

MINUTES OF EVIDENCE.

PUBLIC ACCOUNTS COMMITTEE ON PENSIONS.

Mr. E. C. J. STEVENS, Chairman.

WEDNESDAY, 13TH JULY, 1881.

The Hon. W. GISBORNE, M.H.R., examined.

1. *The Chairman.*] Mr. Gisborne, the Committee would like to know whether you wish to make any statement in regard to this question of the pension to yourself?—I wrote to the Committee in order to explain something that seemed to me to be not explained by the correspondence before the Committee; but, as I stated, if the Committee desire it, I am willing to give evidence on any point which may require further explanation.

2. Then, perhaps, you had better make a statement on the subject.—The subject divides itself into two parts: one with reference to my action as a Minister of the Crown on the subject of the pensions to Mr. Domett and Sir William Fitzherbert; and the other with regard to the circumstances under which I obtained my own pension. My view was that, with regard to the pensions granted under Acts of the General Assembly, the duty of the Government of the day was to see that the conditions of the Act under which the pensions were granted were fully complied with, and, for that purpose the Government had to consult the Law Officers of the Crown and the Auditor-General. In regard to the pensions of Mr. Domett and Sir William Fitzherbert, I acted in the manner indicated. Although my name as Colonial Secretary appears on the letters before the Committee, it was not written by me on my sole responsibility. At every step I consulted my colleagues, and gave effect to their unanimous opinion. That is what I have to say generally with regard to the pensions of Mr. Domett and Sir William Fitzherbert. With respect to my own pension, I, of course, in claiming that, was only acting as a Government officer or a private individual. I had been in the Government service for about thirty years, and stated my case conscientiously, and allowed the Ministry of the day to decide what their action upon it should be. They proceeded, I think, upon the principles which guided other Governments in deciding these matters. They consulted the Law Officers and the Auditor-General, and acted, as far as I know, in accordance with the opinion of those officers. In my claim, I described the time during which I acted as Commissioner of Annuities as part of my service. When I first took a political office I, for a time, actually severed my connection with the Civil Service, and afterwards I was offered the post of head of the Government Insurance Department. For that I received no salary, because I was already receiving payment as a member of the Ministry. I may remark here, that I did considerable work in organizing and conducting the Insurance Department; and I received no remuneration for it. In order to show that I did not spare myself in the matter of work, I may say that for ten months I had no Under-Secretary, and I was doing the work of that officer as well as my own. In accepting the Civil office of Commissioner of Annuities, I thought that, in justice to myself and my family, I was not wrong in accepting a Civil office, after having been for so long a time in the Government service, in order to complete an already lengthened term of service, and to entitle myself to a pension. When I made the claim, the Atkinson Government were in office, and there was, I believe, no question as to the legality of any part of the claim which I made, except in regard to that portion of the time during which I performed the duties of Commissioner of Annuities, as well as those of a Minister of the Crown. After I had left the Ministry, and had accepted office as a Civil servant, I stood as a candidate for a seat in the House of Representatives, and was elected; and I then told the Colonial Secretary that, under these circumstances, to prevent misconception, while my claim was in abeyance, I would withdraw it. With regard to some doubts which have been raised, respecting the pensions of some other Civil servants who have resigned one office and taken another, the Committee are probably aware that that point was settled by an Act called "The Civil Service Acts Amendment Act, 1878." That Act was brought in by the Grey Government, before I joined it, and passed by the House in 1878. That Act settles the doubts raised by the Solicitor-General with regard to the pensions of certain officers of the Government. My pension was granted under the Act of 1861. I believe it has been insinuated that myself and other officers caused, or used great influence to cause, these Acts to be passed. In respect of that, I have to say that the Act of 1858 was founded on some English Act, and, in regard to the Act of 1861, I wish to say that, though I was Under-Secretary at the time, I did not attempt to use any influence to have it passed, nor was I consulted about it. The Act of 1866 was the outcome of certain inquiries and investigations made by a Commission, which was appointed to inquire into the whole working of the Civil Service. I was a member of that Commission, and we did all that we thought was fair, and were guided in a great measure by the Acts of other Legislatures in regard to the pensions. I was not a member of the Legislature when the Act of 1866 was passed. I think it is only right that I should state another matter, which, perhaps, the Committee has not yet been made aware of, and that is with regard to the right of a Minister of the Crown to draw his pension, and also his salary at the same time. In 1879, when Sir George Grey was Premier, and I was for three months in his Ministry, this question arose; and I referred to the fact that, in his own case, his Imperial pension to a certain extent ceased while he drew