

DR. POLLEN's pension will be that to which he was entitled on 2nd June, 1873, £418 15s., to be paid from 13th October, 1877, inclusive.—G. S. COOPER.—18th March, 1880.

No. 61.

IN EXECUTIVE COUNCIL.

HIS Excellency the Governor is recommended to grant to Daniel Pollen, under the 33rd section of "The Civil Service Act, 1866," a pension at the rate of four hundred and eighteen pounds fifteen shillings (£418 15s.) per annum, such pension to commence from the 13th October, 1877.—THOMAS DICK.

I THINK the Government cannot recommend this pension until the amount has been certified by the Controller and Auditor-General.—JOHN HALL.

THE time during which the Hon. Dr. Pollen held the office of Minister (without portfolio) in 1861–62 and 1868–69, being admitted in the computation of his pension, gives him a service upwards of the fifteen years required by the Civil Service Act, section 33. The pension will therefore be £418 15s. per annum.—JAMES EDWARD FITZGERALD.

IN passing this pension I feel it right to add that a different interpretation has been given to the law from that hitherto in force. If all are to be treated alike, Dr. Pollen is entitled to pension from 1873.—J. E. F'G.—30th March, 1880.

No. 62.

IN EXECUTIVE COUNCIL.

HIS Excellency the Governor is recommended to grant to Daniel Pollen, under the 33rd section of "The Civil Service Act, 1866," a pension at the rate of four hundred and eighteen pounds fifteen shillings (£418 15s.) per annum; such pension to commence from the 13th October, 1877.—THOMAS DICK.

APPROVED.—H. R.—31st March, 1880.—In Council: FOSTER GORING, Clerk of the Executive Council.

No. 63.

The Hon. the COLONIAL SECRETARY to the Hon. Dr. POLLEN.

SIR,— Colonial Secretary's Office, Wellington, 3rd April, 1880.

Adverting to your memorandum of the 1st ultimo, addressed to the Attorney-General, and to the correspondence generally which has taken place upon the subject, I have the honor to inform you that His Excellency the Governor in Council has been pleased to grant to you under section 33 of "The Civil Service Act, 1866," a pension at the rate of £418 15s. per annum, such pension to commence from the 13th October, 1877.

I have, &c.,

W. ROLLESTON,

(for the Colonial Secretary).

The Hon. Dr. Pollen, M.L.C., Auckland.

No. 64.

The Hon. DR. POLLEN to the Hon. the COLONIAL SECRETARY.

(Telegram.)

12th April, 1880.

HAVE received letter of 3rd instant, and tender thanks. In memorandum of 1st March I must have misquoted date, which context would show. I respectfully crave reconsideration of time for commencement of payment, and that it should be fixed at 30th October, 1876, when my resignation of office was accepted.

The Hon. the Colonial Secretary, Wellington.

DANIEL POLLEN.

REFERRED to Controller and Auditor-General.—J. HALL.—15th April, 1880.

No. 65.

MEMORANDUM (No. 140) by the ASSISTANT-CONTROLLER and AUDITOR.

DR. POLLEN entered the public service on the 25th November, 1856, and, with the exception of a period of twenty-five weeks, from the 31st December, 1864, to the 24th June, 1865, he continued to hold certain offices under the Colonial Government up to the 4th July, 1873.

It is true that during three periods within the term of service—namely, from the 20th July, 1861, to 6th August, 1862, from 10th June, 1863, to 28th June, 1869, and from the 12th May to the 4th July, 1873—he held the appointment of member of the Executive Council without portfolio, and, in the first two instances, without pay; but the Hon. the Attorney-General has expressed the opinion, in which I entirely concur, that those appointments were not entirely incompatible with the permanent offices held by Dr. Pollen at the time, and of which he continuously performed the duties. It follows, I think, that his holding those political appointments during the periods named does not prejudice the tenure of his permanent appointments.

On the 12th May, 1873, Dr. Pollen entered the Ministry of Sir Julius Vogel as a member of the Executive Council without portfolio. On the 4th July he was appointed Colonial Secretary, and con-