

charges, as I showed in my letter, were substantiated, and any officer knowing anything as to how military accounts are kept must have known that the accounts could be cooked in the way they were.

131. If there was good ground for the charge made, would not it have been desirable that proceedings should have been taken in the Court against him? The charge is that he sold a Government horse for £35, and only gave £30 to the Government. If there were good grounds for a charge of that sort, would not the ordinary Court of law be the best tribunal to try it?—It might or might not. There is very considerable difficulty in obtaining a verdict if the Government prosecute. I do not know whether a verdict could have been obtained in a Court of law upon that charge. Upon the other—taking possession of the men's pay—in my opinion it could. It is perfectly certain he drew this pay without authority, kept it, and used it until he had notice of the inquiry, and then he cooked the accounts to get it back again. There is no question of that.

132. Are you of opinion that Major Gordon called all the witnesses necessary to a full investigation of the case?—No.

133. Were there witnesses he could have summoned who could have given information of use to the Court?—Yes; I think I remarked that in my letter. I said he ought to have called Major Cooper notably.

134. What reason did he give for not calling Major Cooper?—He never answered any of my remarks, as far as I know. He made a long rambling statement about military Courts of law, but never answered my queries.

135. He maintained that he was perfectly right according to the usages of the Imperial service?—That was the defence, which, in my opinion, would not bear looking into at all. On the merits of the case he never entered.

136. Were any subsequent proceedings taken?—Not that I know of.

137. *Mr. Richmond.*] You dismissed Captain Rowe?—Yes; I at once struck him off pay.

138. Has he ever been reinstated?—Oh, no; but his commission was never cancelled. There is this difference, which I always draw: I do not know what the Defence Office does, and never inquired. The Governor alone has authority to give and cancel commissions; but the question of employing a particular officer rests with the Ministry. It would be on our advice that any particular man would be employed. I should always dismiss any man whom I was not satisfied with. That would strike him off pay.

139. What was done with Major Gordon? Was he dismissed?—No; nothing was done. The Governor thought he had to have the inquiry he applied for. I called upon him for a certain explanation, which he did not give, and I did not at all think that the country should be put to the expense of £300, £400, or perhaps £500, to know whether he had done his business satisfactorily. If he did not do his business to my satisfaction, I would get rid of him if he belonged to my department. It seems to me we are the judges whether he does our work satisfactorily or not. He did not, in my opinion; and had he been in my department, I should have removed him immediately.

140. He is still on full pay?—Yes. I think there was a great deal of ill-feeling in the Court as far as I can judge, and these men were working against their officer and their officer against them.

141. *Mr. Hamlin.*] Did not Major Gordon demand a Court-martial?—Yes.

142. Upon what grounds was he refused it?—Because it did not appear to me to be a case calling for an inquiry by Court-martial. The matter did not relate to his commission at all. He performed a certain act for the Government, which was not satisfactorily performed in the opinion of the Government. He was therefore called upon for an explanation, and, instead of doing that, he demanded a Court-martial or Court of Inquiry, which he would have had a perfect right to demand if it were a question of cancelling his commission, but not his employment.

143. Was he not sent up there as an officer of considerable experience, and whose military knowledge eminently fitted him to inquire into the conduct of junior officers?—I could not say. I suppose Sir Donald McLean sent him because he considered him a fit and proper person.

144. In that case, were you not justified in giving him the privilege of clearing himself, or of substantiating the statements you made, if you were not satisfied with the way in which he conducted the inquiry, and stated so in a letter to him, and he demanded a Court-martial?—Not in my opinion. It is not for any junior officer to call in question the conduct of the Minister of his department. I would not submit to have my conduct inquired into by a Court of Inquiry. If I were not satisfied with him I would remove him at once, and would be responsible to the House for what I had done.

145. Was he acting in a military capacity at all when he went up?—In my view, no. I do not know what view the Defence Minister takes. Whether he was acting in that capacity or not, I do not think he has a right to put the country to great expense, merely on his own opinion. The Minister deals with him, and is responsible to Parliament. If I deal wrongly with him, Parliament will deal with me. I was bound to impugn his decision, because it was clearly against the evidence, and I think it is pretty evident that my verdict was right. We have not heard a word from Captain Rowe since.

146. *Mr. Swanson.*] You say that you thought this man was unsuitable for the public service, and you dismissed him?—Yes.

147. Do you think that the man who pronounced him innocent was equally unfit?—Not equally. Upon his refusing to give a satisfactory explanation, I should have removed him from the public service at once, if he had been in my department.

148. Would you explain how it is that a subordinate refuses to give an explanation of such extraordinary conduct, and manages to remain in the service, if he shows such a contempt for authority as that?—That is hardly a matter that I should answer. I can only say what I would do in my department. I cannot say what other departmental heads would do. The Committee see how I acted until Sir Donald McLean came back, and I had no longer charge of the department.

149. What is the cost and expense to the country of getting up a Court-martial?—I think it is absurd that, while in a state of peace, any officer, because a Minister finds fault with him, should demand a military Court. I would not listen to it for a moment. Major Gordon's notion is, not that Sir Donald McLean is a Minister, but his superior officer. He looks upon Sir Donald McLean,