

about these men being killed, they said they were down on the beach picking up frost-fish, and never saw anything of the Natives.

394. Then there was nothing remarkable about a man riding along that beach in company or alone? Oh, no; because Bennett White and the mailman were going down by themselves, and Waitiri, the chief, was following along behind.

395. *Mr. Moore.*] You stated, in riding past the bluff on this particular occasion there was danger, did you not?—On which occasion?

396. At the time the bodies were found?—On account of the tide.

397. Was the danger from fear of the Natives being in ambush, or the high tide?—From the wash of the sea.

398. *Mr. Field.*] You stated, Mr. Wood, that after this occurrence—the murder of Bennett White and the mailman—that the beach was patrolled every day by some of your troop?—Yes.

FRIDAY, 4TH NOVEMBER, 1898.

Captain GILBERT MAIR, sworn and examined.

*The Chairman:* I will ask the clerk to read your sworn declaration, Captain Mair, to refresh your memory. [The clerk then read the following declaration:] “I, Gilbert Mair, Land Purchase Officer, Thames, do solemnly and sincerely declare that I volunteered for active service against the rebelled Natives in the Bay of Plenty in December, 1866, and between that time and the year 1872 took part in more than thirty-eight engagements, being promoted as Ensign, Lieutenant, and Captain respectively in the New Zealand Militia for actions in the field, the several commissions taking effect from the date of such action. That between the years 1866 and 1888 I resided almost continuously in the Bay of Plenty, and being actively employed all this time, I became thoroughly conversant with every incident that occurred in the operation against the rebels even in cases where I was not actually present. That at the time of the murder of Mr. Bennett White and Wiremu Popata, the mailman, in June, 1867, I was clerk and interpreter to the Opotiki Resident Magistrate's Court, and in that capacity constantly travelling along the beach between that place and Tauranga. That only two or three miles of the whole were ever considered unsafe—namely, the short portion between Onekawa Bluff and Waiotahi. That on the several days following the murders the beach was perfectly safe for travelling, having been patrolled and repatrolled by considerable numbers of troopers. Women and children had passed over it unharmed. The party of rebels who committed the said murders had been followed far inland by Colonel St. John and some thirty troopers, and a strong infantry force under Captains Skene and Walker also pursued them, and ascertained beyond reasonable doubt that they had retired precipitately to the mountains, as is the usual Maori custom after committing like depredations. Thus it followed, as a matter of fact, that the coast road was much safer than it had been for a considerable time before the occurrence, as the whereabouts of the enemy had become definitely known; that on the occasion when Trooper McDonald proceeded to Tauranga with despatches there was absolutely no danger, nor did he incur any risk whatever in the performance of that duty. Had he or his companion performed any act of distinguished bravery, as now alleged by Mr. H. Wrigg, after a lapse of thirty years, it would have become a topic of general conversation at every camp-fire, and in every home throughout the Bay of Plenty, as everything connected with the war was considered of paramount and absorbing interest. The testimonials obtained by H. Wrigg at his urgent personal solicitation are, generally speaking, valueless, having been given by persons who knew nothing whatever of the circumstances, except through a tainted source. Neither Captain Bower nor Mr. Leonard Simpson were in Opotiki at the time as alleged. That I was intimate with the late Colonel St. John for many years, and while he frequently spoke to me of courageous acts performed by members of the Force, he never mentioned the name of H. Wrigg with favour. That had H. Wrigg ever performed the courageous action as alleged, or even been considered capable of displaying distinguished bravery, the members of his own corps would never have unanimously memorialised their commanding officer to obtain the cancellation of his commission in the event of his not tendering his immediate resignation. That the statement made by H. Wrigg in a recent letter of his, and published in the *New Zealand Times*, to the effect that I accompanied him along the beach just after the said murders, is entirely untrue. And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act of the General Assembly of New Zealand, intituled ‘The Justices of the Peace Act, 1882.’—(Signed) GILBERT MAIR, Captain, New Zealand Militia.—Declared at Thames, this 1st day of October, 1898, before me, E. McDonnell, J.P.”

1. *Mr. Hutchison.*] Have you anything to add to this statement, Captain Mair. I would direct your attention to this passage: “Neither Captain Bower nor Mr. Leonard Simpson were in Opotiki at the time as alleged.” Are you sure of that?—I am quite sure.

2. Then, they could not speak from any knowledge acquired at the time of this ride?—Certainly not.

3. Do you know Mr. George H. Leaning?—Yes, he was a storekeeper for Mr. Thomas Wrigley.

4. Was he there in Opotiki at the time?—Yes, I believe he was in Opotiki at the time. He was never a member of the Bay of Plenty Volunteer Cavalry.

5. Then, there is another who gave a certificate besides Captain Bower and Captain Simpson, a Captain Percival. Was he there?—Certainly not.

6. Then, of the four that I have named, Bower, Simpson, Percival, and Leaning, who gave certificates that they knew personally of the occurrence, only one was there, and that was Leaning, who, you say, was not a member of the Bay of Plenty Cavalry Corps?—Yes.