

28. You would not fold a letter to send it to the Under-Secretary?—No. The register entry here is that the letter was sent to Captain Clark. The letter has probably been left when Captain Clark has been discussing the question of pay. He was in very often to see the General about his claims, and, I understand, to see the Under-Secretary for Defence as well.

29. Would it surprise you to know that Captain Clark says he has never seen the letter?—Very much. It was written in answer to a letter from him, and I think that had he not received a reply to his letter he would have written again.

30. *Hon. Mr. Hall-Jones.*] Is that the only letter that you know of as being sent to Captain Clark from your office?—Yes, on this subject. There were many letters sent to him on other subjects.

31. *Rt. Hon. R. J. Seddon.*] Is that your file?—Yes.

32. That letter was with the file—I detached it yesterday.—Yes.

33. Did you not send that file down to the Under-Secretary for the purpose of this inquiry?—Yes. I may say that the file has been down at the Under-Secretary's office at various times. We send files to the Under-Secretary whenever he asks for them.

34. It is not likely that you would send that letter?—Not to the Under-Secretary. I had no knowledge that it was on the file.

35. Whose writing is that [Press copy of letter handed to witness]?—Mine. A letter such as this is written, sent out, recorded in this outward letter-book by a clerk, and is then sent into the outer office, where the clerk posts it. He takes two press copies, and the letter, when it is taken out, is at once put in an envelope and addressed. The loose press copy is sent into me, and if there is no action to be taken immediately I mark it "File." The copy must be shown to me before it is put away.

36. The letter looks as though it had been folded a good while, does it not?—Yes.

37. You cannot account for it coming back to the office and getting on your file?—Not at all. The only way in which I can account for it getting on the file is that it was left by Captain Clark when in seeing either the Commandant or the Under-Secretary for Defence.

38. But if it was left with the Under-Secretary any communication like that coming back to you again would have your register on it again?—It would if it was the top paper. When a file comes back the register is put on the top paper—the inward date-stamp—and the file is registered in. If a paper like that had been accidentally left on my table by Captain Clark when he was in I would have forwarded it again to him, there being no action to take with regard to it.

39. The letter was in the middle of the file—there were a lot of papers on the top of it.—Yes.

40. There are a number of Ministerial memorandums respecting this matter. Have you sent any other communication to Captain Clark?—I think not.

41. Take this one of the 30th March, 1903—"Declined." [Document handed to witness.] "Memorandum.—14th March, 1903.—To the Hon. the Minister of Defence, Wellington.—The attached claims are forwarded for your approval. Captain Clark was engaged from the 11th September to the 6th October, 1902, in preparing discharge-certificates for the Seventh Contingent. From the 7th October, 1902, to the 28th February, 1903, he was engaged in issuing the clasps, in preparing rolls for the King's South African Medal and clasps for the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, and Tenth Contingents.—J. M. BABINGTON, Major-General, New Zealand Forces."—"Declined.—R. J. S., 30/3/03." Was there any reply sent to Captain Clark when you got that memorandum?—No, sir; the matter was resubmitted to you. I drafted a letter under instructions from the General.

42. Do you refer to this letter from the Commandant, dated the 15th April, and minuted back by me on the same day [Document handed to witness]?—Yes; that is it.

43. Was any reply sent to Captain Clark when you received that memorandum?—I think Captain Clark was verbally informed. This was again resubmitted to you; but the letter was not drafted by me. I think it was twice resubmitted to you, but that was not done in my office.

44. Who would do that—it is stamped "B"?—Yes; the file was sent out afterwards.

45. I have here three refusals on my part to pay Captain Clark's claim, the minutes being dated 30th March, 15th April, and 28th May. Was any reply ever sent to Captain Clark?—Not as far as I know. He was told verbally. As far as I know no written reply was sent to him.

46. You are the officer in charge of that division B: was it not your duty to see that a reply was sent to Captain Clark, in view of those decisions? Whose duty was it to see that a reply was sent to him?—Captain Clark was informed by the General. He was from day to day waiting to see if the papers had come back—to see the General about the papers.

47. And being informed verbally from day to day by either you, or Major Smith, or the General, you thought there was no necessity for sending a written reply?—No; I think he ought to have had a written reply.

48. At the same time you are positive that Captain Clark was informed that his claims had been refused?—Yes.

49. He was not taken by surprise subsequently when he found that the Government were opposing his claims?—No; he knew from the first. He told me that the General was submitting the matter back to you. That was after the letters submitting the matter back to you were written. These letters were not done by me.

50. Then, who would do those letters when the matter was resubmitted? Would it be Major Smith?—I think so.

51. The first submission was done by you?—Yes.

52. And then the matter was taken out of your hands and the resubmissions were done by the A section of the Department?—Yes.