

REPORT.

No. 530.—Petition of J. J. CLARK, of Dannevirke.

PETITIONER prays that he may receive a just and adequate sum for services rendered in the Defence Department.

I am directed to report that, in the opinion of the Committee, this petition, together with a copy of the evidence, should be referred to the Government for favourable consideration.

13th November, 1903.

WALTER SYMES, Chairman.

MINUTES OF EVIDENCE.

THURSDAY, 29TH OCTOBER, 1903.

Rt. Hon. R. J. SEDDON made a statement and was examined. (No. 1.)

Rt. Hon. R. J. Seddon: Mr. Chairman and gentlemen, I beg to state that I was not informed when the petition was to be heard: I was neither directly nor indirectly notified as to when the Committee was to deal with it. A most unusual procedure occurred: neither the Acting Under-Secretary nor the Commandant submitted to me their reports. The usual practice is that, before a reply is sent to Committees, the memorandum is submitted to the Minister. In this case no memorandum from either the Under-Secretary or the military section of the Defence Department was submitted to me. It was only on my colleague, the Hon. Mr. Hall-Jones, coming to the Cabinet on the day that the Committee decided to report that I was acquainted for the first time with what had been going on. I then took the necessary steps to ask that the full facts should be placed before you, as, though what was submitted to you may have been correct, it was what was held back from you that I came to the conclusion should be placed before you, and you should thus be enabled to deal with the question upon its merits. Briefly put, the first time that I was made acquainted with this matter was when a claim was submitted to me for over £600. This is the claim in question: "11th March, 1903.—I have the honour to request that vouchers submitted by me, on the dates as set forth, be passed for payment. August 18, 1902—Difference in pay, £50 2s.; extra-duty pay, £5 2s.; sundries, £9 5s. 5d.; February 28, 1903—Pay, £277 17s. 6d.; gratuity, £191 13s. 4d.; ditto, £50; ditto, £50; total, £634 0s. 3d. I am verbally informed by the Acting Under-Secretary for Defence that they must first be submitted for your approval. The total sum is a considerable one, and I would be glad if payment could be facilitated.—I have, &c., J. J. CLARK, Captain N.Z.M." I hand in the claim. [Produced.] On receipt of this I made inquiries. I thought a claim for £634 seemed rather tall, and why £200 and some odd pounds should have accumulated for pay also seemed to me to be passing strange. I stopped the payment. I desire to put in now an amended claim for £442 6s. 11d. You will notice by this that there is an elimination of £191 odd from the account previously submitted, the amounts claimed being: August 18, 1902—Difference in pay, £50 2s.; extra-duty pay, £5 2s.; sundries, £9 5s. 5d.; February 28, 1903—Pay, £277 17s. 6d.; gratuity, £50; ditto, £50; total, £442 6s. 11d." [Document handed in.] I also put in the memorandum from the Acting Under-Secretary to the Commandant, dated the 5th March, 1903: "With reference to attached claim from Captain and Adjutant J. J. Clark, N.Z.M., late Seventh and Ninth New Zealand Contingents, for pay and allowances from 11th September, 1902, to 28th February, 1903, I beg to say that the claim seems to me an extraordinary one—a period of over five months being covered for the duty. It is noticed that Captain Clark has been employed, *inter alia*, on making out King's Medal rolls for all of the contingents. Could not these rolls have been made out by one of your own staff at a cost of 10s. per diem? If no Ministerial authority exists for the employment of Captain Clark, then it will be necessary for you to obtain it before the claim can be passed. I would also point out that, as Captain Clark has his home in Wellington, he is not entitled to detention allowance—this has been decided in other cases. Vouchers returned. With regard to that officer's claim for the extra gratuities for services as adjutant to the Seventh and Ninth Contingents, I beg to inform you that the authority quoted, 'Army Order 151, of July, 1900,' refers to 'embodied militia.' A similar claim, recently received, has been referred to the Imperial authorities for decision as to whether the order applies to the New Zealand contingents, and in the meantime, therefore, the present claim from Captain Clark will have to stand over until a reply is received. Vouchers and certificates are returned." [Document handed in.] Now, on these claims coming in, and on carefully going into matters, I saw that Colonel Porter had actually certified for gratuities which were entirely wrong, and I minuted to say that I was surprised. It seems that there were two adjutants; but there cannot be two adjutants. There was a time when Captain Johnson was away and Lieutenant Clark—I say "lieutenant," because he never was, whilst with the contingents in South Africa, a captain in the contingents; he was, however, acting-adjutant. That will be seen from the papers. Therefore, Captain Johnson—I think he has been made a major since, but I do not know whether he was at that time—was getting the gratuity, and he did get it. It meant, of course, if the lieutenant's claims were met, that for the same period there were two adjutants getting the money, which should not be. Then the next development was the despatch of the following memorandum on the 21st March by Colonel Chaytor to Captain Clark: "Your claim for £277 17s. 6d. for pay and detention allowances, under orders of C.S.O., has been referred by this office to the Hon. the Minister of Defence for his approval, and you will be informed of his decision when the papers are returned. Claims for £50 2s. difference in pay, £5