

80. *Rt. Hon. R. J. Seddon.*] Would you think, from the appearance of the letter, that it has been kept on the file, or has been otherwise used?—From the appearance of it there is every evidence that it has been put in an envelope; there are creases in it. If it had not gone out at all it would not bear those creases, in my opinion.

81. It seems like a paper that had been in a man's possession for a long time, does it not?—Yes; it is not very clean.

82. It is not a paper that you would like to carry about with you, supposing that it came back, or from the Commandant's office?—It is not a paper, of course, that I would carry about.

83. *Captain Clark.*] You saw that paper on the file, Mr. Grey?—Yes.

84. Would you take that to be a departmental paper, without any minute on it from me?—Yes, I think so.

85. What would you form that conclusion from?—I would form the conclusion that you had returned the letter with the other papers.

86. Would it be customary for me, do you think, to return, without a minute on it, any other correspondence to the Department, if I returned the original?—That I could not say.

87. I have had a good deal of correspondence, Mr. Grey?—Yes.

88. You do not think that I have in any other case returned the original letter that you sent me?—I could not say from memory.

89. You say that this pencilled memorandum was put there by you?—Yes.

90. About when?—Quite three months ago.

91. That would be before there was any talk of my presenting my petition?—Yes.

92. What was the memorandum put there for?—Simply to refresh my memory, or the memory of the clerk who had to draft the reply, so that the matter would not be overlooked when a reply was sent to you.

93. The paragraph opposite which you put the memorandum reads: "The two claims for adjutant's gratuity—£50 each—are with our file, but the Under-Secretary for Defence reports that the question of payment of the allowance has been referred to the Chief Paymaster at Cape Town." You put the pencil memorandum "Since refused by Imperial Government" there so as to draw attention to it?—Yes.

94. In the reply to me did you make any mention of it?—No; as I said the other day, we have never informed you as to that because the other claims have not been decided.

95. But in your official reply, on which I based my petition to the House, you make no mention of that fact, and yet you put a pencil memorandum there so as to keep the matter fresh in your memory?—Yes.

96. In your letter to me of the 5th August, 1903, there is no special remark about these two gratuities of £50 each not being payable to me, so that really your pencil memorandum on that original letter—which you say was put on so as to keep your memory fresh on the point, in order that the matter would not be overlooked when you were replying—was not acted upon?—My letter of the 5th August is merely in reply to your claim for the King's Medal rolls. That is all. The other claims, as you know, were not decided, and have not yet been decided.

97. *Rt. Hon. R. J. Seddon.*] What replies are these, Mr. Grey [Documents handed to Mr. Grey]?—This one, dated the 17th November, 1902, reads as follows: "With reference to your claim for the difference in pay, &c., on being transferred from the Seventh to the Ninth New Zealand Contingents, I now beg to inform you that the matter has been referred to the Chief Paymaster at Cape Town for his decision, and on a reply being received you will be further communicated with." That was my letter to Captain Clark. The next one is dated the 4th May: "Pay and allowances for difference in rank.—In reply to your letter of the 29th April, I beg to inform you that the question *re* the above is still under the consideration of the Hon. the Minister of Defence." In the following letter the clerk has omitted to put the date, but it was written in the same month, May, and reads as follows: "Pay and allowances for differences in rank.—In reply to your letter of the 20th instant *re* the above, I beg to inform you that no decision has yet been arrived at as regards your claim." The next one is dated the 27th July: "In reply to your letter of the 23rd instant, I beg to state that no decision has been arrived at yet." Then followed, on the 5th August, the letter about the King's Medal rolls, and in which we offered Captain Clark the £4 a week.

98. Those letters show, at all events, that you were not acquainted with the decisions which had been given, and which were with the military branch of the Department?—That is so.

99. You replied, as far as your Department was concerned, to all letters?—Yes.

100. *Captain Clark.*] The letters which you have read were in reference to simply the question of the difference in rank?—Yes.

101. They do not bear on the point to which I have called attention—that this pencil memorandum on the original letter for the purpose of refreshing your memory about the two gratuities has not been acted upon?—As I said last week, you had put in your claims, and before we could reply to you definitely the whole question as to your pay and rank had to be decided. The reply that was sent to you on the 5th August was simply about your claim with regard to the medal rolls.

Major N. L. D. SMITH further examined. (No. 17.)

102. *Rt. Hon. R. J. Seddon.*] You were questioned yesterday, Major, in respect to the three Ministerial memorandums on the papers, in which I declined to authorise payment of Captain Clark's claims?—Yes.

103. Colonel Chaytor admits that the first submission of the matter to me was done by him?—Yes.

104. After that, he says, it was taken out of his hands and the other two submissions were done by you?—Two letters were drafted by me for the General.