

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.

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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.