

26. Have you been instructed to take the part you now take?—No; I have received no instructions whatever.

27. Do you take it from the order of the Council?

*Mr. Garrick* : Or, rather, that is your interpretation of the order of the Council.

*Witness* : Yes. A message was sent, in reply to a message of the House of Representatives, giving leave to the Clerk of the Council to attend and be examined before this Committee.

28. *Mr. Garrick.*] You put your own interpretation on it as to what you ought or ought not to say?—Yes; I am now acting in the way which I conclude is my duty—to confine my evidence to legislative expenditure.

[At the request of the Chairman the witness retired, in order to allow the Committee to deliberate.]

29. *The Chairman.*] You are now holding the office of Clerk-Assistant?—That is my permanent office.

30. And for that you receive a salary of £350 a year?—I have received that amount hitherto.

31. What are your duties as Clerk-Assistant? Is that question included in your objection?—I must make the same objection to reply to that as to the other questions you ask, with all respect to the Committee.

32. *Mr. Garrick.*] Do I understand you that you simply decline—whatever your motive may be—to answer the question?—I have already said so.

34. *The Chairman.*] Are you now discharging the duty of Clerk of the Council?—Yes.

35. Who is acting as your assistant?—The Second Clerk-Assistant.

36. Is his also a permanent appointment?—Yes; it is a permanent appointment.

37. Do you hold any other office beside that of Clerk-Assistant?—No.

38. Do you receive any other emolument or bonus during the recess besides the £350?—That is the pay I receive for holding the office of Clerk-Assistant.

*Mr. Garrick* : That is not an answer to the question.

39. *The Chairman.*] Do you receive any bonus beyond that salary of £350 a year? You could answer that question; surely it does not require much time to consider?—It is simply a matter of duty with me.

40. I would suggest to you that it is your duty to answer the questions put to you by this Committee—your paramount duty?—My paramount duty is to the Council.

*Mr. Garrick* : I would suggest that the witness should either give evidence or decline to give evidence. Upon declining, he might be asked to state his reasons, otherwise we shall get into confusion.

42. *The Chairman.*] Will you be good enough to state if the pay you receive as Clerk-Assistant is £350?—Yes; it is on the estimates.

43. Do you receive any bonus beyond that salary of £350?—I can state that the pay I receive is £350, as stated on the estimates.

44. That is not the question I asked?—With regard to anything that is not published there, until I receive further directions than the leave that has been given to me, I decline to state.

*Mr. Thompson* : I take it that this gentleman's evidence is of no use to us. We have the information which he is willing to give already on the estimates.

45. *Mr. Garrick.*] I wish again to put it to the gentleman under examination, if I understand him rightly, that he has no instructions whatever as to what evidence he should give or withhold?—That is so.

46. Have you any objection to state during what hours you are employed as Clerk of the Council?—I think that is beyond—

*Mr. Garrick* : I do not wish to press you : I only want to know the number of hours you are employed.

47. *The Chairman.*] Do you do other work?

48. *Mr. Garrick* : Do I understand you that you consider such questions are not within the scope of this inquiry, because I conceive that it is your duty to give this information?

*Witness* : I do not refuse other work. The only order I have received is the order which has been given me to appear before this Committee.

49. *Mr. Garrick.*] To what order do you allude. I ask you the question because you seem to feel it to be your duty not to reply to certain questions asked of you. I now ask you whether you do not consider it to come within the scope of your duty to answer them?—As I interpret the order of the Council it is not my duty to answer such questions as have been put to me.

50. Can you not see that the object of the Committee's inquiry will be defeated unless you give replies to such questions?—I am not definitely informed as to what is the object of the Committee.

51. That is your reply?—Yes.

52. You are unable to form an opinion, or you do not form an opinion, as to the object of the Committee?—It is not for me to form an opinion on the subject.

53. *The Chairman.*] I was about to ask you whether you have a copy of the resolution of the Legislative Council under which you now act?—It is contained in a message to the House. It is to this effect : that the Legislative Council have given leave to the Clerk of the Legislative Council to attend and be examined before a Select Committee of the House of Representatives on legislative expenditure.

54. *Mr. Barron.*] "To give evidence," is it not?—"To be examined," I think are the words.

55. *The Chairman.*] Will you be good enough to send me a copy of the resolution of the Council?—I could only do so by leave of the Council.

56. You can produce it, I presume; but you must have known, when you got leave to attend, that you were to give evidence. Surely you could not imagine that you were not to give evidence, when they instructed you to attend here and be examined?—Evidence of what is published.