

52. We learn that Mr. Cadman objected. Did he write that he objected to communications for him being addressed to the Under-Secretary?—He wrote the letter I have just quoted from.

53. I was not asking that question. I asked if he had objected to be addressed through the Under-Secretary otherwise than in that matter?—No, I do not think so. I do not think I could have carried on communication with the Under-Secretary if I had thought the Minister had not been made aware of it.

54. Was it mere inadvertence, and no other cause, which prompted you to address the Under-Secretary instead of the Minister?—I thought it regular to do so. It was customary.

55. Did the Under-Secretary suggest any other course?—No. The Under-Secretary, as the correspondence [B.-20, Sess. II., 1897] will show, adopted the objection of the Warden, and regarded the requisition throughout as a requisition on the Warden through his department to sign the abstract furnished under section 76 of the Mining Act.

56. *Hon. the Chairman.*] Then, the whole of this difficulty has arisen through you not coming to some arrangement with the Mines Department by which an officer should be appointed to certify to the statement?—Yes, and having no other means of getting a check on the collections.

57. *Right Hon. R. J. Seddon.*] In the face of that memorandum you will now, I suppose, correct your evidence that you never communicated direct to the Warden—you had forgotten?—I had it in mind when I spoke, and should regard that as an exception which really proves the rule. As that, I think, is the only communication of mine with the Warden that can be adduced in opposition to my evidence, I think the evidence may be generally accepted as correct.

58. Now we turn to the bottom of page 3, B.-20, Session II., 1897, "Audit query No. 755, on the 12th [11th] December, 1896.—*Re* letter from Audit Office, dated 2nd February, 1897." That is marked with an asterisk, and at the bottom of the page you see the words, "*No Audit Office letter can be traced in the Audit Office of this date"?—He is referring to the same communication.

59. Is that your signature [document—(see Exhibit I)—handed to witness]?—Yes.

60. What is the date?—2nd February, 1897.

61. Then, the asterisk on the bottom of page 3, B.-20, is not correct?—This is an Audit query, 755, and it is the same thing.

62. I want to know how it is you could not trace a document of that kind in your office?—This is the same memorandum. It is a printed notice calling the Warden's attention to the fact that he has not replied to the memorandum of the 12th December.

63. I want to ask you how it is that a letter like this could not be found in your office?—That letter is a printed form calling attention to a neglect to reply, and is not copied as a letter of the office.

64. Would you not know that you had sent a communication to the Mines Department—would not that be reported?—There is usually a list of Audit queries not answered, and in the margin is put the date when the printed notice is forwarded.

65. You sent this on to the Mines Department, and the Mines Department sends it on to the Warden?—It goes to the person to whom the original was addressed. It is the very same letter: "I have the honour to enclose a letter from the Auditor-General, who addressed me as 'the Mining Warden,' drawing my attention to section 31, 'Public Revenues Act, 1891'; but as I am not a Receiver-General nor Paymaster-General, nor an accountant, nor any other person *ejusdem generis* under that Act, there can be no privity between the Auditor-General and myself. I have therefore to request that you will be good enough to explain to the Auditor-General that, in accordance with the rules of the service, I can only correspond with the head of my own department. The Audit query he refers to was sent to you by me on the 26th January last, with my letter No. 9. Would you be good enough to convey to the Auditor-General that no disrespect is meant in my declining to correspond directly with him, nor antagonism in not complying with his request. You know how impossible it would be for a Warden, with so many duties of his own to perform, to perform duties he is empowered to authorise other persons to do. He could not sign without inspection, and some of his officers are visited quarterly, and others twice a year—the returns being required monthly. And I have ten distinct offices where returns are kept under my charge.—I have, &c., H. A. STRATFORD, Warden." So that it is the Warden who calls the attention of the Mines Department to the fact, because he says, "Would you be good enough to convey to the Auditor-General," that a mistake has been made by the Audit Department in applying to him?—It is not a circular; it is a printed form of notice that a former communication is not replied to. My evidence is that I have addressed but one communication to the Warden.

66. *Hon. the Chairman.*] Your contention is that it is referring to the same circular issued by the Mines Department?—Yes.

67. *Right Hon. R. J. Seddon.*] This is a letter of the 2nd February [produced] [see Exhibit I]?—These notices are prepared by the clerks in batches, and relate to Audit queries not sent in or replied to. The clerk fills up these printed notices, and the Audit Office deals direct with the Receivers. At any rate, I am responsible for that notice, but it does not apply to this case as contended.

68. Are not all Government officers responsible in accordance with the Government Officers' Guarantee Act? For instance, is not the Receiver of Revenue you refer to responsible by law under the Government Officers' Guarantee Act?—If he is a Civil servant to whom the Act applies.

69. Would not a Receiver of Revenue be a Civil servant?—I think he would.

70. Would not the Under-Secretary for Mines be responsible for any defalcation?—I think the Receiver whose duty it was to collect would be responsible for any defalcation.

71. *Mr. Fraser.*] Would the Under-Secretary be responsible for the *laches* of other officers?—Yes; every Civil servant under the Guarantee Act is a member of the association practically. I have had myself to pay a few shillings during the years of my service.