

says that Sergeant Fell fired the first shot, but in this I am satisfied he is mistaken. I will quote parts of his evidence as it appears in the notes :—

*Q.* What did the policeman try to do with Matau ?—*A.* I just saw him put his arms round Matau.

*Q.* What is the next thing which you saw ?—*A.* A general mix-up and a fight.

After saying that the first shot was fired by the leader of the police party, the note continues :—

*Q.* Was the man who fired the first shot the man who put his arms round Matau ?—

*A.* He put his arms round Matau and later fired the gun.

The note of the cross-examination of this witness shows :—

*Q.* Had Matau freed himself before the policeman fired ?—*A.* Yes.

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

*Q.* Using their batons ?—*A.* Yes.

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

Karen Hellesoe, who was standing on the upstairs veranda of her residence, on the western corner of Ifi Ifi and Beach Roads, and who viewed most of the happenings from the time the procession reached Mulivai Bridge (some distance west of the corner), says that the first shot was fired about three minutes after the fighting commenced.

High Chief Tuimalealiifano, who marched in the procession immediately behind the band, said he was unable to remember when the first shot was fired, as he was too excited, but later said that shots were fired directly the white policeman fell down.

Tapu, a Samoan van-driver, says he was driving his van along Beach Road on the morning of the 28th December and had caught up the rear of the procession at the Mulivai Bridge. He then drove past the procession on the seaward side of the road, apparently getting ahead of it somewhere near the Ifi Ifi corner. He pulled up at the Vailima Road corner, and when he heard shots being fired at the rear of him he left his van to go back to the scene of the trouble. This evidence does not assist in the determination of the time of the firing of the first shot.

Charles Hickey, a young Samoan in the employ of the Public Works Department, was in Ifi Ifi Road, in front of the messengers' house, when the head of the procession reached the corner. A party of police—apparently the arresting party—ran past him and turned into Beach Road. He followed them, running across the lawn in front of the Courthouse on to Beach Road, and took up a position of vantage on the steps leading into Mr. Andrew's store. I will quote from his evidence relating to events subsequent to his arrival at the steps :—

*Q.* What did you see then ?—*A.* I saw Sergeant Fell speak to Sergeant Waterson.

*Q.* What were the Mau doing then ?—*A.* Some of the members of the procession were pushing the police towards the side of the road.

*Q.* Were any of the Mau carrying weapons ?—*A.* Yes, what you call batons.

*Q.* How many were carrying batons ?—*A.* I do not know.

*Q.* Was it a large number or small number carrying them ?—*A.* Quite a few.

*Q.* What did you see next ?—*A.* Some of the police make their way through the procession on to the sea side of the road.

*Q.* Which of those policemen did you recognize ?—*A.* I can't say which went through the procession.

*Q.* Was Sergeant Fell amongst those who went through ?—*A.* No ; but at that time I saw him on the ground.

*Q.* Where was that ?—*A.* About the middle of the procession.

*Q.* How did he come to be on the ground ?—*A.* I did not see him fall. I think a few seconds after this the first shot went off.

*Q.* What happened between the time the police broke through the procession and the first shot being fired ?—*A.* There was a general mix-up—that is, people gathering together and hitting one another.

*Q.* What with ?—*A.* I did not see what they had in their hands.

Simeaneva, a Samoan woman, says she walked alongside the procession as far as Hellesoe's shop, at the corner of the Ifi Ifi Road, and then went on to the ground-floor veranda of that building ; there she remained during the whole of the happen-