

in front I felt a spear (which the Maori was carrying) driven into my back; when I felt myself wounded I levelled my gun at him, but the gun missed fire; the Maori then rushed on me and downed me, and called to the boy for the tomahawk; he had me down for some time struggling with me; I was under at first, but I managed to get him under, and held him by the hair; I then saw the tomahawk lying near me; I got hold of it, and struck him with it; I cannot say how often the boy had fallen on the top of me, but my wife pushed him off; I did not intend to kill the Maori, but I wished to disable him from hurting me; I have no doubt if the Maori could have overpowered me, he would have killed me; I did not know the Maori; I struck the Maori on the head I believe; I was confused, and cannot say there had been no quarrel between the Maori and myself before he speared me; we were going to Jackson's to talk the matter over; I was in great pain from the wound, and lost a great deal of blood; I think if the tomahawk had not come to my hand at the time the Maori would have overpowered me; I was getting weak from the loss of blood; I swear solemnly that I did not intend to kill the Maori, and that what I did was only to preserve my own life; and it is by my own wish that I make this declaration; the Maori was not dead when I left him, but he was lying on the ground. When I got to Jackson's I told him what had occurred as nearly as I can recollect, the same as I have told the Jury; I had the gun with me when I first met the Maoris; there was a conversation between the Maori and the Maori boy, but I did not understand it; the boy kept behind with my wife, and the Maori repeatedly called him to come up and kept stopping for him; I had no idea until I was speared that the Maori intended any harm to me.

WILLIAM LISTER.

Sworn before me the }
17th day of July 1862. }

H. Ross,
Coroner.