

police—armed with clubs—doubled up to that point, and a number of them came between the police and the procession and endeavoured to prevent them from carrying out their duties. In this they were encouraged by the High Chief Tuimalealiifano and several chiefs near him. I will again quote from the high chief's evidence :—

*Q.* Were instructions given to the Mau police to hold back the white police if they should try to arrest any one in the procession ?—*A.* No, there was no instruction given to the Mau police about keeping back the white police. We just told them when the white police tried to break into the ranks of the procession to keep the white police back quietly.

*Q.* You told them that even though you knew that the white police were trying to effect an arrest ?—*A.* We just called out, "Keep them back quietly without force."

*Q.* Were you aware before you called that out that the white police were trying to effect an arrest ?—*A.* Yes.

It is difficult to see how a policeman could be kept from performing his duty except by force. In any case, it is clear to me that the Mau police disregarded the high chief's qualification to his instruction.

I will refer to the evidence adduced to show what were the actions of the Mau police after they doubled up to the van of the procession. Some of this evidence I have already quoted.

Lance-Corporal Downes, from the corner of the Ifi Ifi and Beach Roads, saw a number of Samoans double up to the arresting party, carrying what he calls the ordinary Mau truncheon—similar to that produced and put in in evidence at the hearing ; one Samoan carried a hammer, another a small axe, and some the ordinary ceremonial knife.

He considered that the arresting party was in danger, so he sounded his whistle, which was the prearranged signal for the supporting party to come forward. That party came up in answer to his signal, and with him made its way quickly towards the arresting party. The lance-corporal then says : "A general fight was in progress. The arresting party was hemmed in. The Samoans were belabouring the party with clubs. Stones were flying everywhere."

Sergeant Waterson's evidence has already been quoted by me, and shows that at the time he tried to fire his revolver the arresting party was heavily engaged and batons were being swung.

Sergeant Fell was unable to speak of what happened after he was struck down, except to say that he had fifteen distinct bruises upon him and two stab wounds in the back in consequence of blows received during the affray.

Sua, a Samoan, who was a member of the procession, and who was called as a witness by Mr. Slipper, gave the following evidence in answer to Mr. Andrews :—

*Q.* What happened to the policeman who seized Matau ?—*A.* I saw a crowd of the Mau police rush towards him.

*Q.* Were they using their batons ?—*A.* Yes.

*Q.* Did you see the policeman fall ?—*A.* Yes.

*Q.* What made the policeman fall ?—*A.* I just saw him fall ; I did not see what made him fall.

*Q.* What were the Mau police doing when the first shot was fired ?—*A.* Fighting.

*Q.* Using their weapons ?—*A.* Yes.

*Q.* How many Mau police were using their batons ?—*A.* I do not know.

*Q.* A large number or a small number ?—*A.* I can't say.

*Q.* Were there more Mau police using batons than there were white police ?—*A.* I could not say ; it was too crowded for me to distinguish.

In examination by Mr. Slipper, this witness said that after the policeman put his arms round Matau the next thing he saw was a general mix-up and a fight, and in re-examination he said that he never saw anybody actually struck.

Miss Karen Hellesoe says that she saw a body of police—about eight in number, and presumably the arresting party—double along Beach Road towards Fabricius's store, and after that she saw rocks flying and the police all mixed up with the Mau.

I have already referred to her statement that she thought the first shot was fired about three minutes after the fighting started.