the colonial salary as Premier of New Zealand. He explained that that was in consequence of a special provision in the Imperial Act, and he said he believed that the colonial law was not the same as the English on the subject. He wrote a memorandum to the Solicitor-General, and, I think, to the Auditor-General, asking them to look into the matter, and see what the law was; and he said I should not be wrong in drawing whatever the law allowed. They decided that, as the New Zealand law stood, a Minister was entitled to draw his pension as well as his salary, and, consequently, for a time I drew my pension as well as my salary as a Minister. That, I think, embodies all I have to say with regard to the pensions of myself and the other persons named.

3. Do you remember the dates of your resignations of office?—I resigned in June, 1869, the office of Under-Secretary, and five months afterwards I accepted the office of Government Insurance Commissioner. I held that office until I left the service. I had been many years ago a Commissioner of Crown Lands, and a chief clerk in the Colonial Secretary's Office. I held the office of Under-Secretary until I resigned in 1869.

4 Could you tell the Committee what quantity of leave of absence you received, on full pay or otherwise?—When I was Commissioner of Crown Lands in Auckland, in 1850 and 1851, I received eighteen months leave of absence on half-pay, and that was the only occasion on which I obtained leave of absence to any extent either on full or half pay It was usual in the case of officers who had been a long time in the service to give such officers leave of absence on full pay for a time, in order to give them time to make arrangements for their retirement. I had three months on that account. As I have said, the only extended leave I have had was for eighteen months on half salary

5. You took political office in June, 1869?—Yes, it was in 1869.

6. It would appear from the papers that you took the office of Government Annuities Commissioner in November of that year?—Yes.

7 And of course you resigned your post in the Civil Service before that?—Yes. I resigned in June, but the law at the time was to the effect that, if an officer left the service and was again appointed to it, the time he had previously served would be reckoned if he applied for a pension.

8. But there was a break in the continuity of your service?—Yes, of five or six months.

9. In your letter to the Secretary to the Treasury, of 27th November, 1876, you say that there was a distinct understanding that, while you performed the duties of Commissioner of Annuities in addition to those of Minister, that time should count in the computation of your pension?—I say that that was what was told me by the Premier, Sir William Fox, and other Ministers at the time. They told me that the time during which I held office in the Civil Service would count in respect of my pension, notwithstanding that at the same time I was a Minister of the Crown. In making my claim to Major Atkinson, I understood that the Law Officers were of opinion that the service in question would count. I took the Insurance Office on the strength of that understanding.

10. Do I understand you to imply that you risked the possible interpretation of the law, when you took political office, as to your right to take Civil office?—I was under the impression that the law allowed it, and I was aware that the same thing had been done in the case of other officers.

11. On the very face of these papers, Sir William Fox, who was, I believe, the head of the Government which you joined, made a minute in reference to the case of Sir William Fitzherbert, to the effect that this case ought not to be drawn into a precedent?—In Sir William Fitzherbert's case there was no pretence that he was doing the work of the Commissioner of Crown Lands, because even when he was in the colony the duties were, I believe, for some time performed by a deputy; but when he went to England I am certain that they were done by a deputy

12. *Mr. McLean.*] I see by your application for a pension, that you state you joined the service on July 12th, 1847 What were your appointments when you first joined?—I came first as private secretary to Lieutenant-Governor Eyre. I may say, with reference to that, that there had been other cases in which Civil servants had been attached to Governors personally, long before any Civil Service Act was passed, and in those cases the time they had so served had been allowed to count in regard to their pensions.

13. Which Act do you claim to retire under?—The Civil Service Act of 1861.

14. Then you claim this £2,250 as for three years of service under that Act?—I claim under the Act which allowed an officer to retire at the age of fifty years. That is the Act of 1861, and that Act says that an officer who has reached the age of fifty years may retire.

15. How is this £2,250 made up?—I suppose it was made up from information supplied by the Treasury That information can be obtained from the Treasury

16. You resigned your non-political office in June, 1869, in order to accept office in the Ministry?—Yes.

17 And up to that time you had been twenty-two years in the Government service?—Yes.

18. And after that, you were a Minister from some time in June until the following November?—Yes; but I was a Minister longer than that. I was a Minister from 1869 till 1872.

19. You retired from the Civil service in 1869, and after that you were a Minister for three years?—Yes, for three years and three months. When the Act (under which the office of Government Insurance Commissioner was created) was passed, I was offered the position, and I was told that the time during which I acted in that capacity would count when the question of my pension came up.

20. In 1869 you severed your connection with the Civil Service?—Yes.

21. And you did not make any application for your pension, reckoning your service of the previous three years?—No, because I could not do so. I was not fifty years of age, and I could not produce a medical certificate showing that I was in ill-health.

22. In what year was the first Government Insurance Act passed?—In 1869; but that was afterwards repealed, and another was passed in 1872.

23. And it was passed soon after you became a Minister?—It was passed in the same session of Parliament.

24. Was that the year in which you assumed office as a Minister?—Yes, I assumed office in November of the year in which the Act was passed.

25. Was the salary voted for the office in that year?—The Act, when first passed, stated that the Governor in Council should declare a salary for the office not exceeding £800 a year, and Sir Julius