

*Hon. Mr. Anderson :* Would it not be well to hear what the Registrar has to say about these documents ?

*The Chairman :* Is there anything further you would like to say, Mr. Elliott ?

*Rev. Howard Elliott :* Well, sir, I would like to say that this letter from Bishop Cleary and Archbishop O'Shea should not go into the records of the proceedings of this Committee. I think that would be very objectionable. I object very strongly to that being done, because there is no right of reply, and that letter may prejudice this Committee in its decision. If that is done there will be put on record a number of contentions or statements which are not correct, and which are not sustainable, and it is placing me at a disadvantage. That letter may be used subsequently in controversy in a most unfair manner. I think that in view of the absence of these gentlemen from this Committee that letter ought not to be put upon the permanent records. It contains a great deal of matter which is not justifiable and which is very reprehensible. I would also point out that I am prepared to call evidence in regard to the operations of this decree from people who have been affected by it, and people who have been separated by it, and who have had experience of it. I will call that evidence if the Committee desires me to do so. The Statutes Revision Committee of the Legislative Council desired that I should not call any personal witnesses relating to this matter, and that I should not put on record any names, because of the publicity attached to having the names recorded in a public document. And at the request of Sir Francis Bell and of the Hon. Chairman of that Committee I did not then call evidence. But I am quite prepared to call the evidence of people who can testify to the facts that I have stated. They can testify to what has occurred under the operations of this *Ne temere* decree, and to what is occurring. That evidence is available if the Committee desires proof that our allegations are as we have made them. Some of the evidence may take a little time to get, some of it we may have to get from Dunedin and other parts of the country. But there is also evidence available here in Wellington. I have mentioned that, sir, because I would not like it to be assumed by this Committee that my evidence is purely documentary evidence. As I stated before the Statutes Revision Committee of the Legislative Council, I am prepared to supply the evidence of the "overt act," as Sir Francis Bell termed it. I am quite prepared to call that evidence, and if the Committee desires it, all names could be left out in the official records.

MR. W. W. COOK, Registrar-General of Births, Deaths, and Marriages for New Zealand, examined.

*Mr. Cook :* I am Registrar-General of Births, Deaths, and Marriages for New Zealand.

*Hon. Mr. Lee :* Are all marriages taking place in New Zealand recorded in Wellington, Mr. Cook ?—Yes.

In the registers ?—Yes. The loose documents are sent to us after solemnization.

It is the duty of every Registrar, or officiating minister, to send you particulars of all marriages for record in your register ?—That is so, as soon as practicable after solemnization.

Then you record these particulars in your Marriage Register ?—We record the documents sent to us.

The registers are open to public inspection ?—Yes, anybody can see them on paying a fee.

Before the marriage can be solemnized, a marriage certificate has to be issued ?—Notice must be given to the Registrar of the district where the marriage is to be solemnized, whether by a minister or by a Registrar.

What does that notice set out ?—It sets out the names of the parties to the marriage, their respective ages, sex, and occupation ; whether they are married or single ; the place where the marriage is to be solemnized, and by whom.

Is that notice given in the form of a statutory declaration ?—After the notice is given it is signed, and then there is a statutory declaration made to the effect that the particulars in the notice are true ; that there is no legal impediment ; that consent has been obtained in the case of a minor ; and, further, that the three-days residence has been complied with.

On that a certificate is issued authorizing marriage ?—Yes.

If the notice is given, say, in Hamilton, and the certificate issued in Hamilton, do they get recorded in Wellington ?—Yes ; the Registrar sends his return of the notice to us, and the minister will send his return of the marriage to us, and we check the marriage by the notice.

I may put it this way : If there be a marriage in Hamilton, you are able to say in Wellington whether a certificate was issued authorizing that marriage ?—Yes, the Registrar sends in his returns every quarter.

According to the Act, no minister has a right to perform the marriage ceremony without a certificate—that is, it must be produced to him before the marriage is solemnized ?—Yes, exactly.

Is this a certificate [produced] of marriage of two parties, and who are they ?—Neil McLean and Ada Annie Casey.

On what day is that ?—The 20th June, 1908.

Where ?—At the office of the Registrar of Marriages at Hamilton.

Can you tell us whether a certificate was issued in that case ?—Yes, it was to the Registrar himself, authorizing him to marry.

Here is another marriage certificate [produced] : what is the date ?—The 13th July, 1908.

Of marriage, where ?—At St. Mary's Roman Catholic Church, Hamilton, between Neil McLean, school-teacher, and Ada Annie Casey, a nurse.

There is a number on that in the margin ?—This is number 38.

What does that number indicate ?—That is the number of the entry of the marriage in the Marriage Register. A minister starts his Marriage Register with No. 1.