

2s. extra-duty pay, and £9 5s. 5d. sundries, were referred to the Minister by the Under-Secretary for Defence. 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 Chief Paymaster at Cape Town." This is the memorandum which was sent to me by the Commandant, and which I told you I had declined: "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, in preparing rolls for the King's South Africa Medal, and clasps for the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, and Tenth Contingents." You will notice that General Babington sent that on without a recommendation. I minuted on it—"Declined.—30/3/03."

*Mr. Barber*: When a document is sent "for approval," is not that a recommendation?

*Rt. Hon. R. J. Seddon*: No. The Commandant said, "Here is a statement of the claim," but he made no remarks. I noticed that that was strange, because the usual thing would be to recommend it for payment. At all events, there is the document. [Produced.] It speaks for itself. It is not for me to say any more upon that point. This matter of the claim was again submitted by General Babington. "In resubmitting Captain Clark's claims I desire to bring the following facts to your notice: After his return from South Africa with the Ninth Contingent, Captain Clark was engaged till the 10th September, 1902, preparing discharges for all N.C.O.'s and men of that contingent, and received pay from the Imperial Government for the time he was occupied on that duty. On the 11th September he was instructed to prepare discharges for the Seventh Contingent, and was occupied on that duty till the 6th October, when he was instructed to assist in the issue of all clasps for the First to the Seventh Contingents and in preparing the King's South Africa Medal rolls for all New Zealand contingents. Captain Clark served in the Second, Seventh, and Ninth Contingents, and he was selected for this duty as his personal knowledge was of the greatest assistance." Thus the claims were again submitted with no recommendation, the reason being, I suppose, that I should take the matter into consideration. I bring this letter in so that you may see that General Babington was able to fix the date upon which the instructions were given. I shall have later on to submit evidence as to who gave the instructions and what the instructions were. To this memorandum I said, "I do not see my way to recognise this claim, and I am surprised at Colonel Porter certifying to the two vouchers for £50 each, as there is no Ministerial authority for the other employment." This was dated the 15th April, 1903. Major Babington again wrote on the 25th April, 1903: "I would respectfully resubmit for your favourable consideration the item of £277 17s. 6d. in Captain Clark's claim for payment. Captain Clark was employed to settle up the affairs of the Ninth Contingent, and the same procedure was adopted with previous contingents, the officers remaining on pay. Before the Ninth Contingent returns, &c., were completed the press of work connected with medals and discharges of other contingents occurred. As the officers of these contingents had dispersed before this time, Captain Clark did the work they would have been retained to do if they were available. I would further point out that the urgency of completing and issuing discharges and medals was very considerable, and it was of importance to expedite the matter as much as possible. Captain Clark was therefore retained to complete this work as he was the most capable, if not the only, officer available. I regret that Captain Clark, through an oversight, omitted to send in his claims monthly, as he should have done, and as was done in previous similar cases, and which received payment." My minute reads—"The claim is unreasonable. I cannot therefore admit same." On this point I shall call your attention to the fact, and produce the two vouchers, that Captain Clark when employed on other work did send in, it appears to me, his two vouchers punctually, and received payment of one of them. He suddenly stopped sending in vouchers from that time until the £277 was payable. I have no explanation whatever as to why those vouchers were kept back. However, I asked the General to show me the authority upon which Captain Clark had been employed—the Ministerial authority. This is his reply: "The authority referred to in your minute of the 10th instant appears to have been filed with Captain McGee's papers, to whom the temporary appointment was offered. Although application for salary for Captain Clark was forwarded and recommended, this was not claimed for under Ministerial authority, but was submitted for your approval." I rejoined: "What I complain of is that I was recommended to pay Captain Clark a large sum of money in excess of what the Acting Defence Minister had authorised." I further sent this to the Commandant: "I desire you to ascertain how the Acting Defence Minister's authority has been kept from me, and payment for large sums of money in excess of the authority has been recommended. Kindly let me have all the papers when giving results of your inquiries." The authority on which this was claimed to have been given was for a time lost. When the departmental officers were brought face to face with the fact that they had apparently been incurring liabilities without authority, this turned up. It was intended for Captain McGee. That will clear up a point that was troubling members of the Committee, no doubt, as to how it was that an authority could be given for Lieutenant Clark when Lieutenant Clark himself was in South Africa. I produce the authority. [Document produced.] You will see that it was a general authority asked for under which the Commandant acted, although, if the Audit Department had been aware of the fact, no payment could have been made without Ministerial authority. No officer has the right to engage a person without Ministerial authority. In this case, when Captain McGee could not do the work, the Commandant ought to have asked that Captain Clark should be authorised to do the work for which the order had been given for Captain McGee. That was the proper departmental way, and, in accordance with the rule laid down, would have been observed. I just wish to show the Committee where the extraordinary departure took place. If you admit the principle Lieutenant Clark might have been going on still.

*Mr. Lethbridge*: But all this is not Captain Clark's fault, you will recognise.