

discharge of those duties, and was not entitled to any other remuneration for the extra services performed?—Yes; that is so.

47. And that is the claim which the Government always refused to recognize, and Sir Julius Vogel always kept on foot from time to time?—Yes; that is so.

48. But doubtless these are extra services?—No; they are part of the duties of the Agent-General. They do require separate appointments under the Loan Act and the Inscription of Stock Act; but the Colonial Treasurer, if he is Commissioner of Customs and Postmaster-General, must have a separate commission for each, though he performs the duties without extra pay. No Government that I know of ever admitted that the Agent-General had any claims for extra services that he rendered.

49. Was this Five-million Loan the first after the passing of the Inscription of Stock Act?—No; there were several before it. The Act was passed in 1874 or 1875.

50. Had any extra commission ever been paid before?—Never, to my knowledge.

51. *Mr. Allwright.*] Does the present Agent-General act as Agent for floating loans and Agent for inscription of stock without any additional salary?—Yes; without any addition.

52. *Sir Julius Vogel.*] In all these answers you have assumed, I think, that I was asking for this compensation or commission as part of a payment which might be made to me whilst I was acting as Agent-General. You have not taken into consideration the point which I have constantly urged, that I based my claim upon the fact that I was only holding the Agent-General's office during the time until the Government found a successor; they having signified to me that I could not continue to hold the office of Agent-General whilst I was a director of the Agricultural Company; and I having told them unequivocally that I could not name a time when I could resign the directorship?—No; I have assumed throughout that your claim was made because of your contention that you were only holding office temporarily for the convenience of the Government. But I stated that I was not aware of it, nor was the Government; and it seems to me that the papers show that it was not the case. You had been positively called upon by the previous Government to make your election, and you had not done so definitely, and you were appointed and continued to act as Loan Agent and Inscription of Stock Agent, without saying that you held the office of Agent-General at the convenience of the Government; and you did not say that until some considerable time after—in February or March. You then stated that you were willing to exchange the office of Agent-General for that of Agent for the Inscription of Stock.

53. I should like to call your attention to the fact that your memory deceives you in this matter. I had unequivocally shown that I could not resign the directorship. I should like to read these telegrams from Sir John Hall, 3rd November, 1879: "From Wellington, 3/11/79. Vogel, London. Wire names late Government knew assisting organize company. Because statement respecting this knowledge, reasonable time be allowed you arrange retire. Present Government agree inexpedient you remain director, or engage Home politics.—HALL." To which my reply was: "7th November. Premier, New Zealand. Stout certainly, and, best my belief, Macandrew and Ballance." These words I wish particularly to call attention to: "Cannot name time resign. Shareholders would think unfair entertain such intention now. Am willing take Loan Agency, payment by percentage, and act Agent-General without salary long as suits Government. Reply." Can anything be more definite than that reply of mine, that I could not name a time when I would resign the directorship of the company?—Yes. I think you might have written much more definitely if you did not want to hold the office of Agent-General. You made no objection to that, as you wanted to hold on to all offices if you could, and act as Agent-General unpaid, payment being for inscription of stock. I never had any idea from any of the telegrams that you considered you were holding office for the convenience of the Government. What was in my mind, and, I believe, in that of every member of the Government, was this: that you had rendered great public services to the colony, and ought to be dealt with very "tenderly;" but it never entered my head that you were holding office for the convenience of the Government.

54. Is not this clear: I was told I could not hold office unless I could name a time to resign. I distinctly said, "Cannot name time; shareholders would think unfair entertain any such intention now"?—But you observe what follows keeps the whole question open, by proposing another arrangement, not with any idea of resigning, but of keeping all the offices. You had a much more definite telegram from Sir George Grey, calling upon you to make your election, and you did not make any election definitely.

55. Then, Sir John Hall says, I must name a time; and I say, "I cannot name time"?—Yes; but you did more than that. You made proposals which you knew the Government were entertaining, with the object of retaining you in the service, possibly as Agent-General, without pay.

56. My contention is that my relinquishing the office of Agent-General was settled before the loan was negotiated, and that the question was opened in regard to my taking the agency for the inscription of stock. You referred in your evidence the other day to some correspondence which had been going on before you left office, on a former occasion, about my being appointed Stock Agent. I have not referred to that, because I think you did not wish it to be considered official?—No; it was clearly only private.

57. I based my claim on the fact that I considered my term, as Agent-General, had virtually expired, and I was holding office for the convenience of the Government; and I think you will recollect that in Parliament, during the following session, Sir John Hall stated that I was holding office for the convenience of the Government after March?—Yes.

58. Now, I do not know anything that occurred further between the time of this telegram in November and March to make me holding office for the convenience of the Government more in March than in November?—Well, your own telegrams. You will recollect you sent a telegram when it was announced that Sir Francis Dillon Bell had been appointed, and you said it was then