

621. That would be the order Captain Gwynneth would receive from the district officer commanding the district?—Captain Gwynneth would not have authority to send men outside the district.

622. Then we come to this next point, with regard to the order of seniority: you said that Adjutant Bower was fifth in command of the district officers?—Yes, to the best of my belief.

623. Seniority would have nothing to do with an order of this description from a military point of view?—No. The question was put to me with reference to the service of that order as to whether he was in command of the district.

624. You have, in reply to a question by Mr. Wilford, stated your impression was that Captain Bower was not in Opotiki at the time this murder took place—that of Bennett White and the mailman?—Yes.

625. What gives you that impression?—Well, the absence of his name in my journal and a note of his arrival from Tauranga or Auckland.

626. Because your diary is silent on this particular point you take it for granted that Captain Bower was not in Opotiki at this particular time?—Yes; I find no mention of his name, and I find names of the others mentioned.

627. Have you got a note in your diary there of when Captain Bower returned to Opotiki?—I have a note of his return to the place, but no note of his departure from it.

628. When did he return?—On the 19th July, I have his name down amongst some passengers who arrived by steamer.

628A. So that virtually we may take it for granted that three weeks occurred between this murder of Bennett White and the mailman by the Natives and the time of Captain Bower's arrival. And therefore you take it for granted that he was not there at all?—I do not know what he may have said on the point.

629. He said he believed a fortnight ago he was under the impression that he had been at Opotiki, but since he had seen an extract from a diary and some old comrades he was beginning to doubt his senses on the point?—Well, he thought he was there.

630. It is your impression that at this particular period, when these volunteers were asked for, this cavalry would be on full pay?—I think they would be called out.

631. According to your military experience, would not the captain have had power to order one or two troopers to the front and have told them that they had to proceed to Tauranga with despatches at a certain time without asking for volunteers?—My impression is he would have no power to order them out of the district at all unless he was in command.

632. The point I wish to bring out is this: If this cavalry corps was on full pay, according to military custom, could the captain not have ordered those men to proceed on this duty without asking for volunteers: could he have issued a command, a troop order, a camp order?—No; he could not order them at all without the instructions of the officer commanding the district.

633. That is outside of the district?—Yes. But, of course, those men were sent outside of the district.

634. If the duty had been within the district, could Captain Gwynneth have ordered two troopers to have carried despatches?—No, not if they had been called out, because they would have been under the command of the officer commanding the district. He could not have sent them out of the camp if they were on duty without orders from the officer commanding the district.

635. You say he has no power to order members to perform duties outside the camp without a district order?—Not without authority from the officer commanding the district.

636. If he could not order them, could he call on a volunteer to go?—If he could not order one he could not order another.

637. You maintain he had no power?—Unless he was in command.

638. Of course you must remember that this was during a time of war, and in all probability there would be some irregularities committed. We have the evidence of Mr. Haselden and also the adjutant that Captain Gwynneth would not of his own volition send these troopers away unless he had received instructions from somewhere. You have stated, in reply to one of my questions in the earlier part of the evidence, you could not say much of Captain Gwynneth as a soldier. Was it not quite possible Captain Gwynneth committed an irregularity in connection with what he has done in reference to Cornet Wrigg and McDonald with regard to these despatches: is it not quite possible?—Certainly.

639. *Mr. Monk.*] Do you think it possible, considering that you were second in command, that a special occurrence like this for which Mr. Wrigg is supposed to have obtained the New Zealand Cross would take place without your being specially informed of it?—Certainly not. I must have heard if there had been any special merit in the act of any man where I was.

640. In fact, you would be consulted, would you not?—I do not think that it would rest with the commanding officer to make any recommendation on that footing. But I certainly must have heard of it.

641. It would be mentioned to you by the officer superior to yourself?—Assuredly.

642. I infer it is quite impossible that such an occurrence, of the dangers stated to have happened, could have taken place without your being familiar with it?—Quite impossible.

643. Special occurrences would take place and then be forgotten, but not such an occurrence as would be considered deserving of the New Zealand Cross could ever be effaced from your memory?—No, certainly not. I can call to mind actions for which men should have got the New Zealand Cross, and I remember them as vividly as possible—men whose claims were overlooked.

644. *Mr. Field.*] Your knowledge of Maoris and their customs is a wide one, is it not, Major Mair?—Yes.

645. And you speak their language?—Yes.