enable him to prosecute his claim in the Courts, or they can recommend that a lesser sum be granted to him. The £2,000 to which he is absolutely entitled I have little fear about, as he is only excluded through a mere technicality; but I put it to the Committee that he is entitled to more, whether under the head of conversion or negotiation on the whole loan, or as a honorarium. I know it is very often the case when a man has served the State very well, and when he is dead and gone, to make some allowance or honorarium for the services he has rendered. If I may put it in such a form, I would ask that, if there is any chance of such a thing being done for Sir Julius after he is dead and gone, that it may be done before he goes, for he is towards the end of his life. And, quite apart from any sentimental feeling on the subject, I would most earnestly ask the Committee to make a recommendation for the payment of a sum of money in settlement of his claim. The proceedings in a Court of law would be very expensive to him, and postponing any legislation means waiting, which is worse than nothing perhaps. I have put before you his claim, and have read evidence in support of it. Without making any *ad miserecordiam* appeal on the subject, on the very merits of the case it, I submit, is a case that deserves grave and great consideration. As to the £2,000, I do not think there is any question about that. I am sure any lawyer will say that that money is fairly due. But, as I have said, it is impossible to proceed at law because the action must be brought within twelve months from the time the debt arises. Then the Committee will see that he has a moral right to the sum of £7,000 or £8,000. Sir William Fitzherbert says it is not enough. My own opinion is of no value at all, but it does not seem a large amount of compensation for the services rendered, and for the disappointment and damage he suffered by not getting the Loan Agency appointment. I ask the Committee to recommend the payment of a substantial amount beyond that which is absolutely and undoubtedly owing to him, and also recommend that the Government pay that amount to him. I cannot say anything more. I feel that I have left as much unsaid as I have said. The question is a very difficult one to put clearly and plainly. The printed evidence is deserving of consideration, and particularly that of the late Sir William Fitzherbert. I am sure the people of New Zealand would approve of any recommendation the Committee may make in favour of the petitioner.

The Chairman here directed Mr. Vogel's attention to the two strong points in the evidence given by the late Sir Harry Atkinson before the Committee in 1885.

Mr. Vogel: You have placed the whole position most fairly before the Committee. Almost the whole matter hangs on the cablegram Sir Julius received on the 11th November, which informed him that the Agency-General was incompatible with other business—and, therefore, he got his "marching orders." Sir William Fitzherbert used strong language on this point. He says:—

160. Then, you think Sir Julius Vogel was entitled to commission on the Five-million Loan?—I cannot conceive how there can be a doubt about it. There is one point to which I have not referred. It may be desirable that I should, although I do not think there can be anything in it. A point is made of Mr. Ommanney paying the commission he received into the fund. There is a fund in the Crown Agent's office into which commissions on negotiations for all the colonies of the Empire are paid; and it is not paid to an individual, or two or three Crown Agents, but over the whole establishment. I have no doubt—and I am now speaking from my own experience, and the intimate relations I had during the fifteen months with the Colonial Office—that the Government had insisted that that should be done in diminution of the expenses of the department, and very properly. But that makes no difference: if Mr. Ommanney receives payment, and hands it over to his wife or children, or to the office fund, the payment made by the colony is the same, and the question of the rights of a third party is in no way affected by the after disposal of the money received from the colony. Sir Penrose Julyan also received £6,250. I say that does not diminish in any way the services of the third party to the floating of that loan under exceedingly discouraging circumstances: that he should be deprived because technically he was Agent-General. Technically the Government were right; in spirit they were wrong. Yet I do say, and repeat with all due submission to this Committee, that this claim is as nothing when compared to that for compensation for loss of office: in being so thrust out, and being excluded from an appointment which was to be compensation for services rendered. The letter says, and I attach the greatest importance to it, that the appointment would yield "a considerable income, and assist materially your position in London, and will not be an unreasonable recognition of your services." Not only is he deprived of that, after being taken into consultation, but also he received a slap in the face, that is of incalculable money injury to any man who intends to start in mercantile business or otherwise. I say that claim is most moderately put forth; and I say there are no twelve men in any country but would regard that as a grievous wrong. It is to me inexplicable.

161. *Mr. W. White.*] I would like to ask whether you understand the then Premier, Sir John Hall, in the telegram of the 3rd November, to refer to Sir Julius Vogel's retirement from the Agent-Generalship or from the board of directors?—I think the context clearly shows that he refers to his retirement from the board of directors.

162. The point I wish to clear up is this: was there any understanding or mention of retirement from the Agent-Generalship on one side or the other prior to the floating of the loan on the 11th November?—I think this answer of the 7th November is clear: "Am willing take Loan Agency, payment by centage and act Agent-General without salary." Whether Sir Julius Vogel retired or acted as Agent-General without salary—mind that "without salary"—he was free to take any other business.

163. Any resignation or retirement prior to the 7th November you consider as applying to the board of directors?—The particular point you asked me, I understood, was as to the meaning of Sir John Hall's telegram of the 3rd November, and I say, in reply, that that referred clearly to the retirement from the board of directors. Then, as to the question, Was there anything prior to the 11th November in reference to retirement of Sir Julius Vogel from the Agent-Generalship, I refer to the telegram of the 7th November, and I say that clearly refers to his virtual retirement from the Agent-Generalship; at any rate so far as to obviate the objections to his undertaking any other business that would be incompatible with that office.

164. Then, the suggestion first came from Sir Julius Vogel, on the 7th November, when he states that he cannot resign—meaning from the board of directors—and suggesting that he should take up the position of Loan Agent at a percentage; and the first telegram or communication from the Government in reference to the resignation or retirement from the Agent-Generalship is under date of the 11th November, in your opinion?—Yes.

165. That is the first intimation we have of the Government considering the advisability of Sir Julius Vogel resigning the Agent-Generalship?—Yes; but the point was raised, as I say, by Sir Julius Vogel on the 7th November, and the Government were in possession of it; and what appears to me is this: When Sir John Hall, in the telegram, shows his anxiety about the loan, if he were determined to use Sir Julius Vogel's services, and still keep him hanging on to office, he should have said then, plainly, "No commission."

166. In your evidence I had the idea that you alluded to the retirement mentioned prior to the 7th November as referring to the Agent-Generalship, and not to the directorship?—No; I think it clearly refers to the directorship.

167. And the suggestion of retirement from the Agent-Generalship, in your opinion, came from Sir Julius Vogel?—Yes.

168. *Mr. Samuel.*] You say, and very emphatically, that, in your opinion, Sir Julius Vogel has a good claim to the extent of commission of $\frac{1}{2}$ per cent., less the amount of salary received by him subsequent to the 11th November, the date of the telegram?—Yes.