

The President: The Court has considered it.

Captain Knyvett: Do you consider that that is sufficient reason for a responsible officer like myself being placed under arrest?

The President: The Court considered the whole question as one.

Captain Knyvett: And they consider that it was sufficient to justify my arrest? I consider it absurd, and wish it noted, as I will bring it up later on.

The Court did not reply.

Captain Knyvett: I would like the Court to come to a decision on these charges. Perhaps the Court would like to reconsider them before it sits to-morrow.

The President: Well, the Court will consider the question, and will notify you what you have to meet.

The Court was at once cleared, the President intimating that it would deliver its decision as soon as it was arrived at. Upon resumption, the President said, The Court has considered your objection to charge 4. They will uphold your objection, and will refer the charge to the convening officer, who may amend or throw it out altogether.

The Court then adjourned until 2 p.m. next day.

SECOND DAY, WEDNESDAY, 22ND DECEMBER.

The Court resumed sitting at 2 p.m. on Wednesday, 22nd December, Lieutenant Pullen, as upon the first day, taking his seat beside Captain Knyvett, while Lieutenant Greenhough resumed his seat at the end of the table as Captain Knyvett's stenographer.

The President: The Court adjourned last night on the question of charge 4. It has since conferred with the Convening Officer, who has decided that it should not be further proceeded with.

Captain Knyvett: I would like to ask if the Court rules I cannot have my friend near me?

The President: We told you at the commencement that you may have a friend to look up references when you want them, but not a personal friend as provided for under the Army Act.

Captain Knyvett: A personal friend—

The President: He is not allowed as a personal friend. You asked as a favour at the commencement whether you might have some one to look up references, and the Court acceded to your request, but he is not in any way to prompt you.

Captain Knyvett: I understood that that was what the favour of the Court extended to.

The President: He is in no sense a friend according to the Act. The writing of the letter and the signature having been admitted, no witnesses for the prosecution will be called, and the Court wishes to know whether you will give evidence on your own behalf; but the Court wishes to impress upon you that the evidence you call must be about the charges preferred against you. No evidence will be accepted or allowed which does not deal directly with those charges. The Court has not been convened, nor is it competent, to try your charges.

Captain Knyvett: I have never asked it.

The President: We want to impress upon you that any evidence you call must be relevant to exonerating yourself. Do you wish to give evidence on your own behalf?

Captain Knyvett: Before the Court proceeds I would like to have the evidence read which was given yesterday.

The President: No evidence was taken.

Captain Knyvett: I want the objections read out.

The President: Various points were raised. On the first charge the Court ruled that it disclosed an offence, and overruled your objection.

Captain Knyvett: The Court did not give a decision as to what charge.

The President: They overruled your objection to the first charge.

The objections as noted were then read.

The President: That having been done, I again ask you if you desire to give evidence on your own behalf?

Captain Knyvett: Yes, I do.

The President: And do you wish to call any other witnesses?

Captain Knyvett: Yes. I have already sent my list of witnesses into Court.

The President: Who are they? I have not received the list.

Captain Knyvett: The first witness is Colonel Robin.

The President: The Court will not call Colonel Robin.

Captain Knyvett: You ask me for the truth, or otherwise, relevant to the case, and I submit that he is absolutely required.

The President: If you can show the Court that Colonel Robin can inform the Court whether you believed these charges to be true, or that they are relevant to your claim for redress, then the Court will call him.

Captain Knyvett: Yes, I am prepared to show that if the Court will allow me. Without referring to the truth or otherwise of the article that Colonel Robin gave to the Opposition newspaper, on Monday morning, an article, an interview with Colonel Robin, came out in the paper with Colonel Robin, Chief of the General Staff. It is given on the Sunday night, sir. In that he says he heard with complete astonishment of the arrival of the Auckland Gunners in Wellington, that he had no previous knowledge. That appeared the first morning after we were actually in Wellington. It is an interview with Colonel Robin, under his name.

The President: I do not see how that affects the question. What the paper reports does not establish the fact that Colonel Robin said so.