

Explanation wanted.

The Prime Minister said that he would at once call upon the Board for an explanation in view of the statement that had been made. He would get a full report upon this important matter, and would also bring it before Colonel Tuson. On receipt of the report he would give the deputation's representations the fullest consideration with a view of seeing whether any further action is necessary. The Prime Minister concluded with a reference to the suggested Royal Commission of Inquiry, and said: I want to say straight away that the suggestion as to the appointment of a Royal Commission to inquire into Defence matters would not be entertained by the Government for a moment. We have no sympathy with it at all.

APPENDIX No. 7.

COPY OF REPORT HANDED IN BY THE DEPUTATION WHICH WAITED ON THE RIGHT HON. THE DEFENCE MINISTER ON THE 19TH JANUARY, 1910, AND REFERRED TO IN FOREGOING MEMORANDUM No. 40.

CAPTAIN KNYVETT'S CASE.—VERBATIM REPORT OF THE PROCEEDINGS AT THE MILITARY INQUIRY HELD ON 21ST, 22ND, AND 23RD DECEMBER, 1909.

THE military inquiry into the charges preferred against Captain F. B. Knyvett, Officer Commanding No. 1 Company, Auckland Garrison Artillery Volunteers, in connection with a letter, dated 10th November, 1909, which he sent to the Minister of Defence, was commenced at the Drill Hall, Auckland, on Tuesday, 21st December, 1909. Captain Knyvett was charged on each of four counts with having committed an act to the prejudice of good order and military discipline in that in his letter, dated the 10th day of November, 1909, he made use of the following words:—

(1.) Preventing any possibility of a scandal leaking out to the public of the want of tact and interference of the Chief of the General Staff.

(2.) It seems to me that the Chief of the General Staff has personally gone out of his way to belittle, discourage, and damp the enthusiasm of the whole of the Volunteering movement.

(3.) Since these articles have appeared I have been approached by many officers throughout the whole of the North Island, who have had similar experiences of the unwarranted interference and unexampled officialism of Colonel Robin.

(4.) I have documents in my possession, which, if published, would have created a grave scandal in Volunteering throughout the whole Dominion.

The Board of Inquiry (comprising Colonel Chaytor, of Wellington, President; Captain Sandtmann, of the 4th Regiment, Wellington East Coast Mounted Rifles; and Captain Bosworth, Intelligence Officer for the Auckland District) sat at 9.30 a.m., and after half-an-hour's consultation, called in Captain Knyvett and Lieut.-Colonel Wolfe, Officer Commanding the District. Lieutenants Pullen and Greenhough, of No. 1 Company, Auckland Garrison Artillery Division Volunteers, accompanied Captain Knyvett; Lieutenant Pullen taking a seat beside Captain Knyvett as his friend, and Lieutenant Greenhough a seat at the end of the table as Captain Knyvett's stenographer.

The President intimated that in New Zealand a Court of Inquiry was really more of a Court-martial than a Court of Inquiry in England, a Court of Inquiry at Home being the same as a preliminary inquiry in New Zealand. A Court of Inquiry in New Zealand had the power of punishment behind it, whereas an English Court of Inquiry did not. It was only fair, therefore, that the rules of procedure in this case should follow those of a Court-martial.

The Court objected to Lieutenant Pullen appearing in any way as Captain Knyvett's legal adviser.

At this stage the inquiry was opened to the Press.

The President, in reply to Captain Knyvett, said the convening officer was really the Minister.

Captain Knyvett: Have you authority from the Minister?

The President: Yes, signed by the Minister. I will ask you, Do you object to myself as President or to any other officers of the Board?

Captain Knyvett: No, sir, I do not object.

The President: Are you guilty or not guilty of these charges?

Captain Knyvett: No; but I would like to see at the outset if there is any case for me to answer. I have innumerable charges to answer if you take the whole of this letter. They could have chosen quite four hundred passages out of that letter had they liked.

The President: Yes, it would be quite possible to take the whole letter; but it is quite competent if you make use of one expression in your letter.

Captain Knyvett: Do you not think it is most unwise to take out a paragraph without reference to the context?

The President: I am not able to answer that question. It may alter the meaning altogether. It is not right to take away one portion of a sentence, which read by itself has a different meaning, but it is quite right to take an expression and read the meaning into it meant by the context.

Captain Knyvett: In writing the letter I consider that I have done nothing whereby I can be charged under the Act of 1908. Under what then am I charged?