

7. No evidence on oath was taken during the first day.

8. The proceedings on the first day (the record of which handed in by the deputation occupies twenty-three pages of the type-written statement) dealt almost entirely with points raised by the accused as to privilege, objections to the charges against him, and with his right to be assisted by counsel or a friend.

9. The Court deliberated from time to time on the various objections raised by the accused, and recorded them, as well as its ruling, on the proceedings previously submitted.

10. The questions and the answers given on oath by accused and his witnesses were recorded in the proceedings.

11. The evidence of each witness was subsequently read over to him, and each witness agreed that the record of his evidence was correct.

12. The Court had no facilities for making a verbatim record of the whole proceedings, but nothing essential was omitted.

13. *Question 2.*—"Whether you, as President of the Court, stopped Captain Knyvett from calling further evidence, on the ground that it was considered unnecessary, and from which Captain Knyvett is alleged to have concluded that the charges against him were not proven, and it was unnecessary for him to proceed further."

14. The President did not stop the accused from calling further evidence. The Court (as clearly stated in paragraphs 4, 5, and 6 of their report attached to the proceedings) explained to the accused that any evidence produced by him must be relevant to the charges against himself; also that the Court was not concerned with the truth or untruth of the allegations against the Chief of the General Staff, and that consequently no evidence in support of them would be admitted.

15. The accused stated on oath that he honestly believed the newspaper articles commenting on his company's visit to Wellington correctly reported the views expressed by Colonel Robin regarding it; that these articles completely spoiled his undertaking; and that they belittled him before his men and the public. The accused swore that he was not actuated by malice in writing the letter which is the subject of this inquiry.

16. He also brought witnesses in support of his statement that he had been approached by other officers who considered they had suffered from unwarranted interference on the part of the Chief of the General Staff.

17. After this evidence, as recorded in the proceedings, was given, the Court informed the accused that it was unnecessary to produce further evidence of a similar nature.

18. The Court did not make any statement which could have justified the accused in concluding that the charges against him were not proven.

E. W. C. CHAYTOR, Lieut.-Col., President of Court.

J. SANDTMANN, Acting-Major, Member.

J. T. BOSWORTH, Captain, Member.

ORDER FOR REASSEMBLING OF COURT OF INQUIRY, CAPTAIN F. B. KNYVETT.

I, HARRY DENISON TUSON, Colonel, N.Z.M., Adjutant-General, Council of Defence, do hereby order the Court of Inquiry, as convened for the 21st December, 1909, at Auckland, to investigate charges preferred against Captain Frank Berners Knyvett, No. 1 Company, Auckland Division, New Zealand Garrison Artillery Volunteers, to reassemble in accordance with paragraph 206, General Regulations of the Defence Forces of New Zealand, 1906, at Headquarters, Buckle Street, Wellington, at the hour of two-thirty o'clock in the afternoon, on the 27th January, 1910, to reconsider certain points in connection therewith, which will be duly laid before the Court.

President: Lieut.-Colonel E. W. C. Chaytor, New Zealand Militia.

Members: Captain (Acting-Major) Julius Sandtmann, 4th Regiment, Wellington (East Coast) Mounted Rifle Volunteers; Captain John Thomas Bosworth, Active List (Unattached).

H. D. TUSON, Colonel,

Headquarters, 26th January, 1910.

Adjutant-General.

I, EDWARD WALTER CLERVAUX CHAYTOR, do declare upon my honour that I will duly and impartially inquire into the matters to be brought before the Court.

I further declare upon my honour that I will not on any account, or at any time, disclose or discover my own vote or opinion, or that of any particular member of the Court, or divulge any portion of the proceedings unless required to do so by competent authority.

E. W. C. CHAYTOR,

Lieut.-Colonel, N.Z. Militia.

I, JULIUS SANDTMANN, do declare upon my honour that I will duly and impartially inquire into the matters to be brought before the Court.

I further declare upon my honour that I will not on any account, or at any time, disclose or discover my own vote or opinion, or that of any particular member of the Court, or divulge any portion of the proceedings unless required to do so by competent authority.

J. SANDTMANN, Major (Acting),

4th Regiment, Wellington Mounted Rifle Volunteers.

I, JOHN THOMAS BOSWORTH, do declare upon my honour that I will duly and impartially inquire into the matters to be brought before the Court.

I further declare upon my honour that I will not on any account, or at any time, disclose or discover my own vote or opinion, or that of any particular member of the Court, or divulge any portion of the proceedings unless required to do so by competent authority.

J. T. BOSWORTH, Captain,

Active List (Unattached).