

## 2. PROCEDURE.

At an early stage of the inquiry witnesses asked for the assistance of an interpreter, and specially asked that Mr. Karl Joosten, formerly German Consul at Christchurch, be allowed to interpret for them. This was allowed. When, however, it came to a man who had been twenty-seven years in New Zealand asking for an interpreter I disallowed the application, and it was refused in several cases. It is a well-known thing that witnesses speaking in a foreign language ask for an interpreter when they do not really need one. The cases of disallowances were not numerous.

At a later stage I was handed a letter asking me to allow Mr. K. Joosten to attend as the friend in Court of the prisoners of war. This was allowed, and Mr. K. Joosten was allowed freely to cross-examine Major Matheson and other witnesses called to answer the charges made by prisoners of war.

The process of interpreting really developed into a system of examining witnesses very much as in ordinary litigation. The witness was asked if he had a complaint to make, and was asked further questions. In many, perhaps most, cases the witness was examined in support of a written statement or complaint; and in many the witness held in his hand a slip of paper with dates or other information on it, which showed that to a very large extent the complaints had been prepared and the witnesses had been precognosed in a systematic way.

I desire to acknowledge the assistance I received from Mr. K. Joosten, and also assistance received from Mr. Focke, formerly German Consul at Wellington, who attended the hearing at my request, though he preferred to have no particular function assigned to him.

The oath was generally administered in German in a form furnished by Mr. Focke as being in use in Germany. It does not differ essentially from that in use in our Courts. Bulgarians, Dalmatians, &c., found interpreters among their fellow-prisoners.

## TOPICS.

I will endeavour under various headings to deal with topics brought before me in the course of the inquiry, but in explanation of the necessary imperfections of this report I desire to say that I was informed before undertaking the inquiry that it would probably last two or, at the most, three days. In fact, I sat for twenty-two days at Somes Island, and afterwards for several days in Wellington, making inquiries into formal matters not in controversy. Since then the preparation of this report has necessarily occupied some time. The amount of matter, much of it trivial and some of it irrelevant, which was placed before me has proved very embarrassing.

## 3. ALLEGED ILL TREATMENT OF PRISONERS.

I have taken a great deal of evidence on this subject, and can only state in very general terms the opinion I have formed on this subject.

In considering this question I find it naturally falls into several categories, thus:—

- (1.) Alleged ill treatment to which Major Matheson is accused of being a party.
- (2.) Allegations of ill treatment by guards, most of whom are absent from New Zealand.
- (3.) Allegations which do not amount to ill treatment.

It was stated that seventeen cases of alleged ill treatment were placed before the American Consul. There is a conflict of evidence—which I may term the usual conflict of evidence with which I have become so familiar during this inquiry—about what happened when he came to the island. He insisted on not seeing all the men who complained, but that the complaints should be in writing. The date of his visit was November, 1916, but this was not his first visit. It cannot be stated whether he sent any report to his Government.

In January, 1917, diplomatic relations between the United States and Germany ceased, and the diplomatic interests of Germany after a time came into the hands of the Swiss Consul. He visited Somes Island in January, 1918. Some correspondence ensued, and in the result the New Zealand Government informed the Swiss Consul that it had decided itself to institute an inquiry by Royal Commission.

On the 11th December, 1917, Commander Count von Luckner, a prisoner of war at Motuihi Island, near Auckland, wrote to His Excellency the Governor-