1890.
NEW ZEALAND.

VOGEL *V.* THE QUEEN.

(COPY OF PETITION OF RIGHT FILED IN THE SUPREME COURT OF NEW ZEALAND BY THE HON. SIR JULIUS VOGEL, K.C.M.G.)

Laid on the Table by the Hon. Mr. Mitchelson, with the Leave of the House.

In the Supreme Court of New Zealand, Wellington District.

To the Queen's Most Excellent Majesty.—Your faithful subject, Sir Julius Vogel, K.C.M.G., at present residing at St. Margaret's Mansions, in the County of Middlesex, in England, humbly showeth:—

1. THAT your petitioner was, on the 19th day of October, 1876, appointed Agent-General for the Colony of New Zealand, such appointment to take effect as from the 9th day of September, 1876, and on the 17th day of April, 1879, was appointed an Agent under "The New Zealand Consolidated Loan Act, 1877," so long as he should continue to be Agent-General.

2. That in or about the month of February, 1879, whilst holding the said office of Agent-General, your petitioner joined the board of directors of the New Zealand Agricultural Company (Limited), and your petitioner, immediately on becoming a director as aforesaid, so informed the Government of the said Colony of New Zealand, and requested their sanction.

3. That the Government in office at the time of your petitioner becoming a director as aforesaid, of which Sir George Grey was Premier, refused to sanction your petitioner's connection with the said New Zealand Agricultural Company (Limited), and several communications passed between your petitioner and the Government of the said Colony of New Zealand on the subject, one of which was a cablegram in the following terms: "Government considered letter June seventeen. Still holds former opinion. Now requests you to resign office director, Agricultural Company, at once. Reply yes or no by telegraph. Government cannot allow Agent-General to take any part in politics at Home or in any private business."

4. That on the 3rd day of November, 1879, your petitioner received from Sir John Hall, the then Premier of the said Colony of New Zealand, a cablegram, of which the following is a copy: "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 your petitioner replied as follows: "Premier, New Zealand.—Stout certainly, and best my belief Macandrew and Ballance. Cannot name time resign. Shareholders would think it unfair entertain such intention now. Am willing to take loan agency payment by percentage, and act Agent-General without salary long as suits Government. Reply.—VOGEL, London, 6." And on the 11th day of November received a cablegram from Sir John Hall, of which the following is a copy: "To Vogel, London.—Agency-General incompatible other business. Government considering expediency relieving therefrom, appointing you Agent Inscribed Stock at centage. Report fully by post arrangements you would propose; sketch scheme, estimate annual conversion. We should associate two Agents with you. Anxiously waiting news loan.—HALL."

5. That your petitioner, on the 31st day of January, 1880, received a new appointment as Agent under the said "Consolidated Loan Act, 1877," from which new appointment the limitation "so long as he should continue to be Agent-General," was expressly omitted.

6. That your petitioner received a letter from Sir John Hall, the then Premier of the said colony, bearing date the 26th day of February, 1880, which said letter indicated the intention of the Government in making the said appointment of the 31st day of January, 1880, and setting forth the nature and benefits of the said appointment.

7. That, under the said appointment of the 17th day of April, 1879, and again under the said appointment of the 31st day of January, 1880, and the letter of the Premier explaining the same, your petitioner became entitled to receive from Her Majesty a commission at a reasonable rate upon the amount of stock inscribed, and also a percentage at a reasonable rate on the amount of any loan or loans that might thereafter be raised.

8. That in the year 1879 "The New Zealand Loan Act, 1879," was passed, and on the 15th