

14. Then, what kind of notice would they get of the case they had to meet?—Witnesses to establish the treating or bribery would appear before the Committee.

15. If they did not know that such-and-such things were alleged on such a day, how would they know what to meet?—If the petitioner produced A and B to prove that charge, it would be for the person petitioned against to meet that.

16. Then he would have to get witnesses from Auckland, and adjourn?—Certainly. Witnesses for and against the parties would have to be produced before the Committee.

17. I ask you whether, under the Act of 1858, the petition should not allege specific grounds, time, place, and circumstances?—I do not think the petition is expected to set forth each case of bribery and treating. I do not attach any great weight to my opinion upon the point upon which I am asked to express an opinion. I have not seen any of the Home petitions under the Act for trying them by the Judges, and did not come prepared to answer such questions; but I thought that the petition should generally set forth such charges against the sitting member as would form a basis for the inquiry if the Committee were appointed.

18. Can you see any way by which the security for costs can be obtained under an ordinary bond of these two gentlemen?—I believe the two persons that have entered into the security are not only liable for the amount of the bond, but for whatever costs may be awarded. At the first blush I thought that, two persons being petitioned against, a bond should be given in each case. Mr. Hislop told me that at Home, where two persons are petitioned against, one bond in £1,000 would be sufficient for the petition against those two persons.

19. Do you know that in the English Act there is a clause that where there is a case of two persons petitioned against the one petition shall be treated as covering the two?—I believe, in the Grenville Act—that of 1770—where two persons were petitioned against, the law required they should jointly nominate one person to represent them on the Committee appointed to try the merits of the petition.

Major CAMPBELL, Examiner of Election Bonds, examined.

20. *The Chairman.*] You are Examiner of Election Bonds, I believe?—Yes.

21. Appointed under the hand of the Speaker?—Yes.

22. On this petition against the return of two members to the House of Representatives, Messrs. Hurst and Wallis, there is a certificate signed by the Examiner of Election Bonds?—Yes.

23. Is it yours?—Yes, it is my certificate.

24. In signing that certificate did you look to all parts of the Act, or confine your attention to a particular portion?—On the first occasion of my acting as Examiner I was advised that I had nothing to do with the requirements of the Act excepting those which refer to the duties of the Examiner.

25. Then this was not the first occasion of your signing such a certificate?—No. I was advised that this form of certificate covered all the requirements as far as my business was concerned. I saw that the bond had been entered into, and was accompanied by the necessary affidavits.

26. That is what I wanted to direct your attention to—whether you looked into the question as to whether the petition could be received against two members—whether a petition should be against each member, and whether, this being so, it could be received?—I do not consider that as Examiner of Election Bonds I had anything to do with such a question.

27. That is just what I wished to find out. I want to know what you consider is your duty—what part of the Act you consider it your duty to study?—All that part which refers to the bond, as mentioned in the Election Acts of 1858 and 1862.

28. *Mr. Johnston.*] I should like to ask you this question: As to the first requirements of the Act relating to the matter of the bond, it has been suggested that the amount of security required for a petition against the return of two members ought to be £400; but in the present instance it appears that the security given was only for £200. Did you look into that matter?—I do not consider I should be required to look into a question of that kind.

29. *The Chairman* here read over the 10th section of the Act, and then continued: In signing that certificate did you consider the question of a single petition being presented against two members, and the amount of the bond required by the Act?—No; I did not consider that was any part of my duty as Examiner.

30. Have there been any objections on the question of the insufficiency of the securities lodged before you as Examiner?—None.

31. Has there been any objection on the ground that the bond was not double the amount that has to be given in the case of the petition against one member?—The Act provides that objections as to the sureties shall be lodged with the Examiner before the tenth day after the presentation of the petition. No such objection has been left with me.

32. *Mr. Rees* (through the Chairman).] Under what Act is the certificate which you have indorsed on the petition issued?—Under the Act of 1862, which I am advised covers the certificate required in the Act of 1858.

33. You say absolutely under the Act of 1862, and then you explain that you are advised this covers both Acts. I ask you have you taken any advice at all as to a petition like this, in which the return of two members is prayed against?—No; I do not conceive that to be any part of my duty as Examiner of Election Bonds.

34. Then you considered it your duty not to take the conduct of the proceedings into your consideration, but simply the question of bonds?—Yes; seeing from the certificates that the preliminary steps required by the Act had been complied with.

35. Did you not know by the Act that the bond is for the purpose of securing to the person petitioned against his costs in the case?—I know that in a clause of the Act the amount of the bond may be appropriated in that way.

36. Must it not be so if costs are allowed by the House—I do not mean *may*, but *must*?—I did not consider that that is a question with which I had anything to do as Examiner.