

32. *Mr. Montgomery.*] You have another telegram to produce when the mail comes in?—I have Mr. Ward's original telegram intimating his intention to resign. I did not put it on the file, but I expect I can produce it. [Afterwards produced.] I only filed the telegram and the letter of resignation.

33. *Captain Russell.*] You twice used the term "intention to resign." Do you draw a distinction between the words "intention" and "resignation"?—I used the term "intended" with reference to the letter of resignation which was intended to reach me on 10th July, but did not. I understood that he had actually resigned. He said distinctly that he had resigned, and that I would receive his resignation on the following Saturday. I will send in that telegram when I get it from Auckland.

Hon. JOSEPH GEORGE WARD, M.H.R., examined.

34. *Rt. Hon. Mr. Seddon.*] You have heard of the Order of Reference, and have received intimation to appear before the Committee. Do you wish to tender any evidence?—I shall be glad to answer any questions which the Committee desire to put to me.

35. *Mr. Montgomery.*] Did you inform the Clerk of the Court at Invercargill of your resignation?—No. I had no communication with him of any sort or kind.

36. You do not know whether he had any information about it?—He was not informed by me, or by any person on my behalf, so far as I know.

37. Was your letter of the 3rd July written and posted on that date?—Yes; it was written and posted on that date to Mr. McKenzie.

38. Was there any particular reason for not sending it straight to the Speaker?—The only reason I had was that I was in doubt at the time whether it should go direct to the Speaker or to the Acting-Governor, and I sent it to Mr. McKenzie, so that it might go through the right channel. I was uncertain whether it should go to the Acting-Governor or to the Speaker, although addressed to the Speaker.

39. Did you ask Mr. McKenzie to forward it at once?—I asked him to forward it to the Speaker, or to the right person. I have not got a copy of the letter I sent to Mr. McKenzie. It was only a short note, and I cannot from memory give the exact contents of it, but the foregoing is its purport.

40. *Rt. Hon. Mr. Seddon.*] Did you receive any intimation that this letter had not reached Mr. Speaker?—Yes; he sent me a wire to that effect. I wired to the Speaker stating that my resignation would reach him on Saturday. I informed him that I had resigned, and that my resignation would reach him on a Saturday—I cannot recollect the exact date—and the Speaker replied that the resignation had not reached him. I afterwards wired to him, and he informed me that the resignation was not in order, because it had not been attested by a Justice of the Peace. I got the necessary formality attended to and forwarded it. I considered I resigned by letter on the 3rd July. I had to travel, and paid for my railway-tickets and acted in every way as a person who was not a member of the House.

41. *Mr. Montgomery.*] Up to what date have you been paid as a member?—My impression is that I have not been paid up at all for July. I have not made any inquiry. I know that my honorarium has not been paid to me from the beginning of July.

42. *Rt. Hon. Mr. Seddon.*] You have in no way recalled that resignation?—No. I considered my resignation was that written by me and which I sent to Mr. Speaker, and intended it to go through any channel through which it ought to go. I had no intention of communicating by wire, and if the Speaker had not communicated with me I should not have done so.

43. It was some time after the 3rd July before you put in your petition?—Yes, I think it was the 8th or 9th.

44. *Mr. Joyce.*] You intended to resign before your bankruptcy?—Yes, decidedly. I resigned other positions before my bankruptcy, and intended to so resign my seat too. If the Speaker had not wired me, the only intimation he would have got would have been my letter.

45. You were a member of the Harbour Board, and resigned your position?—Yes.

46. *Mr. Allen.*] You were also a Justice of the Peace?—Yes.

47. Did you resign that before your bankruptcy?—Yes, I did.

48. When did you resign as a Justice of the Peace?—I cannot tell you the date, but it would be on record here.

49. It is gazetted on the 9th, the day after the bankruptcy?—Yes. [Telegram of Clerk of Court read.] I had no communication with him of any sort or kind.

50. *Rt. Hon. Mr. Seddon.*] Was it an open secret or generally known that you had sent in your resignation after the 3rd July?—I think it was quite well known about the place. I was reminded of it yesterday by a gentleman who travelled with me. On the 3rd or 4th of the month I travelled by train out of Invercargill, and some people were with me when I got my ticket. Some comment was made about my paying for the ticket, and I remarked that I had tendered my resignation as a member of the House. It was known in Invercargill that my resignation had come up here, but I do not know whether the Registrar or Clerk of the Court knew.

51. You made no secret of it—it was public property, and in that way might have reached the Registrar?—Yes, I made no secret whatever of it.

52. Mr. Joyce asked you whether you had been a member of the Harbour Board, and resigned?—Yes.

53. Are you now a member of the Harbour Board?—Yes.

54. Was the question raised as to your right to sit, the same as it is here?—Yes, and the Chairman of the Board obtained a legal opinion from the Harbour Board's solicitors, which was that the election was a valid one, and that I could legally take my seat. Messrs. Smith, Chapman, and Sinclair, of Dunedin, were asked by me for their opinion, and they held I could be legally elected to the Harbour Board and also take my seat on it. I had the opinion of three or four independent solicitors as to my eligibility to stand for Awarua, and they advised me that I was legally on the