

Tagi. Smith never beat the girl, but she was not come to the years of puberty. He gave a long statement of the grievances of the girl, not being able to live with Smith from the cause above mentioned. Smith departed with three axes and six properties. Next morning Palasi went and demanded the articles.

Tagi, questioned, said: that they were in anger at his house at the loss of a piece of siapo, which belonged to the girl, which was missing; then he took up an axe and went in search of Smith: his wife followed him with a child.

Questioned. When you took up the axe, did you intend to kill him?

Answer. "I did."

When he came along the road he told the woman not to follow him, but to go another road; but she persisted to follow him till they met Smith: she then turned away. Tagi twice asked Smith for the siapo, and Smith twice denied ever having it. He then took hold of Smith's hand, who wrenched it away. He immediately struck him with the axe, and killed him.

Why did you kill him?

Because I was afraid he would steal all our property. It was my determination to kill him outright. The woman fetched Tui and told him to follow Tagi, for he intended to kill the white man. He ran, and found Tagi attempting to strip the body, in which he assisted. They dragged the body to the stump of a cocoa-nut tree, where they left it. The woman, in the meanwhile, went to Palasi, and told him to follow Tagi. He met Tagi and the boy Tui. Tagi said, I have killed the white man. Have you buried the man of God? No. Then let us go and bury him. They then went and buried him in the taro plantation.

Palasi, being requested to sit apart from his relatives, who attended him while he was examined, stubbornly refused, and consequently the examination was put a stop to, as he, being informed by them of all the statements made by the confession of his brother, was directly on his guard not to implicate any one by his answers.

From circumstantial evidence, and the result of examination, it appears that Palasi, being acknowledged the head of the family, made the agreement with the deceased, came and demanded him the morning after he (Smith) carried off the property, and demanded his person in terms that left no doubt of his intention of doing violence to the person of the deceased. At the time, Palasi was attended by his wife and the lad Tui; they knew of his threats the same evening. Palasi was at hand to assist to bury the body; he chid his brother and the lad Tui