

The special army order dated the 29th September, 1902, granting the decoration, and republished in General Order 563 of the 20th November, 1902, made the conditions of qualification so stringent that out of the whole of the officers and men who proceeded with the New Zealand contingents only 117 had qualified for the medal.

As your petitioner had gone to the front with the Second Contingent, with whom the First and Third had continually worked, your petitioner had opportunities of becoming, and became, acquainted with the officers and men of these contingents. On the return of the Second Contingent, and while waiting for the Seventh, your petitioner did duty with the Sixth for a period, thus obtaining a personal acquaintance with the officers and men of that contingent. As all the officers and men of the Fourth and Fifth Contingents who remained for further service came over to the Seventh, your petitioner also became acquainted with them. Likewise, when your petitioner finally transferred to the Ninth he became acquainted with all the officers and men from the Sixth and Seventh who also transferred. In this way, in the course of your petitioner's duty, he obtained a more general personal knowledge of the members of the various contingents than any one who had left New Zealand. Your petitioner submits, therefore, that he was qualified to make out the King's Medal roll more expeditiously and correctly than any one in New Zealand, and it was made out as expeditiously as possible.

This duty occupied your petitioner until the 28th February, 1903. On the 1st March your petitioner presented a voucher as follows:—

To duty making out discharge-certificates of Seventh New Zealand	£	s.	d.
Contingent, 26 days at £1 per diem	26	0	0
Detention, 26 days at 12s. 6d. per diem	16	2	6
To duty, under orders of C.S.O., preparing King's Medal rolls for			
First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth,			
Ninth, and Tenth Contingents, 144 days at £1 per diem	144	0	0
Detention, 144 days at 12s. 6d. per diem	90	0	0
Total	276	2	6

5. Your petitioner has not received payment of this sum although he has repeatedly applied for payment.

6. Your petitioner quite recently received a letter from the Defence Department, of which the following is a copy:—

"Sir,—

"Defence Office, Wellington, N.Z., 5th August, 1903.

"Referring to your claim against the Imperial Government for services rendered (in the Commandant's office) in assisting to prepare" [entirely preparing] "medal rolls and discharge-certificates of the Seventh New Zealand Contingent, I have been directed by the Hon. the Defence Minister to inform you he regrets he cannot sanction any payment over and above the amount and period authorised by the Hon. the Acting Defence Minister on the 9th July, 1902—viz., for three months at £4 per week.

"Please inform me whether you will accept that amount in full satisfaction of your claim in this regard, and if so a voucher will be passed.

"As your domicile was in Wellington prior to your leaving New Zealand with the original contingent you served in, and also on your return, you are not therefore entitled to claim detention allowance while doing any work in Wellington in connection with the contingents, and therefore any amount paid to you by the paymaster of your regiment (or other officer) must be deducted from any moneys which may be due to you.

"I have, &c.,

"T. F. GREY,

"For Under-Secretary for Defence.

"Captain J. J. Clark, N.Z.M., Titaru Sawmilling Company, Dannevirke."

7. When your petitioner commenced duty for the Department no mention was made of any stated sum per week or stated time of employment. Your petitioner had been paid in accordance with his rank for the period occupied in preparing the discharges for the Ninth Contingent, and the N.C.O. who afterwards assisted in preparing the discharges for the Seventh was paid, according to his rank, for his services without question. Your petitioner was requested by the Chief Staff Officer to perform the services claimed for. This officer would be aware of the rate of pay to which your petitioner would be entitled, and it is submitted that it was his duty, if the Government did not intend to pay that rate, to have informed your petitioner before he commenced, and to have ascertained if your petitioner would be willing to perform the duty at the rates the Government now offer. Your petitioner was quite unaware that any authority was required or existed for his employment for any stated length of time, and if the Chief Staff Officer was aware of this your petitioner submits that he should have been stopped when the period quoted in the authority had elapsed. Instead, your petitioner was instructed to commence and was permitted to continue duty with the full expectation that his pay and allowance would be the same as those previously paid to him.

8. The offer the Department now makes does not even cover your petitioner's service by two months, and is, it is respectfully submitted, quite inadequate and unreasonable.

9. Your petitioner has suffered considerable hardship by reason of the non-payment of his claim.

10. Wherefore your petitioner humbly prays that your honourable House will be pleased to take his petition into favourable consideration, and that a just and adequate sum may be paid to him for the services which he has performed.

And your petitioner, as in duty bound, will ever pray, &c.

Dated at Dannevirke, this twenty-first day of August, one thousand nine hundred and three.

JAMES J. CLARK,

Captain, New Zealand Militia.