

long while the Crown Agents were allowed to receive payment besides their salary?—Yes; they used to receive much smaller salaries, and were allowed commission. Subsequently their salaries were rearranged, and the commission went into the fund.

85. I would like to ask you in reference to the letter of Mr. Fox, in which he said, "But if it should appear that they are wrong, and that Parliament would be willing to vote an honorarium, the Government would, I am to say, not only not oppose it, but would gladly support it." Does that express, as far as you recollect, the opinion of the Government?—No; I have no recollection of that letter having been written. So far as my memory serves me, the general opinion of the Government was that you had rendered very great services, and that if any claim was made it must be as a matter of grace and not of right. I am only able to give you my own opinion. Of course that letter is the Premier's, expressing his opinion, and if the letter was a public one it would go a long way to binding the late Government to supporting a gratuity to you if proposed to the House. If it was a private letter it would not have any such effect.

*Sir Julius Vogel*: Mr. Fox commenced by saying, "This is a sort of semi-official, or not merely private, letter."

87. *Mr. Turnbull* (to Sir Julius Vogel).] You said you were in correspondence with Major Atkinson rather as a colleague of the Government?—Yes; the Government asked my advice about various measures. I think the correspondence is not published. They seemed to look upon me not only as Agent-General but as one of themselves, who had better opportunities of knowing what was taking place at Home than they had, and asked my advice.

88. *Mr. J. W. Thomson* (to Sir Julius Vogel).] It struck me, in reading over your statement, that you were scarcely justified in saying you were holding office for the convenience of the Government. You and Major Atkinson have already been discussing that point. Have you anything further to say in reference to that subject?—I am obliged to you for giving me the opportunity of saying so again, that I consider the course I took was absolutely and obviously a refusal to give up the directorship of the Agricultural Company. I was also notoriously continuing as a candidate for Falmouth, a position quite incompatible with that of Agent-General. I considered that I was holding the office entirely for the convenience of the Government, otherwise I should have been in a most insubordinate position. And when the question was raised by the lawyers at Home as to whether I was eligible to stand, as receiving salary from the Crown, I telegraphed out that instead of receiving salary I would act as Loan Agent; and the Government telegraphed back at once to say they were agreeable. If there was any chance of my continuing as Agent-General, would I have been permitted to continue to be a candidate for Falmouth? I certainly say in my mind, and I think the evidence is undoubted, that I was holding office for the convenience of the Government. I used that phrase because Sir John Hall used it. It is not exactly the phrase I should have invented myself. I would say I held office until it suited the Government to appoint my successor. But I had ceased to be permanent Agent-General.

89. Do you think that the Government had in their mind any person to succeed you, because you telegraphed on the 7th November giving the names of members of the Government that knew about you being director of the Agricultural Company, and Mr. Hall sent you a telegram four days afterwards? Do you think that during those four days Sir John Hall had made some arrangements for your successor?—The telegram of the 11th November contained the names of the late Government, who were aware of my holding the directorship. I think my answer was conclusive. I said, "Cannot name time resign." I did not think Sir John Hall could possibly have contemplated my continuing as Agent-General. I put it as strongly as I could in respectful language. The Government said you must resign. They afterwards said we will give you time because of members of the late Government knowing of your becoming a director; to which I replied, "Cannot name time resign." Then I said I should be willing to act as Agent-General without salary as long as it suited the Government. Two or three months afterwards, when the time came for my standing for Falmouth, I suggested that course again, and the Government said at once there was no objection. They treated me and I treated them with full knowledge that I had ceased to be permanent Agent-General.

90. Do you not think, if you had stated absolutely to the Grey Government that you would not resign the directorship, that they would have taken some means to appoint a successor to you; and that, if they had done that, this claim of yours would not have arisen, because you would not have been Agent-General?—You will recollect that when Sir George Grey first challenged my appointment I wrote out reasons why I thought he should not do so, and asked him to reconsider the question; to which he replied that he still held former opinion, and requested me to resign the directorship, and asked me to reply Yes or No; to which I replied that shareholders would not think it fair for me to resign for some to come. Then Sir John Hall, coming into office, took up the view of the previous Government, and, in reply to him, I absolutely declined to name a time for resigning the directorship, and said I was willing to act as Agent-General without pay. My telegram to Sir George Grey was dated the 9th October; on the 3rd of the following month Sir John Hall telegraphed to me. I presumed there was a change of Government in the meanwhile. I am quite sure that, had Sir George Grey continued in office, after asking me to reply Yes or No, he would have considered my reply a respectful refusal to accede to his request.

91. The idea seems to be this: that as you held that you were really holding office for the convenience of the Ministry you might have resigned, and that as your name was in the Order in Council to raise the loan you would have been entitled to the commission, and that although you did not resign you should be treated as though you had done so?—When it became necessary, in order to enable me to stand for Falmouth, I did not draw salary as Agent-General for the time, but left it undrawn, to be charged against the agency. When I was defeated for Falmouth the salary was paid to me. I agree with what Major Atkinson said just now that it would have been very sharp practice for me to have resigned the Agent-Generalship just at the time when my doing so