

that mentioned at the time. Are you prepared to contradict him, and say what he said is contrary to fact?—I say at that time the road was not dangerous, for this reason: that the enemy had been ascertained to have retired far inland, and the road was patrolled and repatrolled.

80. You mean that the whereabouts of the enemy could not be perceived?—I mean more than that. They had been traced for ten or twelve miles inland.

81. We have evidence before us that they went and searched in the Waiotahi Valley and certain other places, and could not see any sign of them; and if they could not see any sign of them, the evidence went to show that they (the Maoris) may have been in cover?—Their trail was followed for many miles inland.

82. That is hearsay evidence?—Yes.

83. *Mr. Hutchison.*] Mr. Kelly did not give us that?—No. I heard that from many members of the Force: that they followed the trail far up the Waiotahi Valley, until it crossed over into the Waimana.

84. *Mr. Wilford.*] Do you know Captain Turner?—Yes.

85. Look at page 37, questions 21 and 22: "On the ordinary route to Tauranga one had to pass that bluff?"—"Yes." "If Natives were posted on the top there would be no protection for any one passing?"—No; I think that was where Bennett White was shot." Do you know the bluff at Ohiwa?—Yes.

86. In the ordinary route from Opotiki to Tauranga had one to pass that bluff?—Yes.

87. At high tide what would you consider the width of the passing—a chain?—Barely.

88. If Natives were posted in ambush on this bluff, would there be any protection if any one were passing at high tide?—If the Natives were posted on the top of the bluff you might pass underneath with impunity.

89. If they were in ambush?—If they were near the caves or in ambush a person could not escape if the Natives wished to kill. He might try and trust to the Maoris being bad marksmen.

90. That would be a risk?—Yes. I have passed along there several times, and always preferred going at low tide, because there would then be a much wider beach.

91. Recognising the danger, you chose low tides?—Yes, on one or two occasions I have selected low tide for passing along that beach, for it was reported the enemy were in the neighbourhood.

92. Then, there is some danger there?—There would be at the time when the Natives were expected to make a raid.

93. In 1867?—Yes.

94. Are you aware that about 1867, in the month of June, the rivers were higher than they are in the summer?—I was not.

95. Are they not higher in winter?—No. It depends upon whether there had been a flood or not. Sometimes the rivers in the Bay of Plenty in June are lower than at any period of the year.

96. Captain Turner says that the bluff is a very dangerous part to pass. You agree with that?—Yes, in certain circumstances.

97. Major Mair says, questions 489 and 490, "There were occasions when it was considered a very dangerous ride?—No, not very dangerous." "Sufficiently dangerous to require an escort of twenty-five men?—Yes."—I never heard of a fixed number.

98. Would you contradict Major Mair, who says in question 490 that at times it was sufficiently dangerous to require an escort of twenty-five men?—No, I would not contradict him, but I have never known that that was the number fixed upon. I have often heard of a much smaller escort accompanying troopers with despatches.

99. Major Mair said, "That there was no more danger than walking down Lambton Quay," and on another occasion said, "It was sufficiently dangerous to require an escort of twenty-five men?"—I do not know anything about Major Mair's statements.

100. Do you agree that it was dangerous in the month of June, 1867, and that it was sufficiently dangerous to require an escort of twenty-five men?—At that time, taking all the circumstances into consideration, I believe it was safe. A person would run no more risk in passing Onekawa Bluff than in walking down Lambton Quay.

101. Only it was just the lower tide?—I did not state so.

102. You are not one of the petitioners, Captain Mair, are you?—No.

103. It is stated in allegation No. 40 of the petition that thirty-seven commissioned and non-commissioned officers and privates who were actually in the camp on the night when Mr. Wrigg and Trooper McDonald left with the despatches, and who were also in the camp when they returned, can now be produced. They have not been produced. Can you tell us where to find some of them. Would you kindly give me a few names out of the thirty-seven who were actually in the camp on the night?—I believe Captain J. Rushton, Sergeant Armstrong, Sergeant Heard, and others were.

104. You say you believe: you are not sure?—That is my impression.

105. I want the names of those you saw there?—I can only give you my impression. I have had the statements of several of these men that they were there. I know from my own intercourse with these men that they were there.

106. Do you know anything of the contents of this petition, or have you had any share in the compilation of it?—None whatever. I absolutely know nothing about it. A copy was sent to me.

107. A copy was sent to you?—Yes.

108. When?—I received it in the Thames.

109. How long was that before you came down here?—About five or six weeks ago, I should think.

110. I suppose you have been in correspondence with certain gentlemen who have been working this matter up?—I wrote to Captain Preece, and I received one letter from him. I also received a short note from Mr. Lingard, enclosing a copy of the petition. I think I answered his letter.