever he charged.
279. *Mr. Shrimski.*] You have not had many law cases probably?—This is the first I ever had.
280. And you know nothing about taxing bills of costs?—Nothing whatever.
281. You will know better in future.—Yes.

Captain SUTTER, M.H.R., examined.

282. *The Chairman.*] You have had some experience of the working of the Election Petitions Act, having stood for Gladstone, and there being a petition presented against your return?—Yes.
283. Who presented the petition?—John and Robert Rutherford.
284. Were either of them candidates?—No; simply electors.
285. What was their allegation?—That the booth at Fairlie Creek was shut half an hour before the proper time.
286. There was no allegation of any improper or illegal practice on your part?—No; that was the only allegation. I believe the booth was closed too soon.
287. What was your majority?—Fifty-one. Thirteen came to the Fairlie Creek booth after it was shut.
288. Did you take any action?—Yes; I employed a solicitor, and he employed another to assist him in getting up the case.
289. Did you receive any costs from the other side?—No.
290. Was any order made?—No; I think not. I paid a cheque for £22 some time ago. That is all I have paid.
291. That was for your own expenses?—Yes; that was to Mr. White.
292. Have you been called upon to pay any costs by the petitioners?—No.
293. Mr. White's bill has not yet been taxed?—No; the total is £87, I think.
294. *Mr. FitzGerald.*] What was the result of the petition?—It was withdrawn, because they found that if those who came to the booth after it was closed had voted, it could not have altered the result. I have been told by friends that it was closed too soon, as the Returning Officer's watch was wrong.
295. *The Chairman.*] Was the petition withdrawn before the case was called on?—The case was adjourned from Christchurch to Dunedin. I had to employ four solicitors through it being shifted about.
296. Will the costs of all of them be included in this total of £87?—I think so.
297. *Mr. Wynn Williams.*] According to law, as the case came to an end through the action of the other side, you ought to have nothing to pay, there being no extra costs?—They offered to withdraw before it went to Committee, if I would pay my own costs; but I would not listen to it, as the case was in my lawyer's hands. I am told that the petition being withdrawn, the petitioners should pay the taxed costs.
298. *Mr. Williams.*] I think so too.

WEDNESDAY, 26TH JULY, 1882. (Mr. SHEEHAN, Chairman.)

Mr. H. WATT, examined.

299. *The Chairman.*] Mr. Watt, you were a candidate for the last election at Wanganui against Mr. Ballance?—I was.
300. And you were the person declared returned by the Returning Officer?—I was.
301. A petition was laid against you under the Corrupt Practices Act?—There was.
302. By whom?—I think it was by A. D. Willis and others.
303. Not by your opponent?—I think his name was amongst the number.
304. The result was, your election was confirmed?—Yes.
305. What was the actual allegation under which it was laid?—Several; intimidation, I think, was one, and undue influence. I do not think there was anything about bribery.
306. *Mr. Williams.*] Was there any allegation as to votes being wrongly taken?—No; nothing whatever.
307. Have you any information of the amount of costs incurred in consequence of this petition?—My solicitor was in Wellington about six weeks ago, and he said the bill was £592, but had been taxed down to £450.
308. *Mr. Weston.*] Who was your solicitor?—Mr. Fitzherbert, of Wanganui.
309. *The Chairman.*] How long did your case last?—Two days.
310. Of course these costs are made out by a solicitor?—Yes.
311. *Mr. Williams.*] Does your solicitor ask you to pay the difference?—No.
312. Then you will have nothing to pay?—Before the costs were taxed there were several small items which could not be included, and amounted to £20 or £30, for which sum I gave a cheque.
313. *The Chairman.*] Then you are out of pocket about £25?—Yes.
314. Have you the amount of Mr. Ballance's bill of costs?—No.
315. *Mr. Weston.*] Can we not get these bills of costs, Mr. Sheehan?—I will make it my business to have them obtained.
316. *The Chairman.*] Do you remember what fee was allowed to your own counsel?—No.
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MONDAY, 31ST JULY, 1882. (Mr. SHEEHAN, Chairman.)

Mr. ALLWRIGHT, M.H.R., examined.

317. *The Chairman.*] Mr. Allwright, you know the object of the Committee I presume?—Yes.

318. The Committee would like to hear any information you can give with regard to the petition against your return?—I do not know that I have much to say. The only ground of the petition against me was that there were certain aliens on the roll, and that they had voted for me. Whether they did so or not it is impossible for me to say. The decision of the Judges was that all those on the roll were entitled to vote, and that was the end of the petition.

319. Your won?—Yes.

320. Have you had to pay any expenses in connection with defending your seat?—I have not had my bill of costs yet. Garrick & Cowlshaw were my solicitors.

321. Do you think your bill will be covered by the costs of the other side?—I have been informed, but this is not evidence, as I do not know whether it is correct or not, that my solicitors' bill will be between £80 and £90.

322. *Mr. Macandrew.*] Does not the decision carry costs?—Not between solicitor and client, I understand.

323. *Mr. Wynn Williams.*] Legally the bill would be taxed as between party and party, and you would have to pay nothing I should think.—I am very glad to hear it.

324. *The Chairman.*] I asked Mr. Bloxam the question as to whether the petitioner was a man of straw or not, or whether the costs would be forthcoming from him?—Virtually it was Mr. Richardson's petition.

325. But you cannot make him responsible?—There is no question about who was the petitioner.

326. *Mr. Wynn Williams.*] I suppose the costs have been paid?—They had to give security. Three persons gave security for costs.

327. Security for £200, and the costs were taxed below that?

328. *Mr. Connolly.*] The petitioner's costs were taxed at £180.

329. *Mr. Wynn Williams.*] It is quite clear that unless Mr. Allwright chooses to pay his solicitor out of his own pocket more than would be allowed as between party and party, that he need not pay a penny.

330. *Mr. Allwright.*] I think it is wrong that a wealthy man should have the power to present a petition against a poor man on such paltry grounds as in this case, because the Regulations of Elections Act, under which my case was decided, seems to me so clear that lawyers are not wanted to argue it, because it is stated plainly that all those on the roll shall vote. The Judges decided on that point, that if aliens were on the roll they were entitled to vote. In this case I had not only a wealthy man against me, but it was generally supposed that a wealthy Corporation was fighting against me. In such a case as that it might have the effect of frightening a poor man into throwing up his election, and not defending it.

331. *Mr. Wynn Williams.*] You would still be liable.

332. *Mr. Macandrew.*] In your opinion, is the change of trying election petitions by the Judges, instead of by the House, an improvement?—I do not think it is, if solicitors are allowed to charge such enormous costs as they have done in these cases. The costs are so large that they are calculated to frighten a poor man from contesting.

333. Do you think it would be better to revert to the old system of trying petitions?—I do not say that, but I do not think the change has been an improvement.

WEDNESDAY, 2ND AUGUST, 1882. (Mr. SHEEHAN, Chairman.)

Mr. JOSEPH DEVINE, examined.

334. *The Chairman.*] You are clerk to Messrs. Buckley, Stafford, and Fitzherbert.—Yes. I produce certain papers in the Wanganui Election Petition case. The respondent's costs rendered amount to £593 0s. 5d. On taxation the amount was reduced by £155 18s. 10d., leaving a balance of £437 1s. 7d. There has been sent in an application for a review of the taxation. I cannot say at present what is the amount of Mr. Ballance's own costs.

APPENDIX.

JUDGES' CERTIFICATES IN CONNECTION WITH ELECTION PETITIONS.

A.—WAKANUI ELECTION.

To the Honorable the Speaker of the House of Representatives.

In the matter of "The Election Petitions Act, 1880," and in the matter of the Petition of *Joseph Ivess*, of Ashburton, Journalist, in respect of an Election for the Electoral District of *Wakanui*, holden on the 9th day of December, 1881, a copy of which Petition is hereunto annexed.

WE, the undersigned, two of the Judges of the Supreme Court, duly appointed to try the above-mentioned petition, having tried the same in accordance with the provisions of the said Act, do hereby respectfully certify our determination that John Cathcart Wason was not duly returned and elected as member for the said Electoral District of Wakanui, and that the said election was void.

Witness our hands this 22nd day of February, A.D. 1882.

ALEXANDER J. JOHNSTON,
JOSHUA STRANGE WILLIAMS.

B.—FRANLLIN NORTH ELECTION.

To the Honorable the Speaker of the House of Representatives of New Zealand.

In the matter of "The Election Petitions Act, 1880," and the Petition of *William Francis Buckland*, against the return of *Benjamin Harris*, for the Electoral District of *Franklin North*.

WE, the Judges, appointed to try the election petition of *William Francis Buckland*, against the return of *Benjamin Harris*, as member for the Electoral District of *Franklin North*, do hereby certify, in accordance with the provisions of "The Elections Petitions Act, 1880," that we have determined that the said election of the said *Benjamin Harris* was void, and we do further report—

1. That no corrupt practice has been proved to have been committed by or with the knowledge and consent of any candidate at such election.

2. That one *Robert Hattaway*, an elector of the said district, was proved to have been guilty of the corrupt practice of intimidation.

3. That there is no reason to believe that corrupt practices have extensively prevailed at the said election.

Given under our hands this sixteenth day of March, 1882.

JAMES PRENDERGAST,
THOMAS B. GILLIES.

C.—LYTTTELTON ELECTION.

To the Honorable the Speaker of the House of Representatives.

In the matter of "The Election Petitions Act, 1880," and in the matter of the Petition of *William Hollis*, of *Lyttelton*, Builder, in respect of an Election for the Electoral District of *Lyttelton*, holden at *Lyttelton*, on Friday, the 9th day of December, 1881, a copy of which said Petition is hereunto annexed.

WE, the undersigned, two of the Judges of the Supreme Court, duly appointed to try the above mentioned petition, having tried the same in accordance with the provisions of the said Act, do hereby respectfully certify our determination that *Harry Allwright*, whose return and election is complained of in the said petition, was duly elected and returned as member for the Electoral District of *Lyttelton*.

Witness our hands this 23rd day of February, 1882.

ALEXANDER J. JOHNSTON,
JOSHUA STRANGE WILLIAMS.

D.—GLADSTONE ELECTION.

To the Honorable the Speaker of the House of Representatives.

In the matter of "The Electoral Petitions Act, 1880," and in the matter of the Petition of *Robert Rutherford*, in respect of an Election for the Electoral District of *Gladstone*, holden on the 9th day of December, 1881, a copy of which is hereunto annexed.

WE, the undersigned, two of the Judges of the Supreme Court, duly appointed to try the above-mentioned petition, respectfully report that the said petition was withdrawn, with our leave, upon an application to withdraw the same duly made to us; and that, in our opinion, the withdrawal of such petition was not the result of any corrupt arrangement, nor was it in consideration of the withdrawal of any other petitions.

Witness our hands this 4th day of March, 1882.

ALEXANDER J. JOHNSTON,
JOSHUA STRANGE WILLIAMS.

E.—WALLACE ELECTION.

To the Honorable the Speaker of the House of Representatives.

In the matter of the Petition of *Henry Hirst*, of *Orepuki*, Farmer, in respect of an Election for the Electoral District of *Wallace*, holden on Friday, the 9th day of December, 1881, a copy of which said Petition is hereunto annexed.

WE, the undersigned, two of the Judges of the Supreme Court, duly appointed to try the above-mentioned petitions, having tried the same in accordance with the provisions of the said Act, do hereby respectfully certify our determination that *Theophilus Daniel*, whose return and election is complained of in the said petition, was duly elected and returned as member for the Electoral District of *Wallace*.

Witness our hands this 2nd day of March, 1882.

ALEXANDER J. JOHNSTON,
JOSHUA STRANGE WILLIAMS.

F.—STANMORE ELECTION.

The Honorable the Speaker of the House of Representatives.

In the matter of "The Election Petitions Act, 1880," and in the matter of the Petition of *William Patten Cowlshaw*, of the city of Christchurch, solicitor, in respect of an Election for the Electoral District of *Stanmore*, holden on the 9th day of December, 1881, a copy of which said Petition is hereunto annexed.

WE, the undersigned, two of the Judges of the Supreme Court, duly appointed to try the above-mentioned petition, having tried the same in accordance with the provisions of the said Act, do hereby respectfully certify our determination that Walter Hippolite Pilliet was not duly elected and returned as member for the said Electoral District of Stanmore, and that the said election was void; and we do further respectfully report as follows, that is to say—

1. That an illegal practice was proved to have been committed by and with the knowledge and consent of Walter Hippolite Pilliet, a candidate at the said election, in that he, the said Walter Hippolite Pilliet, for the purpose of promoting and procuring the election of the said Walter Hippolite Pilliet, at the said election, engaged and employed for promise of payment one John Scott, of Stanmore Road, law clerk, an elector of the said district, as clerk and committee-man.

2. That no corrupt practice has been proved to have been committed at the said election by or with the knowledge and consent of any candidate at the said election.

3. That the said John Scott was proved at the trial to have been guilty of an illegal practice in that he, the said John Scott, being an elector of the said district, was the person so engaged and employed as above mentioned by the said Walter Hippolite Pilliet.

4. That no other person was proved to have been guilty of any illegal practice, nor has any person been proved to have been guilty of any corrupt practice.

5. That there is no reason to believe that either corrupt or illegal practices prevailed extensively at the said election.

Witness our hands this 20th day of February, A.D., 1882.

ALEXANDER J. JOHNSTON,
JOSHUA STRANGE WILLIAMS.

G.—WANGANUI ELECTION.

To the Honorable the Speaker of the House of Representatives, New Zealand.

In the matter of "The Election Petitions Act, 1880," and the Petition of Willis and others against the return of *William Hogg Watt* for the Electoral District of *Wanganui*.

WE, the Judges appointed to try the election petition of Archibald Duddington Willis, John Ballance, and Stuart Hercus Manson, against the return of William Hogg Watt, as member for the Electoral District of Wanganui, do hereby certify in accordance with the provisions of "The Elections Petitions Act, 1880," that the said William Hogg Watt was duly elected member of the House of Representatives for the said Electoral District of Wanganui; and we do also hereby report that no corrupt practice has been proved to have been committed by or with the knowledge or consent of any candidate at the said election, and that there is no reason to believe that corrupt practices have extensively prevailed at the said election.

Given under our hands this ninth day of March, one thousand eight hundred and eighty-two.

JAMES PRENDERGAST,
THOMAS B. GILLIES.

CORRESPONDENCE.

No. 1.

The CLERK OF THE COMMITTEE to MESSRS. HARPER & CO.

GENTLEMEN,—

House of Representatives, Wellington, 24th July, 1882.

I have the honor by direction of the Chairman of the Select Committee appointed to report on certain cases tried before the Election Petitions Courts, to forward you herewith copy of a portion of the evidence of Mr. Bloxam, Registrar of Supreme Court, Christchurch, relative to Mr. Wason's costs if you desire to make any remarks thereon.

The whole of Mr. Bloxam's evidence will be forwarded to you when printed.

I have, &c.,

J. FYNES CLINTON,

Messrs. Harper & Co., Christchurch.

Clerk Election Petitions Inquiry Committee.

No. 2.

Similar letter to No. 1 sent to J. C. Wason, Esq.

No. 3.

Messrs. HARPER & Co. to the CLERK of the COMMITTEE.

(Telegram.)

Christchurch, 27th July, 1882.

J. FYNES CLINTON, Esq., Clerk Election Petitions Committee, Wellington.—Your letter of 24th inst. received, and we are much surprised at extract of evidence kindly forwarded, as over half of costs of both sides are shown in our books to have been paid by Mr. Wason, by two instalments, on 22nd March and 29th April respectively, and balance was arranged to be paid, in the ordinary course, out of moneys coming to Mr. Wason, through his agency account with us. If any statement, such as mentioned in the evidence, was made by the clerk on taxation, it was without the knowledge of principals, and entirely without foundation. Letter follows to-day.—HARPER & Co.

No. 4.

Messrs. HARPER & Co. to the CLERK of the COMMITTEE.

SIR,—

Hereford Street, Christchurch, N.Z., 27th July, 1882.

We have received your letter of the 24th inst., forwarding extract of evidence of Mr. Bloxam, the Registrar of the Supreme Court, given before the Committee on Elections Petitions Enquiry, for which we have to thank you and the Chairman of the Committee. The receipt of this evidence is the first intimation that we have ever received of the supposed arrangement between ourselves and Mr. Wason, by which we were to forego some of our costs, we have, therefore, only to assure the Committee that no such arrangement was ever contemplated by us, or by Mr. Wason, nor was the subject ever mentioned between us. Our clerk, who appeared on the taxation of the costs, on being shown the evidence, informs us that he may have made some such observation as that mentioned, but, if he did so, it was entirely without reference to any communication between him and ourselves, or without having the slightest authority for saying so. He was at the time ignorant of the fact that two sums, amounting together to £382, had already been paid on account of these costs. We have also to state that Mr. Wason had previously instructed our accountant, who has charge of an agency account (which we have had with Mr. Wason for the last five years), to pay, on his account to our costs department, any balance which might be shown to be due by him after taxation.

In conclusion, we beg to repeat that no such arrangement as that suggested by the evidence was ever contemplated by us, or as far as we know by Mr. Wason; and should the committee require any further evidence on this point, we shall be glad to furnish the same on affidavit or in person.

We have, &c.,

J. Fynes Clinton, Esq., Clerk to Committee on Elections
Petitions Enquiry, Wellington.

HARPER & Co.

No. 5.

Mr. J. C. WASON to the CLERK of the COMMITTEE.

SIR,—

Corwar, Banhill, July 26, 1882.

I have the honor to acknowledge receipt of your favor of the 24th instant, enclosing portion of Mr. Bloxam's evidence before the committee.

While I cannot think it is the intention of the committee to offer a gratuitous insult to either Messrs. Harper or myself, I must take immediate exception to the bare suggestion that there has been any, or is any, collusion between Messrs. Harper and myself with regard to the costs incurred. Application to the Messrs. Harper or myself would have settled the question without any such innuendoes.

Messrs. Harper's business seems divided into two branches, one legal and one agency, and they have been acting for me for years in both capacities.

When the trial was concluded, and before I had any idea of petitioning the House, I called at Messrs. Harper to see Mr. Parkinson, the manager of the agency business, and requested him to pay the costs to the legal department and charge my agency account with them; and having done so, and Mr. Parkinson always having paid sums for me on a like request, for instance, *rent* (law charges to their department), property law, land law, and other matters, I concluded that the costs were paid, and am still of the opinion that they are.

Some time after the decision, I told Mr. Harper, as I intended to petition the House, I must have his bill of costs taxed. No bargain or arrangement of any description was at any time made between us.

I mentioned to Mr. Harper that I must have his bill of costs taxed simply because during all the years he has acted as solicitor for me I have paid his costs without question.

I have, &c.,

J. Fynes Clinton, Esq., Clerk to Committee,
Election Petitions Enquiry.

J. CATHCART WASON.

DETAILS OF BILLS OF COSTS.

				Taxed off.			
				£	s.	d.	£ s. d.
COURT for the TRIAL of an ELECTION PETITION for the ELECTORAL DISTRICT of WAKANUI, under "The Election Petitions Act, 1880," between JOSEPH IVESS, Petitioner, and JOHN CATHCART WASON, Respondent.							
Petitioner's cost of petition against the return of respondent as member of the House of Representatives for the Electoral District of Wakanui, on the grounds of unqualified persons having voted, and the votes of duly-qualified persons in some cases having been refused and in some cases having been disallowed; under order dated Wednesday, the 22nd February, 1882:—							
Dec., 1881—	£	s.	d.	£	s.	d.	
Instructions for petition, long and special	2	2	0	1	1	0	
Attending Supreme Court, searching <i>Gazette</i> for statutory notice, and ultimately found that same was regular	0	6	8	0	6	8	
Drawing petition, successful allegations, 9 folios	0	13	6				
Fair copy		0	4	6			
Fee to counsel to settle same	2	4	6	1	1	0	
Writing Mr. Stout therewith	0	5	0				
Having received draft petition settled, perusing same	0	6	8	0	3	8	
Fair copy as settled	0	4	6				
Engrossing petition for signature, 9 folios	0	9	0	0	4	6	
Attending with petitioner on two electors of Wakanui District to attest his signature of petition	0	13	4				
Fair copy petition for insertion in newspapers	0	4	6				
Attending <i>Ashburton Mail</i> office therewith, and instructing as to insertion	0	6	8				
Attending, perusing, and revising proofs	0	6	8	0	3	8	
Paid for insertion	3	3	0	1	11	6	
Drawing appointment of solicitor, and fair copy, and engrossing same	0	5	0				
Attending petitioner signing same	0	6	8				
Drawing bond, fair copy, engrossing, attending petitioner signing same, attending three sureties signing same	3	3	0	0	16	4	
Attending Returning Officer with petition and bond	0	6	8				
Making brief copy petition as lodged to accompany depositions, to lay before counsel to advise on evidence	0	4	6				
Instructions to counsel to advise on evidence, with copy depositions, &c.	2	2	0	0	18	8	
Writing him, with papers and depositions	0	5	0				
Paid his fee to advise on evidence, and clerk	2	4	6	0	14	0	
Drawing retainer to Mr. Stout, and writing him therewith	0	6	8				
Paid his fee and clerk	5	10	0	4	8	0	
Copy petition to serve	0	4	6				
Service on respondent, 30 miles from Ashburton	1	15	0	0	13	0	
Feb. 2, 1882—							
Attending Mr. Stout, appointing consultation	0	6	8				
Paid his fee and clerk	1	3	6				
Feb. 3, 1882—							
Attending consultation	0	13	4	0	6	8	
Feb. 4, 1882—							
Attending Mr. Stout, appointing consultation	0	6	8				
Paid his fee and clerk	1	3	6				
Attending consultation	0	13	4	0	6	8	
Feb. 5, 1882—							
Attending Mr. Stout, appointing consultation	0	6	8				
Paid his fee and clerk	1	3	6				
Feb. 6, 1882—							
Attending consultation	0	13	4	0	6	8	
Feb. 8, 1882—							
Attending respondent's solicitor, who agreed to admit formal matters, and would sign admission, in order to save expense	0	6	8				
Feb. 13, 1882—							
Attending Mr. G. Harper, going through petition with a view to admissions on both sides	0	13	4				
Drawing same and fair copy, 2 folios	0	4	0				
Two engrossments for signature	0	4	0	0	2	0	
Attending Mr. Harper, exchanging parts	0	6	8				
Drawing and attending transmitting telegram to petitioner thereon	0	6	8	0	1	8	
Paid	0	1	0				
Instructions for list of objections	0	13	4	0	6	8	
Feb. 13, 1882—continued.							
Drawing same, fair copy to keep, copy to file, and copy for service	0	7	6	0	1	6	
Attending serving respondent's solicitor	0	6	8	0	1	8	
Attending at Registrar's office, filing	0	6	8				
Paid fee	0	3	0				
Feb. 18, 1882—							
Attending Mr. G. Harper as to admissions <i>re</i> aliens and minors, but he declined to make any admissions thereon	0	6	8	0	6	8	
Writing respondent's solicitor that we abandoned objections to votes of D. Jackson, J. C. Haslitt, and C. Garforth	0	5	0	0	5	0	
Preparing <i>præcipe</i> for subpoena <i>duces tecum</i> for Clerk of Parliaments, and attending Supreme Court sealing	0	12	6				
Paid fee	0	5	0				
Copy to serve	0	2	0				
Service on Major Campbell, at Lyttelton	0	6	8				
Writing Messrs. Chapman and Fitzgerald, Wellington Agents, with original and copy, and instructions to serve on Major Campbell's subordinate	0	5	0				
On receipt of telegram from them, drawing and attending transmitting telegram, in reply, to serve subordinate in Major Campbell's absence, and to pay travelling expenses if required	0	6	8	0	1	8	
On receipt of further telegram, drawing and attending transmitting telegram, in reply, as to service	0	6	8	0	1	8	
Receiving and perusing letter from them saying service effected by Mr. Rutherford on his way down							
Paid their charges	2	3	0	0	1	8	
Preparing <i>præcipe</i> for, and subpoena <i>duces tecum</i> for, C. P. Cox, and attending Supreme Court sealing	0	12	6				
Paid fee	0	5	0				
Copy to serve	0	2	0				
Service	0	5	0				
Preparing <i>præcipe</i> for, and subpoena <i>duces tecum</i> for, G. Jameson, and attending Supreme Court sealing	0	12	6				
Paid fee	0	5	0				
Copy to serve	0	2	0				
Service	0	5	0				
Preparing <i>præcipes</i> for and thirteen subpoenas <i>ad test.</i> , and attending Supreme Court sealing, at 12s. 6d. each	8	2	6	4	7	6	
Paid fees	3	5	0	1	15	0	
Copies for service on 23 witnesses	2	6	0	0	2	0	
Service on — Curtis, Ashburton	0	5	0				
Service on W. R. Boyle, Ashburton	0	5	0				
Service on C. B. Branson, Ashburton	0	5	0				
Service on George Wright, Ashburton	0	5	0				
Service on Malcolm Miller, Ashburton	0	5	0				
Service on James Wilson, Wakanui, 8 miles from Ashburton	0	13	0				
Service on Hugh Kennedy, Wakanui, 8 miles from Ashburton	0	5	0				
Service on P. Malley, Rakaia, 18 miles from Ashburton	1	3	0				
Service on John Mackle, Rakaia	0	5	0				
Service on W. Stevens (No. 1), 4 miles from Rakaia	0	9	0				
Service on P. O'Keefe, 4 miles from Rakaia	0	9	0				
Service on T. Stevenson (No. 1), 4 miles from Rakaia	0	9	0				
Service on John Barclay, 8 miles from Rakaia	0	13	0				
Service on H. B. Kennedy, Longbeach, 10 miles from Ashburton	0	15	0				
Service on M. Sullivan (No. 1), Longbeach, 15 miles from Ashburton	0	10	0				
Service on Daniel Buckley (No. 1), Mitcham, 22 miles from Ashburton	1	7	0				
Service on T. Stevenson (No. 2), Barrhill, 30 miles from Ashburton	1	15	0				
Service on M. Sullivan (No. 2), Seafield, 5 miles from Ashburton	0	10	0				
Service on James Wilson (No. 2), Dromore, 6 miles from Ashburton	0	11	0				
Service on W. Stevens (No. 2), Wheatstone, 8 miles from Ashburton	0	13	0				
Service on D. Buckley (No. 2), Chertsey, 15 miles from Ashburton	1	0	0				
Service on James Santy, Methven, 22 miles from Ashburton	1	7	0				

From these items £3 19s. deducted by consent

				Taxed off.		
	£	s.	d.	£	s.	d.
<i>Feb. 18, 1882—continued.</i>						
Instructions for brief, 30 witnesses ...	20	0	0			
Drawing same, 52 folios ...	3	18	0			
Two brief copies and copy documents for counsel, 74 folios each	3	14	0			
Drawing index to witnesses, alphabetically arranged, 2 folios	0	3	0			
Two copies for counsel ...	0	2	0			
Six copies notice to produce for counsel	0	12	0			
Collecting <i>Gazettes</i> from 1st October to 31st December, 1881, for use at trial	1	0	0	0	13	4
Fee to Mr. Stout, with brief and clerk...	110	0	0	23	18	0
Writing long and special letter therewith	1	1	0			
Fee to Mr. Wilding with brief, and clerk	82	13	6	25	5	6
<i>Feb. 20, 1882—</i>						
Fee to Mr. Stout for consultation lasting several hours	5	12	6	2	2	0
Consultation fee to Mr. Wilding ...	3	10	6	1	1	0
<i>Feb. 21, 1882—</i>						
Paid fee to Mr. Stout to attend Court first day	27	11	0	27	11	0
Paid him consultation fee and clerk ...	2	9	6			
Attending him ...	0	6	8	0	6	8
Paid fee to Mr. Wilding to attend Court, first day	16	10	0	16	10	0
Paid him consultation fee and clerk ...	1	3	6			
<i>Feb. 22, 1882—</i>						
Paid fee to Mr. Stout and clerk to attend consultation	2	9	6			
Paid fee to Mr. Wilding and clerk to attend consultation	1	3	6			
Refresher fee to Mr. Stout to attend Court this day	27	11	0	27	11	0
Attending him ...	1	1	0	1	1	0
Refresher fee to Mr. Wilding to attend Court this day	16	10	0	16	10	0
Paid railway fare and expenses of Mr. Stout (fare, £3 6s.; 4 days at £1 1s., £4 4s.)	7	10	0	7	10	0
Paid railway fare and expenses of Mr. Wilding (fares, 18s.; 3 days at £1 1s., £3 3s.)	4	1	0	4	1	0
Attending Court when election declared void, and petitioner allowed general costs, but not costs of allegations in which he had not succeeded						
Drawing order accordingly, 3 folios ...	0	4	6			
Copy for Registrar to settle ...	0	1	6			
Attending Registrar, settling same ...	0	6	8			
Copy to keep ...	0	1	6			
Engrossing ...	0	3	0			
Attending Supreme Court sealing ...	0	6	8			
Paid fee ...	0	6	0			
Copy to serve ...	0	1	6			
Service ...	0	5	0			
Drawing bill of costs, 42 folios ...	2	2	0			
Fair copy ...	1	1	0			
Copy for Registrar and copy to serve ...	2	2	0			
Preparing præcipe for and appointment to tax	0	2	0			
Attending for appointment ...	0	6	8			
Paid fee ...	0	5	0			
Copy appointment to serve ...	0	0	6			
Service of same and bill of costs ...	0	5	0			
Attendances and correspondences in settling accounts of the several witnesses—30 in number—paying same, and taking discharges	10	0	0	3	0	0
Drawing affidavit of increase, 19 folios	1	8	6			
Fair copy ...	0	9	6			
Engrossing ...	0	10	0	0	9	6
Attending signing before solicitor to swear, and paid oath	0	8	8			
Attending Supreme Court filing ...	0	6	8			
Paid fee ...	0	3	0			
Copy to serve ...	0	9	6			
Service ...	0	5	0			
Attending taxing ...	1	1	0			
Paid fee ...	0	10	0			
Letters, attendances, telegrams, postages, &c.	2	0	0			
Witnesses ...	440	9	3			
Taxation fee ...	503	7	1	193	13	4
	0	15	0			
	504	2	1			
Amount taxed off ...	193	13	4			
Taxed and allowed ...	310	8	9			

15th April, 1882.

A. R. BLOXAM, Registrar.

3—I. 8.

SCHEDULE OF PAYMENTS TO WITNESSES.

				Taxed off.		
	£	s.	d.	£	s.	d.
Joseph Iress, petitioner, Ashburton, journalist and auctioneer,—						
Two days' attendance at Court ...	2	2	0			
A. J. Rutherford, Secretary to Clerk of Parliaments, Featherston,—						
Eight days' attendance at Court and travelling	8	8	0			
Travelling expenses ...	7	10	6			
	15	18	6			
C. P. Cox, Registration Officer, Ashburton,—						
Two days' attendance at Court ...	2	2	0			
Railway fare and expenses ...	0	11	6	0	3	0
	2	13	6			
John Curtis, Registration Officer's Clerk, Ashburton,—						
Two days' attendance at Court ...	2	2	0			
Railway fare and expenses ...	0	11	6			
	2	13	6			
W. R. Boyle, Deputy Returning Officer, Ashburton,—						
Two days' attendance at Court ...	2	2	0			
Railway fare and expenses ...	0	11	6			
	2	13	6			
C. B. Branson, Deputy Returning Officer, Ashburton,—						
Two days' attendance at Court ...	2	2	0			
Railway fare and expenses ...	0	11	6			
	2	13	6			
Malcolm Miller, Ashburton, farmer, 22 miles,—						
Two days' attendance at Court ...	1	10	0			
Railway fare and expenses, 5 miles at 9d., 3s. 9d.; fare, 8s. 6d.; night, 3s.	0	15	3	0	3	0
	2	5	3			
James Wilson, Wakanui, farmer, 25 miles,—						
Two days' attendance at Court ...	1	10	0			
Railway fare and expenses, 8 miles, 6s.; fare, 8s. 6d.; night, 3s.	0	17	6			
	2	7	6			
James Wilson, Dromore, contractor, 11 miles from Rakaia,—						
Two days' attendance at Court ...	1	0	0			
Railway fare and expenses, fare, 3s. 8d.; night, 3s.	0	6	8			
	1	6	8			
Daniel Buckley, Mitcham, farmer, 4 miles from Rakaia,—						
Two days' attendance at Court ...	1	10	0			
Travelling expenses, 4 miles at 9d., 3s.; night, 3s.	0	6	0	0	3	0
	1	16	0			
Daniel Buckley, Chertsey, labourer, 15 miles,—						
Two days' attendance at Court ...	1	0	0			
Travelling and expenses, 15 miles at 9d., 11s. 3d.; night, 3s.	0	14	3	0	3	0
	1	14	3			
Hugh B. Kennedy, Longbeach, farmer, 27 miles,—						
Two days' attendance at Court ...	1	10	0			
Railway fare and expenses, 10 miles at 9d., 7s. 6d.; fare, 5s. 8d.; night, 3s.	0	16	2	0	3	0
	2	6	2			
Hugh Kennedy, Wakanui, labourer, 25 miles,—						
Two days' attendance at Court ...	1	0	0			
Railway fare and expenses, 8 miles at 9d., 6s.; fare, 5s. 8d.; night, 3s.	0	14	8	0	3	0
	1	14	8			
W. Stevens, South Rakaia, farmer, 4 miles,—						
Two days' attendance at Court ...	1	10	0			
Travelling expenses ...	0	10	0			
	2	0	0			

	£	s.	d.	Taxed off. £	s.	d.
P. O'Keefe, South Rakaia, labourer, 4 miles,—						
Two days' attendance at Court ...	1	0	0			
Travelling expenses ...	0	6	0	0	3	0
	1	6	0			
James O'Keefe, South Rakaia, boy, 4 miles,—						
Two days' attendance at Court ...	0	10	0			
Travelling expenses, 4 miles at 6d., 2s.; night, 1s. 6d.	0	3	6	0	1	6
	0	13	6			
P. Malley, Rakaia, mechanic,—						
Two days' attendance at Court ...	1	0	0			
John Mackle, South Rakaia, labourer, 8 miles,—						
Two days' attendance at Court ...	1	0	0			
Travelling expenses, 6s. and 3s.	0	9	0	0	3	0
	1	9	0			
Thomas Stevenson, Barrhill, labourer, 12 miles,—						
Two days' attendance at Court ...	1	0	0			
Travelling and other expenses—12 miles at 9d., 9s., and 3s.	0	12	0	0	3	0
	1	12	0			
M. Sullivan, Seafield, labourer, 22 miles—						
Two days' attendance at Court ...	1	0	0			
Travelling and expenses—5 miles at 9d., 3s. 9d.; fare, 5s. 8d.; night, 3s.	0	12	5	0	3	0
	1	12	5			
M. Sullivan, Longbeach, labourer, 20 miles,—						
Two days' attendance at Court ...	1	0	0			
Travelling expenses, &c. ...	0	13	6	0	3	0
	1	13	6			
W. Stevens, Wheatstone, mechanic, 26 miles,—						
Two days' attendance at Court ...	1	0	0			
Travelling expenses, &c., 9 miles, 6s. 9d.; fare, 5s. 8d.; night, 3s.	0	15	5	0	3	0
	1	15	5			
Thomas Stevenson, Rakaia, labourer, 4 miles,—						
Two days' attendance at Court ...	1	0	0			
Travelling expenses, &c., 4 miles; night, 3s.	0	6	0	0	3	0
	1	6	0			
James Santy, Methven, labourer, 22 miles,—						
One days' attendance at Court ...	0	10	0			
Travelling expenses, 22 miles, 16s. 6d.; night, 3s.	0	19	6			
	1	9	6	1	9	6
John Davidson, Ashburton, accountant, 22 miles,—						
Two days' attendance at Court ...	2	2	0			
Travelling expenses ...	0	11	6	0	3	0
	2	13	6			
T. A. Winter, Rakaia, auctioneer,—						
One day's attendance at Court ...	1	1	0	1	1	0
A. McKey, Rakaia, Deputy Returning Officer,—						
One day's attendance at Court ...	1	1	0			
	£62	17	10			
SUMMARY.						
J. Ivess ...	2	2	0			
A. J. Rutherford ...	15	18	6			
C. P. Cox ...	2	13	6	0	3	0
John Curtis ...	2	13	6	2	13	6
W. R. Boyle ...	2	13	6	0	3	0
C. B. Branson ...	2	13	6	0	3	0
M. Miller ...	2	5	3	0	3	0
J. Wilson ...	2	7	6	2	7	6
J. Wilson ...	1	6	8	1	6	8
D. Buckley ...	1	16	0	0	3	0
D. Buckley ...	1	14	3	0	3	0
H. B. Kennedy ...	2	6	2	0	3	0
H. Kennedy ...	1	14	8	0	3	0
W. Stevens ...	2	0	0			
P. O'Keefe ...	1	6	0	0	3	0
J. O'Keefe ...	0	13	6	0	1	6
P. Malley ...	1	0	0			

	£	s.	d.	Taxed off. £	s.	d.
J. Mackle ...	1	9	0	0	3	0
T. Stevenson ...	1	12	0	0	3	0
M. Sullivan ...	1	12	5	0	3	0
M. Sullivan ...	1	13	6	0	3	0
W. Stevens ...	1	15	5	0	3	0
T. Stevenson ...	1	6	0	0	3	0
J. Santy ...	1	9	6	1	9	6
J. Davison ...	2	13	6	0	3	0
T. A. Winter ...	1	1	0	1	1	0
A. McKey ...	1	1	0			
	62	17	10	11	7	8
Taxed off ...	11	7	8			
Total ...	£51	10	2			

In the Supreme Court of New Zealand, Canterbury District.

In the matter of a bill of costs of J. C. Wason, of Corwar, to Messrs. Harper and Co., solicitors, Christchurch, taxed under an order made by his Honor Mr. Justice Williams, on the 5th day of June, 1882.

I hereby certify—

1. That on the taxation of a bill of costs, amounting to the sum of £390 13s. 5d., due and owing by J. C. Wason, of Corwar, to Messrs. Harper and Co., solicitors, Christchurch, which taxation commenced on the 26th day of June, 1882, Mr. H. J. Beswick appeared for Messrs. Harper and Co. in support of the bill.

2. That there was no appearance on behalf of Mr. Wason, and that an affidavit having been filed that notice of the time and place fixed for the taxation had been sent to and received by him, the taxation proceeded, and items 1 to 94 inclusive were passed.

3. That on the application of Mr. Beswick the taxation was then adjourned to the 28th day of June, at which time Mr. H. J. Beswick again appeared for Messrs. Harper and Co., and Mr. Cunningham on behalf of Mr. J. W. Stringer, solicitor for Mr. Wason.

4. That the taxation was proceeded with, and that all the remaining items of the bill were either reduced by the consent of Mr. Beswick, or were consented to by Mr. Cunningham on behalf of Mr. Stringer, for Mr. Wason, and that the sum of £18 1s. 8d. was deducted from the amount of the bill.

I, therefore, by the consent given on behalf of Mr. Wason, further certify that there is due and owing, on the reference by J. C. Wason to Messrs. Harper and Co., solicitors, Christchurch, the sum of £372 11s. 9d.

Dated this 28th day of June, 1882.

A. R. BLOXAM, Registrar

J. C. Wason, Esq., Corwar, Dr. to Harper and Co., Solicitors, Christchurch.

Taxed under order of 5th June.

Re *Wakanui Petition*.

	£	s.	d.	Taxed off. £	s.	d.
Jan. 3, 1882—						
Attending you <i>re</i> petition Mr. Ivess was about to lodge against your return for Wakanui	0	6	8			
<i>Ivess v. You.</i>						
Instructions to defend ...	0	6	8			
Jan. 20, 1882—						
Attending and conferring with you hereon	0	6	8			
Having received copy petition, perusing and considering same, 14 folios	0	4	8			
Instructions to authorize Mr. Poyntz, of Ashburton, to go through electoral roll and act on your behalf						
Making list of votes set out in petition for Mr. Poyntz's guidance	0	2	6			
Letter to Mr. Poyntz with same, and instructing him to act	0	5	2			
Attending to despatch telegram from Mr. Wason to Mr. Poyntz						
Paid ...	0	1	0			
Jan. 23, 1882—						
Having received letter from Mr. Poyntz <i>re</i> striking aliens and minors off the roll, and also one from Mr. Wason to same effect, perusing and considering same	0	6	8			
Letter to Mr. Poyntz instructing him fully as to above	0	5	2			
Letter to Mr. Wason in reply, informing him that we had instructed Mr. Poyntz	0	5	2			
Jan. 26, 1882—						
Attending searching <i>Gazettes</i> to ascertain if certain foreigners were naturalized—engaged one day	1	1	0	0	14	4

	£	s.	d.	Taxed off. £ s. d.
<i>Jan. 27, 1882—</i>				
Attending Mr. Poyntz <i>re</i> special matters in connection with petition	0	6	8	
<i>Jan. 28, 1882—</i>				
Attending you <i>re</i> petition	0	6	8	
<i>Jan. 31, 1882—</i>				
Telegram to Mr. Poyntz to come to town, as we wished to see him preparatory to preparing list of respondent's objections	0	5	0	
Paid	0	1	0	
<i>Feb. 1, 1882—</i>				
Attending Mr. Poyntz — engaged one hour	0	13	4	
Telegram to Mr. Poyntz for copy of <i>Mail</i> containing petition	0	5	0	
Paid	0	1	0	
<i>Feb. 2, 1882—</i>				
Telegram to Mr. Poyntz <i>re</i> striking off aliens, &c.	0	5	0	
Paid	0	2	9	
<i>Feb. 3, 1882—</i>				
Letter to Mr. Poyntz <i>re</i> personation	0	5	2	
Telegram to Mr. Poyntz with reference to voters which Mr. Wason could object to	0	5	0	
Paid	0	1	7	
<i>Feb. 6, 1882—</i>				
Attending you <i>re</i> petition	0	6	8	
<i>Feb. 8, 1882—</i>				
Again attending you <i>re</i> same matter	0	6	8	
Letter to Mr. Poyntz to send list of persons who were supposed to have voted for Ives	0	5	2	
<i>Feb. 10, 1882—</i>				
Telegram to Mr. Poyntz as to names placed on roll after issue of writ	0	5	0	
Paid	0	2	1	
<i>Feb. 11, 1882—</i>				
Attending searching to see if Mr. Wilding had filed notice of his appointment on behalf of petitioner	0	6	8	
Paid search	0	1	0	
<i>Feb. 13, 1882—</i>				
Telegram to Mr. Crisp to look up claim 1008	0	5	0	
Paid	0	1	0	
Having received petitioner's list of objections, perusing same, 3 folios	0	1	0	
Drawing respondent's list, 8 folios	0	12	0	
Fair copy for counsel to settle	0	4	0	
Counsel's fee, settling	2	4	6	
Engrossing two copies, 16 folios	0	8	0	
Service of one copy on Mr. Wilding	0	5	0	
Attending to file copy	0	6	8	
Paid	0	5	0	
<i>Feb. 15, 1882—</i>				
Preparing two subpoenas and præcipes for Joyce, Glenstein, Walker, Morrison, Schneider, Stigley, and Worthington (aliens)	1	5	0	
Paid sealing	0	10	0	
<i>Feb. 16, 1882—</i>				
Seven copies thereof for service	0	14	0	
Letter to Mr. Poyntz therewith, for service	0	5	4	
Preparing subpoena and præcipe for C. P. Cox, Registrar of Electors	0	12	6	
Paid sealing	0	5	0	
Copy for service	0	2	0	
Letter to Mr. Poyntz therewith, for service	0	5	2	
Having received petitioner's supplementary list, perusing same, 4 folios	0	1	4	
<i>Feb. 17, 1882—</i>				
Preparing subpoena and præcipe to I. and D. T. Murphy and I. and I. Wilson (personation)	0	12	6	
Paid sealing	0	5	0	
Four copies for service	0	8	0	
Preparing subpoena and præcipe to C. Hawkins and J. McKenzie (minors)	0	12	6	
Paid sealing	0	5	0	
Two copies for service	0	4	0	
Letter to Mr. Poyntz thereon, instructing him to serve	0	5	4	0 5 4
Having received letter from Crisp, inquiring if he would proceed against voters, telegram to him not to proceed further	0	5	0	

	£	s.	d.	Taxed off. £ s. d.
<i>Feb. 17, 1882—continued.</i>				
Paid for same	0	1	0	
Preparing subpoena and præcipe to R. and W. Shannon and D. T. Shand (infants in petitioner's list), and Mr. Shannon	0	12	6	
Four copies for service	0	8	0	
Preparing subpoena and præcipe to W. Fraser, D. McLeod, R. Bird, K. Sands (not duly registered)	0	12	6	
Four copies for service	0	8	0	
Preparing subpoena and præcipe to Cave, Balfour, McKenzie, and Heseltine (not duly registered)	0	12	6	
Four copies for service	0	8	0	
Attending to seal above subpoenas (3), and paid	0	15	0	
Letter to Hardy and Co., with Shannon's subpoena and copies for service	0	5	2	
Letter to Mr. Poyntz, with other two subpoenas and copies for service	0	5	6	
<i>Feb. 18, 1882—</i>				
Preparing subpoena and præcipe to D. and G. James and H. Poole	0	12	6	
Paid sealing	0	5	0	
Three copies for service	0	6	0	
Letter to Mr. Crisp therewith for service	0	5	2	
Attending Mr. Wilding when he called to see if we would make any admissions in order to save expense of proving	0	6	8	
Letter to him stating we could not allow same	0	5	2	
Telegram to Mr. Crisp to appear on behalf of Returning Officer at trial	0	5	0	
Paid	0	1	2	
<i>Feb. 20, 1882—</i>				
Preparing præcipe and subpoena to Hawkins and McKenzie, parents of minors	0	12	6	
Paid sealing	0	5	0	
Two copies for service	0	4	0	
Subpoena and præcipe to David Jackson	0	12	6	0 12 6
Paid sealing	0	5	0	0 5 0
Copy for service	0	2	0	
Letter to Mr. Poyntz therewith, instructing him to serve	0	5	2	
Telegram to him that we had sent same by 3.45 mail	0	5	0	0 5 0
Paid	0	1	0	0 1 0
Having received telegram from Poyntz that Worthington was at Papanui, preparing copy subpoena for service	0	2	0	
Attending bailiff and instructing him to serve	0	6	8	
Paid his charges endeavouring to serve	0	7	6	
Instructions to retain Mr. Button	0	6	8	
Paid retainer fee	1	3	6	
Instructions for brief, 27 witnesses	18	0	0	
Drawing proofs, 12 folios	0	18	0	0 9 0
Two briefs for counsel, each 45 folios	2	5	0	0 2 0
Fee to Mr. Button and clerk	11	0	0	
Attending him with brief	0	6	8	
Fee to Mr. G. Harper on brief, and clerk	82	13	6	
Mr. Button's consultation-fee on brief	5	5	0	2 2 0
Mr. G. Harper's fee on consultation	3	3	0	1 1 0
<i>Feb. 22, 1882—</i>				
Attending Court when election declared void and petitioner allowed costs	...			
Having received order, perusing same, 3 folios	0	1	0	
Having received petitioner's bill of costs, perusing same, 42 folios	0	14	0	
Having received affidavit of increase, perusing same, 19 folios	0	6	4	
Attending taxing petitioner's costs when same adjourned	1	1	0	1 1 0
Attending adjournment when taxing completed	1	1	0	
Drawing our bill of costs, — folios	1	16	0	
Instructions to have same taxed	0	6	8	
Engrossing same in duplicate, — folios	1	4	0	
Service of copy on Mr. Wason	0	5	0	
Drawing affidavit of service, 3 folios	0	4	6	0 4 6
Engrossing, 3 folios	0	1	6	0 1 6
Copy of bill of costs to annex	1	4	0	
Marking copy as an annex	0	1	0	
Attending to be sworn	0	6	8	0 6 8
Paid oath	0	3	0	0 3 0
Drawing motion paper, 3 folios	0	4	6	
Engrossing, 3 folios	0	1	6	
Drawing affidavit in support, 4 folios	0	6	9	

	£	s.	d.	£	s.	d.	Taxed off.
<i>Feb. 22, 1882—continued.</i>							
Engrossing, 4 folios	0	2	0				
Attending to set down, &c.	0	6	8				
Paid settling and filing affidavit in sup- port of service	0	12	0	0	3	0	
Counsel's fee on application for order ...	2	4	6	1	3	6	
Drawing order, 4 folios	0	6	0	0	3	0	
Fair copy for Court to settle	0	2	0	0	1	0	
Attending Court therewith to settle ...	0	3	4				
Attending for same when settled	0	3	4	0	3	4	
Engrossing	0	2	0				
Attending to seal	0	6	8				
Paid	0	6	0				
Drawing affidavit of increase, 10 folios...	0	15	0				
Engrossing	0	5	0				
Attending to be sworn	0	6	8				
Paid	0	2	0				
Copy to serve	0	5	0	0	5	0	
Service	0	5	0	0	5	0	
Attending to file affidavit of increase ...	0	6	8				
Paid	0	3	0				
Preparing appointment to tax, and præcipe	0	2	0				
Attending for same	0	6	8				
Paid	0	5	0				
Copy for service	0	0	6				
Service thereof	0	5	0				
Attending taxation	1	1	0	0	1	0	
• Paid fees	0	10	0				
Letters, attendances, &c., not otherwise charged, including letters to several witnesses and attendances on same, as to payment of their expenses	3	3	0	2	2	0	
	275	15	9				
Paid Mr. Poyntz his expenses	39	16	0				
„ witnesses' expenses as per Schedule 1 ...	36	5	6				
„ Mr. Crisp's costs as per Schedule 2 ...	26	0	8	6	1	0	
„ Duff, serving subpoenas	5	7	6				
„ Muir and Hay (horse-hire)	4	5	0				
„ Mr. Hampton, collecting evidence	3	3	0				
	390	13	5	18	1	8	
Taxed off	18	1	8				
Allowed at	372	11	9				

A. R. BLOXAM,
Registrar.

28th June, 1882.

Examined.—Harper and Co., 3rd May, 1882.

June 26.—No appearance on behalf of Mr. Wason, but affidavit of notice having been sent to him filed. Items 1 to 94 inclusive taxed.

June 28.—Mr. Cunningham, for Mr. Stringer, appeared for Mr. Wason. (Telegram put in authorizing him to do so.) Both days Mr. Beswick for Messrs. Harper and Co. After item 94 all items ticked were consented to by Mr. Cunningham.

A. R. B., Registrar.

SCHEDULE NO. 1.
Witnesses' Expenses.

	£	s.	d.
To amount paid to J. Mason ...	1	4	0
„ F. Stigley ...	1	16	0
„ Schneider ...	1	13	0
„ J. McKenzie ...	1	9	0
„ C. Hawkins ...	0	10	0
„ D. T. Murphy ...	1	5	0
„ J. Murphy ...	1	5	0
„ J. Walker ...	1	5	0
„ C. Glenstein ...	1	10	0
„ C. P. Cox ...	1	1	0
„ W. Fraser ...	2	5	6
„ J. Haseltine ...	1	9	0
„ B. Cane ...	1	9	0
„ D. McLeod ...	2	9	0
„ J. Balfour ...	1	3	0
„ R. Bird ...	1	19	0
„ G. James ...	1	10	0
„ G. Hawkins ...	1	5	0
„ R. McKenzie ...	1	9	0
„ James Wilson ...	0	10	0
„ James Wilson ...	0	10	0
„ D. Jackson ...	3	0	0
„ Poole ...	1	19	0
„ Shannon ...	1	10	0
Total ...	£36	5	6

SCHEDULE NO. 2.

Messrs. Harper and Co., Dr. to C. G. Crisp.

	£	s.	d.	Taxed off.	£	s.	d.
<i>Jan. 26, 1882—</i>							
Attending Mr. Poyntz, receiving instruc- tions to take proceedings v. aliens ...	0	6	8				
<i>Jan. 27, 1882—</i>							
Preparing notices to 8 aliens, engrossing 16 copies (Act requiring written no- tice), attending posting copy to each alien as a registered letter ...	1	1	0				
Paid ...	0	4	8				
<i>Feb. 4, 1882—</i>							
Attending Mr. Poyntz, receiving instruc- tions to proceed v. Fraser, Haseltine, and Cichester ...	0	6	8				
Attending at Registrar's office, inspect- ing claims and roll ...	0	6	8				
Attending Mr. James Hampton as to evidence v. Fraser and others and D. McLeod ...	0	6	8				
<i>Feb. 9, 1882—</i>							
Attending Mr. Poyntz, receiving instruc- tions to proceed, preparing objection, attending serving Bird therewith ...	0	6	8	0	1	8	
Letter to Mr. Harper, forwarding list of voters against whom proceedings will be, and paid ...	0	5	2				
Preparing notices of objection v. Fraser, Haseltine, and McLeod, copies for service ...	0	10	6				
Attending at Tinwald, serving notices, engaged all afternoon ...	0	10	6				
<i>Feb. 10, 1882—</i>							
Attending Mr. Hampton, ascertaining if John McKenzie minor ...	0	6	8				
Attending Mr. Poyntz hereon, and in- structions to proceed, preparing notice of objection, copy for service, attending serving at Tinwald ...	1	1	0				
<i>Feb. 11, 1882—</i>							
Attending Registrar's office, ascertaining number of names placed on roll since issue of writ, letter to Mr. Harper, in- forming him ...	0	5	2				
<i>Feb. 13, 1882—</i>							
Instructions to inspect claims of Thomas Williams, John Williams, and B. Cane, attending at Registrar's office, searching through claims, long en- gaged, telegram to Mr. Poyntz as to result ...	1	1	0	0	10	6	
Paid ...	0	1	10				
Instructions per wire to search claim No. 1008, attending, searching through claims, long engaged, making copy of claim, letter to Mr. Harper enclosing copy, and paid ...	1	1	2	0	10	6	
<i>Feb. 15, 1882—</i>							
Having heard that Mr. Ivess had signed several voters' claims without au- thority, attending at Registrar's office, searching through claims, and select- ing 4, viz., James, Beckett, Poole, and Porter, that were in Ivess's hand- writing, attending to Mr. Harper hereon, and enclosing list ...	0	13	4	0	6	8	
Attending Poyntz and Co., instructing them to ascertain whether James or Poole authorized signature ...	0	6	8				
<i>Feb. 20, 1882—</i>							
Having received subpoena from Mr. Harper, copy for service on Poole ...	0	5	0	0	3	0	
Copy for service on James ...	0	5	0	0	3	0	
Attending Poyntz and Co. therewith, for service ...	0	6	8	0	1	8	
<i>Feb. 21 and 22, 1882—</i>							
Two days' attendance at Rakaia Court, on behalf of Returning Officer ...	14	14	0	4	4	0	
Paid railway fare ...	0	18	0				
Hotel expenses ...	0	10	0				
	26	0	8	6	1	0	
Taxed off ...	6	1	0				
Total ...	£19	19	8				

COURT for the Trial of an Election Petition, Electoral District of Franklin North.

In the matter of "The Election Petitions Act, 1880."

Between WILLIAM FRANCIS BUCKLAND, Petitioner, and BENJAMIN HARRIS and WILLIAM SHANAGHAN, Respondents.

Petitioner's Costs.

	£	s.	d.	Taxed off. £	s.	d.
<i>Jan. 10, 1882—</i>						
Instructions for petition, long and special	3	3	0	2	2	0
Drawing petition, 14 folios at 1s. 6d. ...	1	1	0	0	7	6
Fair copy, at 6d. ...	0	7	0	0	2	6
Fee to counsel to settle same...	2	4	6			
Attending him therewith ...	0	6	8			
Having received petition settled, perusing same	0	6	8			
Fair copy as settled, at 6d. ...	0	7	0	0	7	0
Engrossing petition for signature, at 6d.	0	7	0	0	1	0
Attending petitioner on his signing petition	0	6	8			
Fair copy petition for insertion in newspapers	0	7	0	0	7	0
Attending <i>New Zealand Herald</i> office, and instructing as to insertion	0	6	8	0	6	8
Attending perusing and revising proof	0	13	4	0	13	4
Paid for insertion ...	3	0	0	3	0	0
Drawing appointment of solicitor, and fair copy and engrossing same	0	10	6	0	5	6
Attending petitioner signing same ...	0	6	8	0	6	8
Attending petitioner obtaining £200 to deposit	0	6	8			
Attending Bank of New Zealand, depositing £200	0	10	6			
Drawing and engrossing form of receipt to be given by manager	0	5	0	0	5	0
Attending with petitioner on Returning Officer at Papakura, nineteen miles from Auckland, and taking receipt	0	19	0			
Service ...	0	5	0			
<i>Jan. 18, 1882—</i>						
Having received notice of appointment of Mr. E. W. Burton as solicitor for Benjamin Harris, perusing same	0	6	8			
<i>Jan. 20, 1882—</i>						
Having received notice of petition being received by Registrar of Supreme Court at Wellington, perusing same	0	6	8			
Copy petition for service on Mr. Burton, — folios	0	7	0	0	1	0
Service ...	0	5	0			
Copy petition for service on Mr. Shanaghan, 14 folios	0	7	0	0	1	0
Attending at Papakura in order to service on respondent, Shanaghan, with copy petition	0	19	0			
Service ...	0	5	0			
Drawing retainer to Mr. Cotter, and attending him therewith	0	6	8			
Paid his fee and clerk ...	1	3	6			
Drawing retainer for Mr. Whitaker ...	0	6	8	0	6	8
Paid his fee and clerk ...	1	3	6	1	3	6
<i>Feb. 20, 1882—</i>						
Attending Mr. Cotter to appoint consultation	0	6	8			
Paid his fee and clerk ...	2	4	6	1	1	0
Attending Mr. Whitaker, appointing consultation	0	6	8	0	6	8
Paid his fee ...	1	3	6	1	3	6
Attending consultation ...	0	13	4	0	6	8
<i>Feb. 21, 1882—</i>						
Drawing affidavit of petitioner's solicitor to ground application for order to Registrar of Supreme Court, Wellington, to transmit original petition to Registrar of Supreme Court here	1	1	0	1	1	0
Engrossing same ...	0	10	0	0	10	0
Attending swearing ...	0	6	8	0	6	8
Paid oath ...	0	2	0	0	2	0
Motion paper ...	0	2	0	0	2	0
Paid filing ...	0	3	0	0	3	0
Attending Judge with Registrar at his residence, it being vacation, when he said he was doubtful as to correct course of procedure, and suggested telegram to Garrick and Cowlshaw, of Christchurch, the solicitors in another petition at Christchurch, inquiring course of procedure there	1	1	0	1	1	0
Paid cab-hire ...	0	12	6	0	12	6
Telegram accordingly ...	0	6	8			
Paid ...	0	5	0			

Feb. 21, 1882—continued.

	£	s.	d.	Taxed off. £	s.	d.
Having received telegram from Garrick and Cowlshaw, stating that petitioner and respondent had admitted former allegations, and Clerk of House of Representatives subpoenaed to produce voting papers, &c., perusing same	0	5	0			
Telegram to Major Campbell asking him if he would send voting papers, and without his personal attendance	0	6	8	0	6	8
Paid ...	0	2	0	0	2	0
Telegram to Moorhouse and Co., Wellington, to see Major Campbell on above question	0	6	8			
Paid ...	0	3	6			
<i>Feb. 25, 1882—</i>						
Attending Mr. Burton, who agreed to admit formal matters and would sign admission in order to save expense	0	6	8			
<i>Feb. 27, 1882—</i>						
Attending him, going through petition with a view to admission on both sides	0	13	4	0	6	8
Drawing same and fair copy, 2 folios ...	0	4	0	0	1	0
Two engrossments for signature ...	0	4	0			
Attending Mr. Burton, exchanging parts	0	6	8			
Attending petitioner, informing him accordingly	0	6	8	0	6	8
Attending, receiving and perusing telegrams from agents <i>re</i> Major Campbell	0	6	8			
Having received Judge's summons, perusing and considering same	1	1	0	1	1	0
Attending Mr. Cotter therewith ...	0	13	4	0	13	4
Attending Mr. Burton to appoint time to wait on Judge, in vacation, no time having been mentioned in summons	0	6	8	0	6	8
<i>Feb. 28, 1882—</i>						
Paid counsel's fees, attending on summons, when, with a trifling exception, summons dismissed, and clerk	2	2	0	2	2	0
Attending respondent's solicitor, informing him that we abandoned paragraphs 5 and 6 of the petition relating to minors and non-qualified voters	0	6	8	0	1	8
<i>Feb. 25, 1882—</i>						
Drawing and transmitting telegram to Messrs. Moorhouse, Edwards, and Cutton, requesting them service of subpoena on Major Campbell	0	5	0	0	5	0
Paid ...	0	3	6	0	3	6
<i>March 1, 1882—</i>						
Attending Mr. Cotter to appoint consultation	0	6	8			
Paid his fee and clerk ...	2	4	6			
The like, Mr. Whitaker ...	2	11	2	2	11	2
<i>March 5, 1882—</i>						
Attending consultation, which lasted three hours	1	1	0	0	7	8
<i>Feb. 28, 1882—</i>						
Preparing præcipe for subpoena <i>duces tecum</i> for Clerk of Parliament, and attending Supreme Court sealing	0	12	6			
Paid fee ...	0	6	0			
Copy to serve ...	0	2	0			
Copy to keep ...	0	2	0	0	2	0
Writing Messrs. Moorhouse, Edwards, and Co., agents, with original copy, and instructions to serve Major Campbell, and instructions as to their proceedings in case of his absence	0	10	6	0	3	0
Paid their charges as per bill annexed...	3	17	10	2	7	6
<i>March 2, 1882—</i>						
Respondent Shanaghan not having appeared, affidavit of service of petition upon him, and paid oath	0	12	6	0	4	6
Drawing notice and copy of appointment of Samuel Jackson as petitioner's solicitor to file with Registrar	0	5	0			
Attending filing same, 6s. 8d.; paid, 3s.	0	9	8	0	3	0
<i>March 3, 1882—</i>						
Not having heard from Moorhouse and Co., telegram inquiring what had been done	0	6	8	0	6	8
Paid ...	0	1	7	0	1	7
<i>March 7, 1882—</i>						
Attending, receiving, and perusing telegram in reply	0	6	8	0	6	8
Instructions for list of objections ...	3	3	0	2	9	8
Drawing same, 6 folios ...	0	9	0	0	4	6
Fair copy to keep ...	0	3	0	0	1	0

	£	s.	d.	Taxed off. £	s.	d.		£	s.	d.	Taxed off. £	s.	d.			
March 7, 1882—continued.																
Copy to file	0	3	0	0	1	0							
Two copies for service	0	6	0										
Attending serving Mr. Burton for respondent Harris	0	6	8	0	1	8							
Attending at Registrar's office, filing and delivering copy for respondent, Shanaghan	0	6	8										
Paid fee	0	3	0	0	3	0							
Having received list of objections by respondent, Harris, perusing same	1	1	0	0	7	8							
March 8, 1882—																
Telegram to Moorhouse and Co. to pay Major Campbell the amount of conduct-money demanded	0	6	8	0	6	8							
Paid urgent	0	2	0	0	2	0							
Subpoenas <i>ad test.</i> , and attending Supreme Court sealing, at 12s. 6d. each	3	15	0	1	15	0							
Paid fees, 6 at 5s.	1	10	0	0	10	0							
Copies for service on 22 witnesses, at 2s. each	2	4	0	0	16	0							
Service on William Campbell, East Tamaki, 10 miles from Auckland	0	15	0										
Service on Ralph Harris, Pakuranga, 10 miles from Auckland	0	15	0	0	15	0							
Service on Richard Nolan Barry, Howick, 12 miles from Auckland	0	17	0										
Service on Thomas Speers, East Tamaki, 14 miles from Auckland	0	19	0	0	19	0							
Service on Robert Andrew, East Tamaki, 10 miles from Auckland	0	15	0										
Service on George Cooper, Howick, 12 miles from Auckland	0	17	0	0	17	0							
Service on Thomas Foley, Howick, 12 miles from Auckland	0	17	0										
Service on Jeremiah Sanders, Howick, 12 miles from Auckland	0	17	0	0	17	0							
Service on John Gordon, Otahuhu, 9 miles from Auckland	0	14	0										
Service on Samuel Luke, Otahuhu, 9 miles from Auckland	0	14	0										
Service on Alfred Richard Harris, East Tamaki, 14 miles from Auckland	0	19	0										
Service on Henry Samuel Andrews, Mangare, 10 miles from Auckland	0	15	0	0	15	0							
Service on Thomas Sutcliffe, Pakuranga, 14 miles from Auckland	0	19	0	0	19	0							
Service on Frederick W. Paul, Auckland	0	5	0										
Service on Robert Sutcliffe, Pakuranga, 14 miles from Auckland	0	19	0	0	19	0							
Service on John Sutcliffe, Pakuranga, 14 miles from Auckland	0	19	0	0	19	0							
Service on Robert Hattaway, jun., Pakuranga, 14 miles from Auckland	0	19	0										
Service on William Shanaghan, Papakura, 19 miles from Auckland	1	4	0										
Copy and service on James Dovil	0	19	0										
Service on John W. White	0	17	0										
Service on George E. White	0	17	0	0	17	0							
Service on John Smith	0	17	0										
Instructions for brief, 24 witnesses	16	0	0	6	0	0							
Drawing same, 60 folios	4	10	0	0	15	0							
Two copies brief and copy documents for counsel, 125 folios each, 250 folios	6	5	0	2	11	0							
Fee to Mr. Cotter with brief, and clerk	66	0	0										
Attending him therewith	2	2	0										
Fee to Mr. Whitaker with brief	44	0	0	44	0	0							
Attending him therewith	2	2	0	2	2	0							
Attending Mr. Cotter, appointing consultation	0	6	8										
Fee to Mr. Cotter for consultation	3	15	6	0	5	0							
Attending Mr. Whitaker, appointing consultation	0	6	8	0	6	8							
Fee to Mr. Whitaker for consultation	2	9	6	2	9	6							
Attending consultation	1	1	0										
March 15, 1882—																
Attending Mr. Cotter with refresher	0	13	4										
Paid him	11	0	0										
Attending Mr. Whitaker with refresher	0	13	4	0	13	4							
Paid him	7	12	0	7	12	0							
March 16, 1882—																
Attending Mr. Cotter with refresher	0	13	4										
Paid him	11	0	0										
Attending Mr. Whitaker with refresher	0	13	4	0	13	4							
Paid him	7	12	0	7	12	0							
Preparing telegram, by order of Court, to Jackson and Russell, with directions to Major Campbell on his arrival	0	6	8										
Messenger to Drury with same	0	5	0										
March 16, 1882—continued.																
Paid	0	2	6										
Attending and receiving same at Auckland	0	6	8	0	6	8							
Attending and making inquiries accordingly	0	6	8										
Preparing and attending with telegram in reply	0	6	8										
Paid for same	0	7	0										
March 14, 1882—																
Attending Court at Papakua	5	5	0										
March 15, 1882—																
The like attendance	5	5	0										
March 16, 1882—																
Attending Court at Otahuhu, Mr. Harris unseated	5	5	0										
Drawing bill of costs, 33 folios at 1s. 6d.	2	9	6	1	3	6							
Fair copy, 33 folios at 6d.	0	16	6	0	3	6							
Copy to serve, 33 folios at 6d.	0	16	6	0	3	6							
Præcipe for appointment to tax	0	2	0										
Attending for appointment	0	6	8										
Paid fee	0	5	0										
Copy appointment to serve	0	1	0										
Service of same and bill of costs	0	5	0										
Attendances and correspondence in settling the accounts of the several witnesses	7	6	8	3	0	0							
Drawing of affidavit of increase, 15 folios at 1s. 6d.	1	2	6	0	4	6							
Fair copy, 15 folios at 6d.	0	7	6	0	1	6							
Engrossing same, 15 folios at 6d.	0	7	6	0	1	6							
Attending to swear, and paid oath	0	8	8										
Attending Supreme Court filing	0	6	8										
Paid fee	3	0	0										
Copy to serve, 15 folios at 6d.	0	7	6	0	1	6							
Service	0	5	0										
Attending taxing	2	2	0										
Paid fee	1	10	0										
Letters, attendances, telegrams, postages, &c.	2	0	0										
Payments made to witnesses—																
Major Campbell, included in agent's bill	14	13	2										
R. Hathaway, jun.	1	0	0										
R. N. Barry	1	7	0										
Jeremiah Saunders	1	15	0	1	15	0							
John William White	2	0	0										
James Dovil	2	10	0										
Ralph Harris	2	10	0	2	10	0							
H. S. Andrews	1	10	0	1	10	0							
T. Speers	1	15	0	1	15	0							
Robert Andrews	1	15	0										
G. Cooper	1	15	0	1	15	0							
T. Sutcliffe	1	15	0	1	15	0							
W. Campbell	1	15	0										
G. E. White	1	15	0	1	15	0							
Mr. Luke	2	2	0										
Mr. Gordon	2	2	0										
Mr. Paul	2	11	6	0	6	6							
John Smith	1	0	0										
A. R. Harris	1	0	0										
T. Foley	1	0	0										
R. Sutcliffe	1	0	0	1	0	0							
J. Sutcliffe	1	0	0	1	0	0							
											363	1	11	139	4	11
Taxed off											139	4	11	
Allowed at											223	17	0	
Allowed respondent, Harris											73	5	7	
											150	11	5			
COURT for the Trial of an Election Petition for the Electoral District of Franklin North.																
In the matter of "The Election Petitions Act, 1880."																
Between WILLIAM FRANCIS BUCKLAND, Petitioner, and BENJAMIN HARRIS and WILLIAM SHANAGHAN, Respondents.																
Costs of the Respondent, Benjamin Harris.																
Jan. 17, 1882—																
Instructions to defend Major Harris, the sitting member, and to oppose petition											£	s.	d.	£	s.	d.
											3	3	0	3	3	0
Drawing appointment of solicitor of above-named respondent, Benjamin Harris, and fair copy and engrossing same											0	10	6	0	10	6

	£	s.	d.	Taxed off.		£	s.	d.	Taxed off.
	£	s.	d.	£	s.	d.	£	s.	d.
Jan. 17, 1882—continued.									
Attending said respondent for his signature thereto	0	6	8	0	6	8			
Jan. 18, 1882—									
Drawing notice and copy of appointment of Ernest William Burton as solicitor for respondent, Benjamin Harris, to file with Registrar, as required by Rule 57 under "The Election Petitions Act, 1880."	0	5	0	0	5	0			
Attending filing appointment under Rule 14, and notice under Rule 57	0	6	8	0	6	8			
Paid 3s. each	0	6	0	0	6	0			
Copy and service of notice on Messrs. Jackson and Russell to anticipate unnecessary expense of service	0	5	0	0	5	0			
Copy and postage of said notice to the Returning Officer at Papakura	0	5	0	0	5	0			
Paid postage	0	0	4	0	0	4			
Jan. 25, 1882—									
Attending at the office of Messrs. Jackson and Russell to accept service of petition	0	6	8	0	6	8			
Perusing and considering same	1	1	0	1	1	0			
Attending Returning Officer to ascertain if money lodged on bond given, and found money lodged	0	6	8	0	6	8			
Jan. 26, 1882—									
Letter to Major Harris, informing him of receipt of petition, and requiring his version in regard to the allegations made, and asking him to obtain particulars of evidence, and to make inquiries to enable me to set up counter-case, and postage	0	5	2	0	5	2			
Preparing retainer for Mr. Lusk, and retaining him	0	6	8	0	3	4			
Paid his fee and clerk	1	3	6	0	11	9			
Instructions for summons for particulars of vote rejected by Deputy Returning Officer at Mangere, of persons intimidating, and to amend petition	0	6	8						
Feb. 9, 1882—									
Drawing same, 35 folios	2	12	6						
Fee to counsel to settle same, and after-mentioned affidavits	1	3	6						
Feb. 20, 1882—									
Engrossing same as finally settled by counsel, 35 folios	1	3	4						
Feb. 22, 1882—									
Copy for service	1	3	4						
Drawing affidavit of E. W. Burton in support, 9 folios	0	13	6						
Engrossing same	0	6	0						
Copy petition to annex thereto, 10 folios	0	6	8						
Oath on swearing same	0	2	0						
Instructions for affidavit of Major Harris in support of summons to show cause	0	6	8						
Drawing same, 8 folios	0	12	0						
Copy petition to annex thereto	0	6	8						
Letter to Major Harris therewith to swear, and explaining same, and postage	0	5	8						
Feb. 23, 1882—									
Copy Judge's summons for Court, 35 folios	1	3	4	13	6	10			
Feb. 24, 1882—									
Attending Major Harris to read over and swear affidavit in support of summons	0	6	8						
Paid oath	0	2	0						
Attending to file affidavits and set down application	0	6	8						
Paid filing 2 affidavits	0	6	0						
Paid setting down application	0	2	0						
Application paper and copy	0	2	0						
Attending serving summonses	0	5	0						
Feb. 28, 1882—									
Fee to counsel for attending application to strike out and amend, when amendment ordered	2	4	6						
Drawing order to amend, 3 folios	0	4	6						
Mar. 1, 1882—									
Engrossing order, and copy for service, 3 folios each	0	4	0						
Attending for signature thereto, and sealing same	0	6	8						
Paid sealing	0	6	0						
Paid messenger to Judge's house with order for signature	0	1	0						
Mar. 3, 1882—									
Preparing subpoena <i>ad test.</i> to Thomas Foley, John Smith, Robert Hattaway, jun., and T. J. Sutcliffe, præcipe therefor, and attendance to seal	0	12	6	0	12	6			
Paid sealing	0	5	0	0	5	0			
Four copies for service	0	8	0	0	8	0			
Service on Thomas Foley, 15 miles from Auckland	1	0	0	1	0	0			
Service on John Smith, Howick, 15 miles from Auckland	1	0	0	1	0	0			
Service on Robert Hattaway, jun., Tamaki, 14 miles from Auckland	0	19	0	0	19	0			
Service on Thomas James Sutcliffe, Pakuranga, 14 miles from Auckland	0	19	0	0	19	0			
Preparing subpoena <i>ad test.</i> for W. D. Bush and Richard Sefton, præcipe to seal, and attending sealing	0	12	6	0	2	6			
Paid sealing	0	5	0						
Copies for service (two)	0	4	0	0	2	0			
Service on W. D. Bush, Otahuhu, 9 miles from Auckland	0	14	0						
Service on R. Sefton, Otahuhu, 9 miles from Auckland	0	14	0	0	14	0			
Preparing subpoena <i>duces tecum</i> for Mr. William Shanaghan, Returning Officer, Papakura, præcipe to seal, and attending sealing	0	12	6	0	12	6			
Paid sealing	0	5	0	0	5	0			
Copy for service	0	2	0	0	2	0			
Service on William Shanaghan, Papakura, 19 miles from Auckland	1	4	0	1	4	0			
Copy order to amend service, 3 folios	0	2	0	0	2	0			
Service	0	5	0	0	5	0			
Letters to and instructions from Major Harris for list of objections, and several attendances thereon	3	3	0	3	3	0			
Drawing list of objections under Rule 9, 8 folios	0	12	0	0	12	0			
March 4, 1882—									
Fee to counsel to settle same, and clerk	3	5	6	3	5	6			
Preparing subpoena <i>ad test.</i> for William Walters, jun., W. F. Evans, W. Smith, and Thomas Boyle, præcipe to seal, and attending sealing	0	12	6	0	12	6			
Paid sealing	0	5	0	0	5	0			
Four copies for service	0	8	0	0	8	0			
Service on William Walters, jun., Papakura, 19 miles from Auckland	1	4	0	1	4	0			
Letter to Major Harris, with some subpoenas for service, and asking him to send in witnesses	0	5	0	0	5	0			
Paid postage	0	0	8	0	0	8			
Letter to W. Shanaghan for copy electoral roll, and for information as to informal votes at Papakura	0	5	0	0	5	0			
Postage	0	0	4	0	0	4			
March 6, 1882—									
Searching T. J. Sutcliffe's title, and paid search 1s.	0	7	8	0	7	8			
Feb. 25, 1882—									
Attending Messrs. Jackson and Russell's clerk, when he asked for admissions in order to save expense to his client	0	6	8	0	6	8			
Feb. 27, 1882—									
Attending him going through petition with a view to admissions on both sides	0	13	4	0	13	4			
Perusing admissions as drawn by petitioner's solicitor	0	6	8	0	6	8			
March 6, 1882—									
Attending, reading over, and signing admissions when engrossed, and exchanging parts	0	6	8	0	6	8			
March 7, 1882—									
Engrossing list of objections under Rule 9, as finally settled by counsel, 8 folios	0	5	4	0	5	4			
Copy for Registrar	0	5	4	0	5	4			
Copy for service on petitioner's solicitor	0	5	4	0	5	4			
Attending Registrar's office, lodging list of objections	0	6	8	0	6	8			
Attending serving Mr. Jackson, solicitor for petitioner, therewith	0	6	8	0	6	8			
Having received petitioner's list of objections, perusing same	1	1	0	0	10	6			
In consequence of receipt of petitioner's list of objections, writing letters to all the parties named therein to come to town, in order that I might examine them (7 letters in all)	1	15	0	1	1	0			

	£	s.	d.	Taxed off. £	s.	d.
March 7, 1882—continued.						
Paid postages ...	0	1	2	0	0	6
Letters to Bush, Sefton, and John Smith, Returning Officer at Howick, to come in and see me for the same purpose (3 letters) ...	0	15	0	0	11	6
Paid postages ...	0	0	6	0	0	4
Letter to Major Harris, informing him of receipt of list of objections, and asking him to see that persons named came in ...	0	5	0			
Postage ...	0	0	2			
Preparing subpoena <i>ad test.</i> to Gill and R. N. Barry, preparing <i>præcipe</i> , and attending sealing ...	0	12	6	0	12	6
Paid sealing ...	0	5	0	0	5	0
Two copies for service ...	0	4	0	0	4	0
Service on J. P. Gill, Howick, 15 miles from Auckland ...	1	0	0	1	0	0
Instructions from brief, including therein letters written to collect evidence, attendances at Papakura and Otahuhu to see witnesses, and seeing all the witnesses in the case, and other attendances and letters for the same purpose ...	16	0	0	10	15	0
Drawing brief (case, 80 folios; proofs, 90 folios), 170 folios ...	12	15	0	10	19	0
Engrossing same, 230 folios ...	7	13	4	6	13	4
March 13, 1882—						
Fee to Mr. Lusk and clerk with brief ...	107	10	0	75	0	0
Attending Mr. Lusk in consultation ...	1	1	0	0	13	4
Mr. Lusk's fee on consultation ...	5	10	0	4	6	6
Preparing subpoena <i>ad test.</i> for G. Cooper, A. R. Harris, J. Saunders, and T. Spears, <i>præcipe</i> for sealing, and attending sealing ...	0	12	6	0	12	6
Paid sealing ...	0	5	0	0	5	0
Four copies for service ...	0	8	0	0	8	0
Service on G. Cooper, Howick, 15 miles from Auckland ...	1	0	0	1	0	0
Service on A. R. Harris, East Tamaki, 14 miles from Auckland ...	0	19	0	0	19	0
Service on J. Saunders, Howick, 15 miles from Auckland ...	1	0	0	1	0	0
Service on T. Spears, Pakuranga, 13 miles ...	0	18	0	0	18	0
March 14, 1882—						
Journey to Papakura, attending Court when case for petitioner opened by Mr. Cotter ...	5	5	0	2	2	0
March 15, 1882—						
The like attendance ...	5	5	0	2	2	0
Refresher for Mr. Lusk and clerk ...	27	0	0	19	8	0
March 16, 1882—						
Attending Court at Otahuhu when case concluded, and election declared void, with special order as to costs, as per order of Judges ...	5	5	0	5	5	0
Refresher for Mr. Lusk and clerk ...	27	0	0	27	0	0
Paid railway fares and expenses ...	2	14	8	2	0	8
March 20, 1882—						
Drawing order for costs, 5 folios ...	0	7	6			
Fair copy same for Registrar to settle ...	0	3	4	0	0	10
March 21, 1882—						
Attending Registrar therewith to settle ...	0	6	8			
March 23, 1882—						
Engrossing same, as settled by the Judges ...	0	3	4			
Attending their Honors to sign same ...	0	6	8			
Paid stamp on same ...	0	6	0			
Drawing bill of costs, 28 folios at 1s. 6d. ...	2	2	0	1	13	0
Fair copy ...	0	18	8	0	14	2
Copy for service ...	0	18	8	0	14	2
<i>Præcipe</i> for appointment to tax ...	0	2	0			
Attending for appointment ...	0	6	8			
Paid appointment ...	0	5	0			
Copy appointment to serve ...	0	1	0			
Service of same and bill of costs ...	0	5	0			
Attendance and correspondence in settling the accounts of the several witnesses, 10 in number, paying same ...	3	6	8	3	0	0
Drawing affidavit of increase, 18 folios at 1s. 6d. ...	1	7	0	0	18	0
Fair copy, 18 folios at 8d. ...	0	12	0	0	9	0
Engrossing same ...	0	12	0	0	8	0
Paid oath on swearing same ...	0	2	0			
Attending Supreme Court filing ...	0	6	8			
Paid filing ...	0	3	0			

	£	s.	d.	Taxed off. £	s.	d.
March 23, 1882—continued.						
Copy to serve ...	0	12	0	0	8	0
Service ...	0	5	0			
Payments made to and amounts claimed by witnesses and by respondent—						
Thomas Foley, paid ...	1	16	0	1	16	0
John Smith, paid ...	0	17	6	0	17	6
Robert Hathaway, jun., claim ...	4	17	0	4	17	0
William Dalton Bush, paid ...	1	15	6			
Richard Sefton, paid ...	1	8	0	1	8	0
Richard Sefton, claim in addition ...	0	8	0	0	8	0
William Walters, jun., claim ...	1	10	0	1	10	0
Thomas Page Gill, paid ...	2	12	0	2	12	0
George Cooper, paid ...	0	8	2	0	8	2
Alfred Richard Harris, claim ...	2	5	0	2	5	0
Jeremiah Saunders, paid ...	0	10	6	0	10	6
Benjamin Harris, claim ...	6	6	0	6	6	0
Attending taxing ...	1	1	0			
Paid taxing ...	1	0	0			
Preparing judgment paper ...	0	3	4	0	3	4
Attending to sign same ...	0	6	8	0	6	8
Paid ...	0	10	0	0	10	0
Term-fee, attendances, telegrams, postages, and journeys to Papakura and Otahuhu to collect evidence, &c. ...	2	0	0	1	0	0
				325	15	0
Taxed off ...				252	9	5
Allowed at ...				73	5	7

COURT for the Trial of an Election Petition for the Electoral District of Lyttelton.

In the matter of "The Election Petitions Act, 1880."

Between WILLIAM HOLLIS, Petitioner, and HARRY ALLWRIGHT, Respondent.

Respondent's Costs, under Order dated 3rd February, 1882, of Elections Petitions Court.

	£	s.	d.	Taxed off. £	s.	d.
Jan. 5, 1882—						
Attending respondent when he brought petition by William Hollis to unseat him for Lyttelton, conferring thereon, and advising and taking instructions to appear ...	0	13	4			
Perusing and considering petition, 9 folios ...	0	3	0			
Jan. 9, 1882—						
Attending respondent when he brought roll, and conferring further ...	0	6	8			
Drawing notice of appointment as solicitor, 2 folios ...	0	3	0			
Engrossing ...	0	1	0			
Jan. 18, 1882—						
Attending at Supreme Court filing notice ...	0	6	8			
Paid ...	0	3	0			
Copy notice for service on petitioner's solicitor ...	0	1	0			
Service ...	0	5	0			
Jan. 28, 1882—						
Received notice of hearing of petition on 14th February. Letter to respondent informing him thereof, and instructing him ...	0	5	2			
Attending respondent, conferring further as to petition, defence, and advising ...	0	6	8			
Feb. 2, 1882—						
Attending respondent when he brought list of aliens who voted for Richardson or Webb, and conferring and advising thereon, and as to proceedings upon petition ...	0	13	4			
Having received lists of votes and heads of objections, perusing same, 10 folios ...	0	3	4			
Telegram to respondent informing him thereof, and asking for interview thereon, &c. ...	0	5	0			
Paid transmission ...	0	1	0			
Feb. 3, 1882—						
Attending respondent, conferring thereon, and handing him list ...	0	6	8			
Having received rule <i>nisi</i> calling upon respondent to show cause why Clerk of Writs should not be directed to allow inspection of rolls, instructions to oppose same ...	0	6	8			

	£	s.	d.	Taxed off. £ s. d.
<i>Feb. 3, 1882—continued.</i>				
Perusing rule and affidavit in support, 20 folios	0	6	8	
Instructions for brief on argument of rule	0	6	8	
Brief, 19 folios	0	9	6	
Fee on brief, and clerk	2	4	6	
Attending at Supreme Court when rule made absolute				
Having received copy rule absolute, perusing same, 6 folios	0	2	0	
Letter to respondent informing him thereof, and for instructions as to obtaining copy roll showing voters	0	5	2	
Letter to Wellington agents, instructing them to attend on opening of roll, and to take copy of voters, and forwarding copy roll, and postage 1s.	0	6	0	
<i>Feb. 6, 1882—</i>				
Instructions for notice of defence	0	6	8	
Drawing same, 16 folios	1	4	0	
Fee to counsel to settle	2	4	6	
Copy for service on Registrar	0	8	0	
Service	0	5	0	
Copy for service on petitioner's solicitor	0	8	0	
Service	0	5	0	
Telegram to respondent making appoint- ment for interview	0	5	0	
Paid	0	0	7	
<i>Feb. 7, 1882—</i>				
Attending respondent in long conference as to evidence and advising, when eventually it was arranged to admit persons (except a few) where aliens, and preparing authority for admis- sion and obtaining signature	0	13	4	
Attending Mr. Harper, conferring there- on and making proposal readmissions, when he agreed to admit also	0	13	4	
Having received fair draft admissions, perusing, settling, and approving thereof, 4 folios	0	4	0	
Fair copy to keep	0	2	0	
Attending petitioner's solicitor, return- ing fair draft approved as altered	0	6	8	
Attending petitioner's solicitor to ex- change admissions, when he required further alterations, and conferring thereon	0	6	8	
Attending him, subsequently exchanging	0	6	8	
<i>Feb. 9, 1882—</i>				
Attending respondent to-day, conferring as to case	0	6	8	
Having received letter from petitioner's solicitor as to admissions, letter to him, in reply, declining to consent to his request, and offering to cancel admissions altogether	0	5	0	
<i>Feb. 10, 1882—</i>				
Attending him, cancelling same accord- ingly, and <i>re</i> exchanging	0	6	8	
Præcipe and subpoena to John Koskela and others	0	12	6	
Paid sealing	0	5	0	
Copy for service on Koskela	0	2	0	
Copy for service on Charles Warren	0	2	0	
Service at Lyttelton	0	10	0	
Copy for service on Henry A. Williams	0	2	0	
Service	0	10	0	
Præcipe and subpoena to John Bark and others	0	12	6	
Paid sealing	0	5	0	
Copy for service on Bark	0	2	0	
Service	0	10	0	
Copy for service on John Bethke	0	2	0	
Service	0	10	0	
Copy for service on Alexander Mares	0	2	0	
Service	0	10	0	
Præcipe and subpoena to C. Anderson and others	0	12	6	
Paid sealing	0	5	0	
Copy for service on Anderson	0	2	0	
Service	0	10	0	
Copy for service on J. Fletcher	0	2	0	
Service	0	10	0	
Præcipe and subpoena	0	12	6	
Paid sealing	0	5	0	
Præcipe and subpoena	0	12	6	
Paid sealing	0	5	0	
Præcipe and subpoena	0	12	6	

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	£	s.	d.	Taxed off. £ s. d.
<i>Feb. 10, 1882—continued.</i>				
Paid sealing	0	5	0	
Præcipe and subpoena	0	12	6	
Paid sealing	0	5	0	
Præcipe and subpoena	0	12	6	
Paid sealing	0	5	0	
Præcipe and subpoena	0	12	6	
Paid sealing	0	5	0	
Præcipe and subpoena	0	12	6	
Paid sealing	0	5	0	
Præcipe and subpoena	0	12	6	
Paid sealing	0	5	0	
Præcipe and subpoena	0	12	6	
Paid sealing	0	5	0	
Telegram to respondent making appoint- ment for conference this afternoon	0	5	0	
Paid	0	1	0	
Attending respondent in long conference as to evidence and witnesses to be subpoenaed, and as to admissions, when he agreed to alterations required by petitioner's solicitor	0	13	4	
Attending petitioner's solicitor thereon	0	6	8	
Fair copy admissions	0	2	0	
Attending petitioner's solicitor, exchange- ing parts	0	6	8	
Retainer to Mr. Holmes	1	3	6	
Attending him	0	6	8	
<i>Feb. 13, 1882—</i>				
Attending respondent, conferring further as to evidence	0	6	8	
Instructions for brief on trial	0	13	4	
Brief for Mr. Holmes, 38 folios	0	19	0	
Fee on brief, and clerk	37	15	0	
Attending him	0	6	8	
Attending Mr. Holmes, making appoint- ment for consultation	0	6	8	
Attending him in long consultation, en- gaged from 3 to 5 p.m.	2	2	0	
Fee to Mr. Holmes on consultation	3	5	6	
Brief for Mr. Cowlishaw, 38 folios	0	19	0	
Fee on brief, and clerk	27	0	0	
<i>Feb. 14, 1882—</i>				
Attending on hearing of petition, Lyttel- ton, when case adjourned to 23rd February	1	1	0	1 1 0
<i>Feb. 23, 1882—</i>				
Attending Court when petition heard and order made declaring respondent duly elected	0	5	4	0 5 4
Paid railway fare, two journeys	0	4	6	
Drawing order, 3 folios	0	1	6	
Copy for Registrar to settle	0	6	8	
Attending him to settle, and afterwards for same	0	6	8	
Engrossing	0	1	6	
Attending sealing	0	6	8	
Paid	0	6	0	
Copy for service	0	1	6	
Service	0	5	0	
<i>Feb. 25, 1882—</i>				
Letter to respondent as to witnesses' expenses	0	5	2	
<i>Feb. 26, 1882—</i>				
Attending respondent, going through witnesses' claims for payment of ex- penses	0	6	8	
Paid witnesses' expenses as follow :—				
C. Warren, 2 days	0	12	0	
John Bark, 2 days	0	16	0	
John Bethkie, 2 days	0	12	0	
Alexander Maris, mariner, 2 days	0	16	0	
C. Anderson, 2 days	0	12	0	
J. Fletcher, 2 days	0	12	0	
Agents' charges as follow :—				
<i>Feb. 6, 1882—</i>				
Instructions to apply to Clerk House of Representatives for list of persons voting	0	6	8	
Making copy order	0	3	0	
Writing Major Campbell therewith	0	5	0	
<i>Feb. 8, 1882—</i>				
Attending Clerk of Parliament, ex- amining rolls, marking names of voters on Returning Officer's roll, inspecting roll of Poll Clerk, &c.	1	1	0	
Telegram thereon	0	5	0	
Paid	0	5	7	
<i>Feb. 9, 1882—</i>				
Letter	0	5	2	

	£	s.	d.	Taxed off. £ s. d.
<i>Feb. 13, 1882—</i>				
Letter enclosing copy Deputy Returning Officer's roll	0	5	6	
<i>Feb. 25, 1882—</i>				
Drawing affidavit of increase by Mr. Cowlshaw, 6 folios	0	9	0	
Engrossing	0	3	0	
Attending swearing	0	6	8	
Paid	0	2	0	
Drawing further affidavit of increase by respondent, 2 folios	0	3	0	
Engrossing	0	1	0	
Letter to him therewith to be sworn	0	5	4	
Paid oath	0	2	0	
Attending filing affidavit	0	6	8	
Paid	0	6	0	
Copies for service	0	4	0	
Service	0	5	0	
Drawing bill of costs and copy, 25 folios	1	5	0	
Copy for Registrar	0	12	6	
Copy for service	0	12	6	
Præcipe and appointment to tax	0	2	0	
Attending obtaining appointment	0	6	8	
Paid	0	5	0	
Copy appointment for service	0	0	6	
Service of costs and appointment	0	5	0	
Attending taxation	0	6	8	
Paid	0	5	0	
Letters, attendances, &c.	1	1	0	
	127	7	4	2 14 7
Taxed off	2	14	7	
Certified at	124	12	9	

A. R. BLOXAM,
Registrar.

26th April, 1882.

In the Supreme Court of New Zealand, Canterbury District.

In the matter of "The Petitions Elections Act, 1880."

ROBERT RUTHERFORD, Petitioner, and JAMES HUTCHISON SUTTER, Respondent.

Respondent's Costs, under Order of the 4th day of March, 1882.

	£	s.	d.	Taxed off. £ s. d.
<i>Feb. 6, 1882—</i>				
Instructions to act for respondent herein, and retain Mr. C. Perry, and advising him to see Deputy Returning Officer (T. Squires) at once, and arrange to have his evidence taken down in writing	0	6	8	
Perusing petition	0	13	4	
Retainer to Mr. C. Perry	1	3	6	
<i>Feb. 7, 1882—</i>				
Attending respondent, perusing letter received by him from Mr. Gall <i>re</i> witnesses, and subsequently appointing to-morrow for conference	0	13	4	
<i>Feb. 8, 1882—</i>				
Attending Mr. Perry's chief clerk hereon, and afterwards examining Deputy Returning Officer (Squires) as to early closing of polling-place, Fairlie Creek, and he denied the truth of that allegation	0	13	4	
Attending respondent, Mr. Perry's chief clerk, and the Deputy Returning Officer in long conference, and taking down evidence of the latter in writing, engaged over an hour	2	2	0	
Telegram to Messrs. Harper and Co. for copies of all documents filed in the Supreme Court office, Christchurch, by the petitioner	0	5	0	
Attending transmitting	0	6	8	
Paid	0	2	0	
Paid for reply	0	1	2	
Received from them letter containing copies, bonds, &c., and perusing	0	13	4	
Paid Messrs. Harper and Co.'s charges as under: Feb. 8. Instructions to obtain office copies of documents filed herein, 6s 8d.; telegram (collect) informing you that Court closed to day, 5s. Feb. 9. Attending for office copies as above, when could not obtain same at once owing to pressure of business at Supreme Court. Feb. 10.	1	0	4	

Feb. 8, 1882—continued.

	£	s.	d.	Taxed off. £ s. d.
Attending at Supreme Court to make copies, 6s 8d.; copy bond, 4 folios, 1s.; copy petition, 4 folios, 1s.	0	6	8	
Attending respondent, when he instructed me to see Mr. Stubbs, the Returning Officer, and to obtain information <i>re</i> election from him	0	13	4	
Attending respondent on his bringing notice that petition set down for hearing on the 24th instant, at Washdyke, and perusing same	0	13	4	
<i>Feb. 9, 1882—</i>				
Attending Mr. Stubbs, requesting information in writing <i>re</i> the circumstances relating to the election for Gladstone, and afterwards, on his bringing the same, engaged a long time	0	13	4	
<i>Feb. 10, 1882—</i>				
Attending respondent, when he informed me that the Principal Returning Officer (Mr. Stubbs) had been served with a copy of petition	0	6	8	
Perusing and carefully considering rules under "Election Petitions Act, 1880"	1	1	0	
Attending Mr. Perry in long conference as to moving to strike out petition for non-compliance with Act and rules, and as to propriety of applying at once to have petition taken off the file on various grounds, instead of waiting to take objection at the hearing, when it was arranged to adopt the former course	0	13	4	
Paid Mr. C. Perry, consultation fee	1	3	6	
Telegram to Mr. George Harper to know if he had been retained by the petitioner	0	5	0	
Attending transmitting	0	6	8	
Paid	0	2	3	
<i>Feb. 11, 1882—</i>				
Attending respondent, giving him memo. of particulars required relating to dates of service of various documents, transmission of same, insertion of advertisements, &c.	0	6	8	
On receipt thereof, perusing and considering same	0	6	8	
Attending respondent and Mr. Gall, Fairlie Creek, obtaining from the latter names and addresses of the persons who could give evidence on behalf of the respondent, and taking notes of substance of their evidence	0	13	4	
<i>Feb. 13, 1882—</i>				
Attending Mr. Perry, conferring <i>re</i> evidence and generally hereon	0	13	4	
Telegram to Messrs. Joynt and Percival, Solicitors, Christchurch, to apply to Judge to fix a time for hearing of motion to strike petition off the files of Court	0	5	0	
Attending transmitting	0	6	8	
Paid	0	4	6	
Agents' instructions herein	0	6	8	
Agents' telegram for further particulars	0	5	0	
Attending transmitting	0	6	8	
Paid	0	3	8	
Perusing their telegram, and urgent telegram to them in reply	0	5	0	
Attending transmitting	0	6	8	
Paid	0	3	8	
Agents' attendance at Supreme Court, searching <i>re</i> petition, &c.	0	6	8	
Drawing notice of motion and copy	0	6	0	
Engrossing	0	1	6	
Attending to set down	0	6	8	
Paid	0	2	0	
Counsel's fee attending Court, making application, when Judge held that objection could be taken at the hearing, and suggested the adoption of that course	1	1	0	
Telegram with result	0	5	0	
Attending transmitting	0	6	8	
Paid	0	1	8	
Attending Mr. Stubbs on his bringing letter from Mr. Ormiston and con-	1	1	0	

	£	s.	d.	Taxed off. £ s. d.
<i>Feb. 13, 1882—continued.</i>				
ferring with him thereon, and <i>re</i> statements made by Mr. Hamersley, and afterwards attending Mr. C. Perry in consultation on the whole matter				
Attending respondent, conferring <i>re</i> rumoured intention of the petitioner to withdraw petition, and advising that preparations be made for trial notwithstanding	0	13	4	
Telegram to agents instructing them to watch for any application for withdrawal, and if made to appear, and apply for costs	0	5	0	
Attending transmitting ...	0	6	8	
Paid ...	0	1	10	
Letter advising them fully thereon ...	0	5	2	
Instructions for brief herein ...	1	1	0	
Attending witnesses, taking note of their evidence, &c.	0	13	4	
Drawing proofs, 13 folios ...	0	19	6	
Engrossing 2 copies brief for counsel, 20 folios each, 40 folios	1	0	0	
Fee to Mr. White and clerk therewith...	21	15	0	
Fee to Mr. Perry ...	16	5	0	
Preparing warrant to defend, and address for service	0	5	0	
Attending respondent on his signing same	0	6	8	
Letter to agent therewith, to file ...	0	5	4	
Attending to file ...	0	6	8	
Paid ...	0	3	0	
Telegram to agents to issue subpoenas for witnesses to-day	0	5	0	
Attending transmitting ...	0	6	8	
Paid ...	0	1	10	
Agents' instructions <i>re</i> subpoenas ...	0	6	8	
<i>Feb. 19, 1882—</i>				
Agents' attendance on Registrar thereon, when they found the office closed, and were informed that the petitioner intended to apply for leave to apply to withdraw the petition	0	6	8	
Telegram to me thereon ...	0	5	0	
Attending transmitting ...	0	6	8	
Paid ...	0	3	3	
<i>Feb. 17, 1882—</i>				
Præcipe for and subpoena <i>ad test.</i> for J. Braddick, J. Walker, — Ormiston, and W. Close	0	12	6	
Attending sealing ...	0	6	8	
Paid ...	0	5	0	
Præcipe for and subpoena <i>ad test.</i> for W. Strutters, F. Stevenson, and — Fox	0	12	6	
Attending sealing ...	0	6	8	
Paid ...	0	5	0	
Agents' attendance on Registrar, conferring <i>re</i> position of this matter before writing us	0	6	8	
Letter to us with subpoena and as to the position of the matter	0	5	4	
Seven copies subpoena for service ...	0	14	0	
<i>Feb. 20, 1882—</i>				
On receipt of above letter advising adjournment of date of trial, perusing same, and attending the respondent thereon	0	6	8	
Received notice of intention to apply to withdraw petition, and perusing	0	6	8	
Instructions for application for costs on application for leave to withdraw petition	0	6	8	
<i>Feb. 23, 1882—</i>				
Attending Mr. C. Perry, conferring as to course to be pursued, and <i>re</i> retaining Mr. Stout	0	13	4	
Telegram to know if Mr. Stout could act	0	5	0	
Attending transmitting ...	0	6	8	
Paid ...	0	1	7	
Drawing affidavit by the respondent in support of application for costs, 4 folios	0	6	0	
Engrossing same ...	0	2	0	
Attending deponent to be sworn ...	0	6	8	
Paid ...	0	2	0	
Copy affidavit for service on the petitioner's solicitor's Dunedin agent	0	2	0	
Briefing documents for Mr. Stout for use on application, 12 folios ...	0	6	0	

	£	s.	d.	Taxed off. £ s. d.
<i>Feb. 23, 1882—continued.</i>				
Long and very special letter to Messrs. Sievright and Stout instructing them fully thereon	0	10	6	
Attending Mr. Stout with brief ...	0	6	8	
Paid his fee and clerk ...	2	4	6	
Attending to file affidavit of the respondent	0	6	8	
Paid ...	0	3	0	
Service of copy affidavit on the petitioner's solicitor's Dunedin agent	0	5	0	
Agents' letter acknowledging the receipt of papers, &c.	0	5	2	
<i>March 4, 1882—</i>				
Attending at Supreme Court at Dunedin, consenting to the petition being withdrawn on the payment of the respondent's costs	...	...	...
Drawing order for payments of costs, 3 folios	0	4	6	
Fair copy for the Registrar to settle ...	0	1	6	
Attending him therewith ...	0	6	8	
Engrossing order ...	0	1	6	
Copy for Court ...	0	1	6	
Attending to seal and lodge copy	0	6	8	
Paid ...	0	6	0	
Copy order for service ...	0	1	6	
Service ...	0	5	0	
Letter to me with original ...	0	5	4	
Drawing affidavit of increase, 3 folios ...	0	4	6	
Engrossing ...	0	1	6	
Attending to be sworn thereto ...	...	...	...
Paid oath ...	0	2	0	
Attending to file ...	0	6	8	
Paid ...	0	3	0	
Copy for service ...	0	1	6	
Service ...	0	5	0	
Drawing bill of costs and copy, 25 folios at 1s.	1	5	0	
Copy for petitioner's solicitor ...	0	12	6	
Copy for Registrar ...	0	12	6	
Præcipe and appointment to tax ...	0	2	0	
Attending for appointment ...	0	6	8	
Paid ...	0	5	0	
Copy for service on petitioner's solicitor	0	1	0	
Service thereof and copy bill of costs ...	0	5	0	
Attending taxation ...	0	13	4	
Paid ...	0	10	0	
Letters, attendances, &c., not hereinbefore charged	1	1	0	

*89 3 9

* Not yet taxed.

COURT for the Trial of an Election Petition for the Electoral District of Wanganui.

In the matter of "The Election Petitions Act, 1880."

Between ARCHIBALD DUDDINGTON WILLIS, JOHN BALLANCE, and STUART HARCUS MANSON, Petitioners, and WILLIAM HOGG WATT, Respondent.

Costs of Respondent.

	£	s.	d.	Taxed off. £ s. d.
<i>Jan. 25, 1882—</i>				
Attending the respondent, who informed me that he had been served with a petition against his return for Wanganui, and conferring with him	2	2	0	1 1 0
Attending with him on Mr. Duigan, conferring	2	2	0	1 8 8
Instructions to defend ...	2	2	0	
Letter to Wellington agents instructing them to search at the Supreme Court Office and forward copies of petition and other papers filed	0	5	2	
<i>Jan. 30, 1882—</i>				
Drawing telegram to them to forward papers at once, and attending to transmit same	0	6	8	
Paid ...	0	2	0	
Having received letter from them in reply, perusing same	0	6	8	
<i>Jan. 31, 1882—</i>				
Attending a witness conferring with him as to evidence	2	2	0	2 2 0
<i>Feb. 1, 1882—</i>				
Having received letter from Wellington agents enclosing copy of papers filed in Court, perusing and considering same	0	13	4	

	£	s.	d.	Taxed off. £	s.	d.		£	s.	d.	Taxed off. £	s.	d.
<i>Jan. 30, 1882—</i>							<i>Feb. 17, 1882—continued.</i>						
Paid agents' charges, viz.—							Paid	0	3	0			
Instructions to make copy of documents filed in Court	0	6	8				Preparing brief for counsel on summons, 12 folios	0	12	0	0	10	0
Perusing telegram from you to send same at once	0	6	8	0	3	4	Attending him with same	0	6	8	0	6	8
Attending Court, searching papers	0	13	4				Paid his fee and clerk	3	5	6			
Copying same, 14 folios	0	14	0	0	7	0	Attending Chambers, order made for full particulars as to bribery and undue influence	1	1	0	0	7	8
Writing you with same and postage	0	5	6				<i>Feb. 21, 1882—</i>						
Drawing telegram to you informing you that same sent and attending to despatch	0	6	8				Drawing order, 8 folios	0	8	0			
Paid	0	1	4				Fair copy for perusal of Messrs. Buckley and Co.	0	4	0			
Having discovered that petition not verified by affidavit and other defects in form, instructions for opinion as to whether advantage could be taken thereon	0	13	4	0	13	4	Attending them therewith	0	6	8	0	2	8
Fee to Mr. Fitzherbert and clerk to advise	3	5	6				Perusing and considering their alterations therein	0	6	8			
<i>Feb. 2, 1882—</i>							Attending them with order as altered, and conferring with them	0	13	4			
Attendance on respondent, conferring re petition	2	2	0	1	8	8	Copy order for signature	0	5	4	0	1	4
<i>Feb. 9, 1882—</i>							Copy for Court	0	5	4	0	1	4
Letter to Wellington agents as to defects in petition and paid	0	5	2				Copy for service	0	5	4	0	1	4
Having received letter from them in reply, perusing and considering same	0	6	8				Copy to keep	0	5	4	0	5	4
<i>Feb. 11, 1882—</i>							Attending Chief Justice for signature	0	6	8			
Attendance on respondent, going carefully through allegations in petition and advising with him thereon, and receiving instructions to apply to Court for further particulars rendered necessary owing to informality of petition	2	2	0	1	1	0	Paid	0	6	0			
<i>Feb. 15, 1882—</i>							Service of copy order on Messrs. Buckley and Co.	0	6	8	0	2	8
Letter to Wellington agents instructing them to enter appearance for respondent to apply to Court for summons to petitioners to supply further particulars	0	5	2				Writing you with order, and paid postage	0	5	6			
<i>Feb. 17, 1882—</i>							<i>Feb. 22, 1882—</i>						
Drawing authority from respondent to me to act for him in the matter of the petition, and fair copy for his signature	0	10	0	0	4	0	Drawing telegram to you, and attending to despatch same	0	6	8			
Copy to file	0	2	0				Paid	0	2	2			
Attending respondent at his residence when he signed same	0	13	4	0	6	8	<i>Feb. 24, 1882—</i>						
Letter to Wellington agents therewith and with instructions to file, and paid postage	0	5	4				Perusing telegram from you as to service of order	0	6	8	0	3	4
Attending, receiving, and perusing notice of date of trial	0	6	8				Drawing telegram to you in reply, and attending to despatch same	0	6	8			
<i>Feb. 22, 1882—</i>							Paid	0	1	0			
Having received telegram from Wellington agents that order made for further particulars, perusing same	0	6	8	0	3	4	Attending respondent and two witnesses, conferring	2	2	0	1	8	8
<i>Feb. 24, 1882—</i>							<i>Feb. 27, 1882—</i>						
Having received letter from agents enclosing order, perusing same	0	6	8				Drawing telegram to agents at Wellington instructing them to issue four subpoenas, and attending to despatch	0	6	8			
<i>Feb. 7, 1882—</i>							Paid	0	1	3			
Paid agents' charges, viz.—							<i>March 1, 1882—</i>						
Perusing letter from you re verification of petition	0	6	8				Attendance on Mr. Ballance's manager and receiving particulars of alleged bribery, in pursuance of order	0	13	4	0	6	8
Writing you in reply	0	5	2				Perusing and considering same	2	2	0			
<i>Feb. 17, 1882—</i>							Attending respondent therewith, and conference with him thereon	2	2	0	1	8	8
Paid agents' charges, viz.—							<i>March 2, 1882—</i>						
Perusing letter from you with instructions to enter appearance	0	6	8				Having received letter from Wellington agents enclosing four subpoenas, perusing same	0	6	8			
Drawing appearance and copy	0	4	0				<i>Feb. 28, 1882—</i>						
Attendance entering	0	3	4				Paid their charges—						
Paid	0	3	0				Instructions to prepare four subpoenas in blank	0	6	8			
Drawing summons, 10 folios	0	10	0				Drawing same	1	0	0			
Copy to keep	0	5	0				Copies to seal	0	10	0	0	6	0
Copy for Court	0	5	0				Drawing præcipes and copies	0	8	0			
Copy to seal	0	5	0				Attendance sealing same	0	6	8			
Attendance sealing	0	6	8	0	3	4	Paid fees	1	0	0			
Paid	0	3	0				Writing you therewith, and postage	0	6	0			
Copy summons for service	0	5	0	0	5	0	<i>March 2, 1882—</i>						
Service on Messrs. Buckley and Co.	0	6	8	0	2	8	Letter to agents instructing them to forward two subpoenas in blank, and to issue an extra subpoena to Miss Teidiman, and to serve copy same, and pay her expenses to Wanganui	0	5	2			
Writing you with summons, and postage	0	5	4				<i>March 3, 1882—</i>						
Drawing telegram to you, and attending to despatch same	0	6	8				Attendance on petitioner's solicitor as to admissions to be made by respondent, and agreeing to admit same if presented in writing	1	11	6	0	10	6
Paid	0	2	2				Perusing admissions prepared by petitioner's solicitor	1	1	0	0	11	0
Perusing letter from you with appointment of solicitor and instructions to file same	0	6	8				Attendance on petitioner's solicitor, agreeing to and signing same	0	13	4	0	6	8
Attendance filing	0	3	4				Attendance on respondent in long conference re petition	2	2	0	1	8	8
							Receiving letter from agents indorsing two subpoenas in blank	0	6	8	0	3	4
							Drawing telegram to agents asking them when Miss Teidiman would leave, and attending to despatch same	0	6	8			
							Paid	0	1	0			
							Perusing telegram from them in reply	0	6	8	0	3	4

	£	s.	d.	Taxed off. £ s. d.
<i>March 7, 1882—</i>				
Perusing letter from them with sub- pœna for Miss Teidiman, and affidavit for service annexed, also receipt for her expenses to Wanganui	0	6	8	
Drawing telegram to agents requesting them to search for notices posted in Court, and attending to despatch	0	6	8	
Paid	0	1	2	
Perusing telegram from them that notice appointing day of trial alone posted in Court	0	6	8	0 3 4
<i>March 4, 1882—</i>				
Paid agents' charges—				
Instructions to prepare subpœna to Miss Teidiman and two subpœnas in blank	0	6	8	
Drawing subpœna to Miss Teidiman	0	5	0	
Copy to seal	0	2	6	0 1 6
Copy for service	0	2	6	0 0 6
Drawing præcipe and copy	0	2	0	
Attendance sealing	0	6	8	
Paid	0	5	0	
Service on Miss Teidiman	0	6	8	0 2 8
Paid her expenses	2	0	0	
Drawing two subpœnas in blank	0	10	0	0 2 0
Copies to seal	0	5	0	0 1 0
Drawing præcipes and copies	0	4	0	
Attendance sealing	0	6	8	0 6 8
Paid	0	10	0	
Writing you with subpœnas and postage	0	5	6	
Drawing affidavit of service of subpœna on Miss Teidiman	0	6	0	
Engrossing	0	3	0	
Attendance swearing	0	6	8	
Paid oath and exhibit	0	2	6	
Telegram from you asking when Miss Teidiman would leave	0	6	8	0 3 4
Telegram to you in reply	0	6	8	
Paid	0	1	0	
<i>March 7, 1882—</i>				
Instructions to search Registrar's office	0	6	8	
Attendance searching	0	6	8	
Drawing telegram to you and attending to despatch	0	6	8	
Paid	0	1	0	
Copy subpœna for service on William Stretch	0	2	6	0 0 6
Attendance serving same	0	6	8	0 2 8
Copy subpœna for service on Richard Kearse	0	2	6	0 0 6
Attendance serving same	0	6	8	0 2 8
Copy subpœna for service on Alexander Hatrick	0	2	6	0 0 6
Service	0	6	8	0 2 8
Copy subpœna for service on Frank Parkes	0	2	6	0 0 6
Service	0	6	8	0 2 8
Copy subpœna for service on James Spriggins	0	2	6	0 0 6
Service	0	6	8	0 2 8
Copy subpœna for service on Nicholas Henry	0	2	6	0 0 6
Service	0	6	8	0 2 8
Copy subpœna for service on William Middleton	0	2	6	0 0 6
Service	0	6	8	0 2 8
Copy subpœna for service on James Purnell	0	2	6	0 0 6
Service	0	6	8	0 2 8
Copy subpœna for service on William P. Currie	0	2	6	0 0 6
Service	0	6	8	0 2 8
Copy subpœna for service on James T. Anderson	0	2	6	0 0 6
Service	0	6	8	0 2 8
Copy subpœna for service on Arthur E. Lewis	0	2	6	0 0 6
Service	0	6	8	0 2 8
Copy subpœna for service on John B. Cathro	0	2	6	0 0 6
Service	0	6	8	0 2 8
Copy subpœna for service on Edward Howes	0	2	6	0 0 6
Service	0	6	8	0 2 8
Copy subpœna for service on Jessie Podjuský	0	2	6	0 0 6
Service	0	6	8	0 2 8
Copy subpœna for service on Stephen Billings	0	2	6	0 0 6

	£	s.	d.	Taxed off. £ s. d.
<i>March 7, 1882—continued.</i>				
Service	0	6	8	0 2 8
Copy subpœna for service on C. H. Brockman	0	2	6	0 0 6
Service	0	6	8	0 2 8
Copy subpœna for service on John Anderson	0	2	6	0 0 6
Service	0	6	8	0 2 8
Copy subpœna for service on Edward Broughton	0	2	6	0 0 6
Service	0	6	8	0 2 8
Copy subpœna for service on John H. Pollack	0	2	6	0 0 6
Service	0	6	8	0 2 8
Copy subpœna for service on W. H. James	0	2	6	0 0 6
Service	0	6	8	0 2 8
Instructions for brief, including nume- rous and special attendances on Mr. John Anderson, Mr. Robertson, the respondent, Mr. Henry, Mr. Middle- ton, Mr. Billings, Mr. Parkes, Mr. J. T. Anderson, Mr. C. H. Brockman, Mr. Pollock, Mr. Sharpe, Mr. Kearse, Mr. Hatrick, Mr. Spriggins, Mr. Purnell, Mr. Currie, Mr. Lewis, Mr. Cathro, Mr. Howe, Mr. Podjuský, Mr. Broughton, Mr. James, Miss Teidiman, and others, taking their evidence and conferring thereon, en- gaged all day for many days	210	0	0	40 0 0
Drawing brief to counsel on trial, 85 folios	4	5	0	
Copy for counsel	2	16	8	0 14 2
Copy to keep for use	2	2	6	2 2 6
Attending counsel with brief	0	6	8	0 6 8
Fee to him and clerk	160	0	0	30 0 0
Drawing affidavit of service of subpœna on Messrs. Stretch, Kearse, Hatrick, and Parkes	0	6	0	
Engrossing	0	3	0	
Copy	0	3	0	
Attendance	0	6	8	
Paid oath and exhibit	0	2	6	
Drawing affidavit of service of subpœna on Messrs. Henry and Middleton*	0	6	0	
Copy to keep	0	3	0	
Copy to swear	0	3	0	
Attendance swearing	0	6	8	
Paid oath and exhibit	0	2	6	
Drawing affidavit of service of subpœna on Messrs. Currie, T. Anderson, Lewis, and Cathro	0	6	0	
Copy to keep	0	3	0	
Copy to swear	0	3	0	
Attendance swearing	0	6	8	
Paid oath and exhibit	0	2	6	
Drawing affidavit of service of subpœna on Howe, Mrs. Podjuský, Billings, and Spriggins	0	6	0	
Copy to keep	0	3	0	
Copy to swear	0	3	0	
Attendance swearing	0	6	8	
Paid oath and exhibit	0	2	6	
Drawing affidavit of service of subpœna on Messrs. Brockman, J. Anderson, Broughton, and Pollock	0	6	0	
Copy to keep	0	3	0	
Copy to swear	0	3	0	
Attendance swearing	0	6	8	
Paid	0	2	6	
Drawing affidavit of service of subpœna on Mr. Purnell	0	6	0	
Copy to keep	0	3	0	
Copy to swear	0	3	0	
Attendance swearing	0	6	8	
Paid oath and exhibit	0	2	6	
<i>March 8, 1882—</i>				
Attending Court on hearing the petition, engaged all day when evidence taken and case proceeded with	5	5	0	4 4 0
<i>March 9, 1882—</i>				
Attending counsel with Registrar	1	1	0	1 1 0
Refresher and clerk	27	11	0	27 11 0
Attending Court, engaged all day when election declared not void, and re- spondent declared duly elected	5	5	0	4 4 0
Drawing affidavit as to attendance of witnesses in support of application for Registrar's certificate	0	6	0	

	£	s.	d.	Taxed off. £	s.	d.
<i>March 9, 1882—continued.</i>						
Copy to keep	...	...	0	3	0	
Copy to swear	...	...	0	3	0	
Attendance swearing	...	...	0	6	8	
Paid oath	...	...	0	2	0	
Letter to agents enclosing 7 affidavits of service, and affidavit <i>re</i> witnesses' expenses, and instructing them to obtain Registrar's certificate	...	...	0	5	0	
Paid postage	...	...	0	1	6	
<i>March 17, 1882—</i>						
Urgent telegram to agents <i>re</i> granting of certificate, and attending to despatch	...	...	0	6	8	
Paid	...	...	0	4	6	
<i>March 18, 1882—</i>						
Perusing telegram from them that certificate made and posted	...	...	0	6	8	0
				3	4	
<i>March 20, 1882—</i>						
Perusing letter from them, with Registrar's certificate <i>re</i> witnesses	...	...	0	6	8	
Paid agents' charges—						
<i>March 17, 1882—</i>						
Instructions to obtain certificate of Registrar for witnesses' expenses	...	...	0	6	8	
Attendance, filing 8 affidavits	...	...	0	13	4	0
Paid fees	...	...	1	4	0	
Perusing telegram from you asking if certificate yet made	...	...	0	6	8	0
				3	4	
<i>March 18, 1882—</i>						
Attending Deputy-Registrar, obtaining certificate	...	...	0	6	8	
Urgent telegram to you that same made, and attending to despatch	...	...	0	6	8	
Paid	...	...	0	2	0	
Writing you, with certificate, and paid postage	...	...	0	5	6	
<i>March 20, 1882—</i>						
Attending Mr. Billings, paying his expenses as witness, and taking special form of receipt	...	...	0	6	8	0
				4	8	
Paid him	...	...	0	16	0	
Attending Mr. Kears, paying his expenses as witness, and taking special form of receipt	...	...	0	6	8	0
				4	8	
Paid him	...	...	1	0	0	
The like attendance on Miss Teidiman	...	...	0	6	8	0
				4	8	
Paid her	...	...	3	10	0	
The like attendance on Mrs. Podjuský	...	...	0	6	8	0
				4	8	
Paid her	...	...	0	10	0	
The like attendance on Mr. Brockman	...	...	0	6	8	0
				4	8	
Paid him	...	...	1	0	0	
The like attendance on Mr. Cathro	...	...	0	6	8	0
				4	8	
Paid him	...	...	1	0	0	
The like attendance on Mr. Spriggins	...	...	0	6	8	0
				4	8	
Paid him	...	...	1	0	0	
The like attendance on Mr. Stretch	...	...	0	6	8	0
				4	8	
Paid him	...	...	1	5	0	
The like attendance on Mr. Pollock	...	...	0	6	8	0
				4	8	
Paid him	...	...	1	0	0	
The like attendance on Mr. Broughton	...	...	0	6	8	0
				4	8	
Paid him	...	...	1	10	0	
The like attendance on Mr. Purnell	...	...	0	6	8	0
				4	8	
Paid him	...	...	1	10	0	
The like attendance on Mr. J. T. Anderson	...	...	0	6	8	0
				4	8	
Paid him	...	...	1	5	0	
The like attendance on Mr. Middleton	...	...	0	6	8	0
				4	8	
Paid him	...	...	1	0	0	
The like attendance on Mr. Howe	...	...	0	6	8	0
				4	8	
Paid him	...	...	2	2	0	
The like attendance on Mr. J. Anderson	...	...	0	6	8	0
				4	8	
Paid him	...	...	1	5	0	
The like attendance on Mr. Hatrick	...	...	0	6	8	0
				4	8	
Paid him	...	...	1	5	0	
The like attendance on Mr. Parkes	...	...	0	6	8	0
				4	8	
Paid him	...	...	1	5	0	
The like attendance on Mr. Currie	...	...	0	6	8	0
				4	8	
Paid him	...	...	1	10	0	
The like attendance on Mr. Lewis	...	...	0	6	8	0
				4	8	
Paid him	...	...	1	10	0	
Numerous attendances, postages, messages, cab-hires, &c., not hereinbefore charged	21	0	0	11	0	0
Perusing telegram from Wellington agents, inquiring if order made for taxation of costs, as required by Act	...	...	0	6	8	0
				3	4	

	£	s.	d.	Taxed off. £	s.	d.
<i>March 20, 1882—continued.</i>						
Telegram to them in reply, and attending to despatch	0	6	8	
Paid	0	1	6	
Letter to agents instructing them to obtain order	0	5	2	
Letter from agents, with order, perusing same	0	6	8	
Paid agents' charges—						
Telegram to you, inquiring if order made for taxation of costs, as required by Act	0	6	8	
Paid	0	1	6	
Telegram from you thereon, also letter instructing us to apply for order	0	6	8	
Drawing notice of motion for order for taxation	0	4	0	0
Copy to keep	0	2	0	0
Copy for Court	0	2	0	
Attendance lodging	0	6	8	0
				3	4	
Paid	0	2	0	
Copy notice of motion for service on Messrs. Buckley and Co.	0	2	0	0
Copy for their consent	0	2	0	
Attendance serving copy on Messrs. Buckley and Co., and obtaining consent to copy for filing	0	6	8	0
				2	8	
Attendance filing same	0	6	8	0
				3	4	
Paid	0	3	0	
Attending Chambers, order made	1	1	0	0
				7	8	
Drawing order	0	6	0	
Copy to keep	0	3	0	0
Copy for Court	0	3	0	
Copy for signature	0	3	0	
Attending for signature	0	6	8	
Paid	0	6	0	
Copy order for service on Messrs. Buckley and Co.	0	3	0	
Service	0	6	8	2
				8	0	
Writing you with order	0	5	6	
Instruction for affidavit of increase	0	6	8	0
				6	8	
Letter to agents instructing them to draw bill of costs and tax same	0	5	2	
Letter from agents with affidavit of increase to be sworn	0	6	8	
Attendance swearing	0	6	8	
Paid	0	2	0	
Writing agents with affidavit, and paid postage	0	5	6	
Letter from agents enclosing bill of costs as taxed, also <i>allocatur</i>	0	6	8	
Attendance settling	0	13	4	
Paid agents' charges, viz.—						
Instructions to draw bill of costs and have same taxed	0	6	8	
Drawing affidavit of increase	0	6	0	0
				6	0	
Copy to keep	0	3	0	
Copy to swear	0	3	0	
Writing you therewith for purpose of being sworn, and paid postage	0	5	6	
Having received same duly sworn, attending to file same	0	6	8	0
				3	4	
Paid	0	3	0	
Copy affidavit of increase for service	0	3	0	
Drawing bill of costs	5	0	0	0
				10	0	
Copy to keep	2	10	0	0
				5	0	
Copy for service	2	10	0	0
				5	0	
Copy for Registrar	2	10	0	0
				5	0	
Drawing appointment to tax	0	4	0	0
Copy to keep	0	2	0	
Copy for service	0	2	0	
Attending Registrar with bill of costs and obtaining appointment to tax	0	6	8	
Paid	0	5	0	
Service of copies of affidavit of increase, bill of costs, and appointment to tax on Messrs. Buckley and Co.	0	6	8	0
				2	8	
Attending taxation	5	5	0	3
				15	0	3
Paid	0	15	0	
Copy <i>allocatur</i> to keep	0	2	0	
Copy for service	0	2	0	
Attending service same	0	6	8	0
				2	8	
Writing you with bill of costs as taxed, and <i>allocatur</i>	0	5	6	
				5	6	
Taxed off	593	0	5	155
				18	10	18
Allowed at	437	1	7	

ABSTRACT of Bills of Costs in Certain Election Petition Trials.

Electoral District.	Petitioners.	Respondents.	Solicitors and Counsel for Petitioners.	Solicitors and Counsel for Respondents.	Counsel's Fees.	Payments out of Pocket.	Witnesses.	Solicitors' Charges.	Total.	Taxed off.	Amount Allowed.
					£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Wakanni	Joseph Ives	John Cathcart Wason	Solicitor: Mr. F. Wilding Counsel: Mr. Stout, Mr. F. Wilding	Solicitors: Messrs. Harper and Co. Counsel: Mr. Button, Mr. G. Harper	310 14 0 206 14 0	22 5 0 84 15 3	62 17 10 36 5 6	108 5 3 62 18 8	504 2 1 390 13 5	193 13 4 18 1 8	310 8 9 372 11 9
Franklin North	William Francis Buckland	Benjamin Harris	Solicitor: Mr. E. W. Burton Counsel: Mr. Lusk, Mr. Burton	Solicitors: Messrs. Jackson and Russell Counsel: Mr. Cotter, Mr. A. E. Whitaker	168 1 2 174 17 0	13 4 5 7 18 8	49 10 8 24 13 8	132 5 8 118 5 8	363 1 11 325 15 0	139 4 11 252 9 5	223 17 0 73 5 7
Lyttelton	William Hollis	Harry Allwright	Solicitors: Messrs. Harper and Co. Counsel: Mr. Button, Mr. G. Harper	Solicitors: Messrs. Garrick and Cowlishaw Counsel: Mr. Holmes, Mr. Garrick	73 13 0 43 12 6	5 3 6 4 14 1	4 0 0 ...	44 10 10 40 17 2	127 7 4 89 3 9	2 14 7 ...	124 12 9 ...
Gladstone	Robert Rutherford	James Hutchinson Sutter	...	Solicitor: Mr. J. W. White Counsel: At Timaru—Messrs. Perry and Perry and Mr. J. W. White; at Christchurch—Messrs. Joynt and Percival; at Dunedin—Messrs. Stevedright and Stout	...	...	...	...	...	...	...
Wanganui	John Ballance and others	William Hogg Watt	Solicitor: Mr. C. H. Maclean Counsel: Messrs. Stout and Buckley	Solicitor: Mr. S. T. Fitzherbert Counsel: Mr. S. T. Fitzherbert	194 2 0	8 11 9	25 3 0	123 18 6+	...	...	437 1 7

* Not yet taxed.

† Total amount of claim by Mr. Ballance's solicitor.

ADDITIONAL CORRESPONDENCE.

Mr. WALTER H. PILLIET to the CHAIRMAN, Election Petitions Inquiry Committee.

SIR,—

Wellington, 25th July, 1882.

I have received a request to attend and give evidence before your Committee. If the request has been made with a view of establishing a claim of my own, I wish the Committee to understand that I do not advance my claim singly; but, if my evidence on the question of general costs is desired, I shall be most happy to assist the Committee in any manner in my power.

The Chairman, Election Petitions Inquiry Committee.

I have, &c.,

WALTER H. PILLIET.

DEAR SIR,—

Committee-room No. 41, 26th July, 1882.

The Committee only desired to give you an opportunity of being heard as to the costs and expenses incurred by you, in the event of your claiming to be recompensed. I thank you for the offer to give evidence upon the general question, but am directed to inform you that the Committee thinks it has already sufficient materials for coming to a report on that head.

I have, &c.,

JOHN SHEEHAN.

John Ballance, Esq., Wanganui.

THE Election Petitions Inquiry Committee would be glad to learn from you the amount of costs which you have to pay, apart from those payable to the other side, in the recent election petition inquiry at Wanganui.

Wellington, 2nd August, 1882.

John Sheehan, Esq., M.H.R., Wellington.

McLEAN's account, including Buckley, Stafford, and Fitzherbert's, and Borlase and Barnicoat accounts, £123 18s. 6d. In addition to above, paid away about £25.

Wanganui, 8th August, 1882.

JOHN BALLANCE.

By Authority: GEORGE DIDSBURY, Government Printer, Wellington.—1882.