

New Zealand Defence Act, 1908. The charge made against Captain Knyvett was that he had been guilty of insubordination in bringing charges against his superior officer. It was true that this charge was not in the terms of the charges investigated by the Court of Inquiry, but any one who read Captain Knyvett's evidence as taken down by the shorthand reporter would see that Captain Knyvett recognised that he was charged with insubordination. The charges of insubordination were heard, not tried.

Captain Gaudin: Those two charges were dropped, were they not?

Dr. Findlay: I think it would be better to allow me to proceed. Under the Act, proceeded Dr. Findlay, the Court's duty was to send on the evidence. They did so, and that evidence was considered by Colonel Tuson, to whom every one should accord the acknowledgment that he was an honest English soldier. [Mr. Parr: We do not deny that.] Colonel Tuson made a recommendation, and such recommendation coming from a careful, impartial, and experienced officer was adopted. A deputation then waited on the Prime Minister, and placed certain evidence before him. This evidence was sent on to Colonel Tuson. The only question Colonel Tuson wanted to know was whether the proceedings in law were invalid, and the matter was referred to him (Dr. Findlay) and the Solicitor-General. They arrived unquestionably at the decision that there was nothing to warrant the proceedings of the Court of Inquiry being quashed. That was their opinion, and if it was wrong he was sorry for it. The Prime Minister accordingly acted on that view. He asked the deputation if they could find anything in the Defence Act which provided for a retrial. He could not. The Government had acted on the view he took. He was responsible, and he was prepared to accept the responsibility.

Mr. Parr: Does that conclude the matter, then?

Dr. Findlay: I do not say that. If ample and sufficient ground was shown some remedy might be found. It seemed to be the impression that the Government had acted in a way which one speaker thought fit to term brutal. This, read in conjunction with the resolution, showed that it was thought that the Government had acted in a malignant manner to a very worthy officer. He had the greatest admiration for Captain Knyvett, and he felt regret in coming to the decision he did, but one of the first essentials in military matters was a loyal and even rigid submission to the rules that controlled it. Instead of acting in the manner it did it would have been much easier for the Government to have granted what the deputation asked. The Government had not adopted this course, as it had a duty to perform and did it. In conclusion, Dr. Findlay stated that he intended to impress upon the Cabinet the feeling in Auckland, as he had gathered it in the last day or two, and to explain the reasons for the resolutions which the deputation had handed in.

The deputation then withdrew.

APPENDIX No. 9.

[Extract from the *Auckland Star*, of 17th February, 1910.]

THE KNYVETT CASE.—DEPUTATION TO MINISTERS.—THE POSITION EXPLAINED.—HON. G. FOWLDS AND DR. FINDLAY IN REPLY.

A deputation, consisting of Messrs. C. H. Poole, F. W. Lang, F. Mander, A. E. Glover, and H. J. Greenslade, M.P.s, C. J. Parr, G. Peacocke, J. S. Dickson, J. H. McKenzie, G. J. Garland, F. E. N. Gaudin, J. Murdoch, and R. Armstrong, waited on the Hon. G. Fowlds and the Hon. Dr. Findlay at the Ministerial Rooms, Customs Buildings, yesterday afternoon, to lay before the Ministers the subject-matter of the resolutions passed at the mass indignation meeting in His Majesty's Theatre on Monday night.

Mr. C. H. Poole briefly introduced the deputation.

The first speaker was *Mr. C. J. Parr*, who presented the resolutions in question. The meeting held on Monday night, he said, contained men of all shades of political feeling—strong Government supporters, Oppositionists, and Socialists. There was an almost unanimous feeling in Auckland City and Province that Captain Knyvett had not received fair treatment, and the facts called for something more than his reinstatement. There was need for a most searching inquiry into the whole administration of the Defence Department. He did not propose to go into details, as he presumed both Ministers were conversant with the facts of the case. Even assuming that there had been a breach of the regulations, the punishment meted out was out of all proportion to the offence.

Mr. G. Peacocke said that he believed he was justified in saying that a full inquiry was needed to ease the public mind, for there was a feeling of want of confidence in the general efficiency and good management of the Defence Department. If those entertaining these opinions were suffering delusions, the sooner they knew it the better. The people had to be assured that there was no rottenness in the Defence Department. Referring to the punishment meted out to Captain Knyvett, *Mr. Peacocke* said it was so severe as to almost amount to brutality.

Mr. F. Mander said he was thoroughly convinced of the need of an inquiry, and felt absolutely convinced that a great injustice had been done to Captain Knyvett. In the letter written by Captain Knyvett to the Chief of Staff there was perhaps one phrase that would have been better omitted. Otherwise he considered it a very mild communication.