

regarded as holding the office of Agent-General permanently, which was incompatible with the receipt of a commission for the negotiation of the loan. Virtually he was *functus officio*. He was no longer permanent Agent-General: he was merely holding office as any one else holds office, to perform in a perfunctory manner certain routine duties. He could not be considered as the permanent Agent-General of the colony, and might any day have been, and could not have complained if he had been, peremptorily removed. Then, this is what strikes me, under the circumstances: About November comes the negotiation of the said Five-million Loan. Sir Julius Vogel was holding office at that time simply until his successor was appointed, and for the convenience of the Government. If he had then considered that there would have been any obstacle to his receiving a commission for the work which he is acknowledged to have performed ably, he had only to telegraph out to say, "Negotiation of this loan suspended until you accept my resignation, which I now send to you." Is it credible that any one in undertaking a duty the successful performance of which involves the deepest interests and prosperity of the colony that he represents—not a mere clerical work, but one requiring the utmost vigilance and judgment, and the exercise of the highest discretion as to whether it would be a failure or success—and it proved to be a success—would do this? It was only a few months afterwards that his actual withdrawal from office took place; and can it be supposed that any one would have undertaken a duty in connection with two other persons, in which he performed at least an equally important part with the other two, if he had believed he was not to be paid, when he could have pursued the course which was, as I have said, open to him; and that he would have preferred holding the office for six or eight months at the rate of £1,500 a year—equal to about £1,000—and to forego that which would otherwise, and except on the technical ground that he was Agent-General, he would have been undoubtedly entitled to, viz., the same payment as the others, Sir Penrose Julyan and Mr. Ommanney—that is to say, that he could, with justice to himself, have foregone the payment of £6,250 that his coadjutors received, and only take in exchange £1,000 for an office the holding of which was only from day to day? In respect of this the calculation I make is that Sir Julius Vogel is entitled, undoubtedly, to the same commission as Sir Penrose Julyan and Mr. Ommanney received, less the amount he was paid, if anything, between the negotiation of the loan and his finally being relieved of office about eight months afterwards. I believe he is absolutely entitled to that. So much for my opinion on the first point. With regard to the claim for deprivation of office, what has impressed me very much, and what I think it hinges upon, is this: In what is set forth as a private letter of Sir John Hall's, the terms of which are well known to the Committee, this office is offered in distinct terms, and the circumstances and inducements are set forward in an attractive form in the following terms: "That there would be in all probability a considerable income, and assist materially your position in London, whilst leaving you free to engage in other business;" and "that this may be taken as a not unreasonable recognition of your services." That is from the Premier of the colony. I then compare that with the evidence as taken on the 7th September, page 5, and I find this: "The appointments"—that is, the appointments as agents for the inscription of stock—"were revoked upon the grounds that the powers given were too extensive. Then this Bill was passed, and fresh appointments were made. Sir Dillon Bell and Sir Penrose Julyan were appointed, and I was omitted altogether. I would ask you, having regard to what Sir John Hall had said, was it keeping faith with me in not reappointing me?" Then the answer was given by Major Atkinson, "I do not think there was any breach of faith, because the whole scheme had been knocked on the head by Parliament. I am not able to say what influenced the Government." My conclusion is directly at variance with that. The knocking on the head of a promise by Parliament has nothing whatever to do with a promise of that sort made by the Premier of the colony. If the Government were too weak, or if it did not suit them for other reasons to make a point of it, they were at any rate bound to have brought before Parliament the circumstances, and explained how far they had committed the country, and tell them the probable consequences in respect of compensation. The last remarks I have to make are from entirely an abstract point of view. In talking of the policy of finance my opinions are well known, and thoroughly adverse; but I am speaking of this question as granting that the policy is good. Here is certain work obtained, and a distinct promise from the Premier of the colony; and after they had taken Sir Julius Vogel into consultation as to how abatements should be made and powers reduced, and after they had got all his information on those points, they then go round and say, We will not have three Agents: we will only have two. And, although Sir Julius Vogel was promised it, this competence which was to be a proper recognition of his services is denied him, and he stands in reference to the people amongst whom he lives, and where he has to make a fresh start in life, with this stigma upon him. I say plainly to this Committee, as one who may be considered to know the bearings of these things, that if that case were brought before any twelve men, I believe that a claim infinitely larger than that set forth by Sir Julius Vogel would be sustained. I wish to say further, in respect of this claim by Sir Julius Vogel for commission on the Five-million Loan, that if it dies now it will never die out altogether. If I am right in the view I take it will be brought up again and again, if not by Sir Julius Vogel, by those who represent him, but will never be allowed to die until he is remunerated, and then by a much larger sum than he now claims. That, Mr. Chairman, is the result of my study of this question. I am inclined on all points of his policy of finance in quite an opposite direction to that of Sir Julius Vogel. I am bound to say that in justice to the consistency of the financial views I hold. But this is not a question of policy, but of payment for work done and services rendered.

156. *Mr. Lance.*] You said the Government were put "out of Court" in considering this question. I would ask you to look at the second page of Sir Julius Vogel's evidence with regard to that telegram of the 7th November, in which he says, "Am willing take Loan Agency at centage, act Agent-General without salary long as suits Government." In your opinion, was Sir Julius Vogel justified in considering that the commission on the Five-million Loan, which was about to