

## TEN HOURS AT TABITEUEA.

Tabiteuea is the largest of the Gilbert Islands, perhaps some 50 miles long, and with a huge lagoon of considerable width to windward. In the thirties, it possessed a population of some 4000 souls, and its people were not known for nothing as "the Irishmen of the Pacific". Thus, when the United States Exploring Expedition visited the island in 1841 and one of the crew was killed, eleven natives were killed and the capital village of Utiroa was burned down in retaliation. Indeed, Commodore Wilkes remarked in his report of the voyage that "The character of these islanders is the most savage of any that we met with". If further evidence of the savagery of the Tabiteueans in the 19th century was needed, it can be seen in the ruthless and savage wars between the peoples of the north and south of the island later in that century when the Hawaiian missionaries and their "christianized" adherents endeavoured to convert the pagan communities in the other part of the island, doubtless chanting "Onward Christian soldiers" as they raped, massacred and despoiled their opponents. Memories of those religious wars have been long-lasting.

There are sixteen islands in the chain of the Gilbert Islands (now the Republic of Kiribati) and it was unfortunately impossible in the thirties to spend very long on those islands under one's charge which were not one's administrative headquarters. Though the capital, Ocean Island, was amply served by shipping from Australia and New Zealand, and occasionally from elsewhere, by reason of the need to export its rich phosphate wealth, shipping communications in the Gilbert Islands were sparse and irregular. The two small steamers, owned and operated by the two large trading firms of Burns, Philp (South Sea) Company Limited and On Chong and Company Limited, based on Tarawa and Butaritari respectively, ploughed between the Gilbert and Ellice Islands (the latter now known as Tuvalu - meaning eight in the Ellice dialect, though in fact there are nine islands), they were at the time of the world depression in the early thirties barely attracted to call at an island, pick up a small parcel of copra, and then hasten on to the next island with the least possible delay. There were also a number of small inter-island cutters, in addition to two large sailing ships. One of the latter was the auxiliary schooner "Mauno", owned by the first-mentioned company, which traded in copra and sold the usual trade goods. It was skippered by an ancient Liverpudlian, one Captain I. R. Handley; he was later shot - murdered - by the Japanese, who occupied Tarawa Island in 1942, but not before, when the Union Jack was presented to him by a Japanese soldier and he was asked to spit upon it, he spat in the face of the soldier instead, so the Gilbertese say. The other sailing ship, the auxiliary schooner



"John Williams V", was owned and operated by the London Missionary Society and more concerned with trading in souls rather than in copra. It was skippered by a huge Welshman by the name of Hope-Evans, more familiarly known as Hopeless Evans. There was also an auxiliary schooner owned and operated by the Government - the R.C.S. "Nimanoa" - but more often than not it was required for the use of the Resident Commissioner and other senior officers of Government such as the Treasurer. But travel on all the vessels mentioned was slow and irregular.

It was only occasionally that the R.C.S. "Nimanoa" was made available to District Officers, and then only for very limited periods, during which one was expected to pay a series of rapid visits to islands in one's charge. It was on such an occasion that I managed to visit the island of Tabiteuea, though alas for all too short a stay - just the hours of daylight.

As no District Officer had visited Tabiteuea for a little over six months, and as it was necessary for me to leave the island that same night in order to arrive at the next island, Nonouti, at daybreak the following day, there was no time to be lost in getting to work. Immediately on landing at 8 a.m., I was met by old Noa, the Native Magistrate, dressed in his uniform of office - white drill coat, Navy blue lavalava, highly polished leather belt with its silver buckle surmounted by a Crown - all contrasting strangely with the battered old grey Homburg hat, several sizes too small for him, perched on the top of his head. We then proceeded straight to the maneaba (meeting house), which was only some one hundred yards distant from the lagoon shore.

My first and most pleasant duty was to present the Coronation medal to Noa. The news that the presentation was to take place had obviously preceded my arrival at the island, for most of the island's population of some 4000 souls seemed to be gathered in and around the maneaba; this was a large open-sided building, probably the largest in the Gilbert Islands and capable of holding several hundred persons at once, built with huge coral supporting stones, and a roof structure of coconut and pandanus logs, topped by a thatch of pandanus leaves. It was delightfully airy and cool. Although it was comparatively early in the day, there was a deafening din in and around the maneaba, with several dances (batere), accompanied by singing and the beating of hands on boxes to keep time, being performed simultaneously. It was only with some difficulty that a modest degree of quiet was finally established, since the crowds were clearly determined to make the day a real holiday.



As I had not hitherto visited the island, Noa made a short speech bidding me welcome. In reply, I said that it was a great pleasure for me to visit the island, the history of which I had studied beforehand, and that one of the main purposes of my visit - indeed the first - was to present their Native Magistrate, Noa, with the Coronation medal. He was the only officer of the Native Governments throughout the islands to be thus honoured, which was an outstanding tribute to his abilities. Although a man of no great stature - I doubt if he was more than five feet in height - I had been led to understand that he ruled the island with an iron hand and, although at times Tabiteueans might have jibbed at his stern and disciplinary outlook, I felt sure that they would be the first to realize and admit that this was precisely how the island should be governed in view of its somewhat turbulent past and present reputation. The people should be very proud of the award to their Native Magistrate. After paying further tributes to the old man, I rose and pinned the medal on his left breast amid deafening cheers.

I then explained to the crowds that my visit was brief and purely for the day, and that there was much work for me to do with the Native Court, as well as with various aspects of the work of the Native Government. As a result, many of the crowd moved to the far end of the maneaba, though many remained sitting on its outskirts and under the coconut trees around the building.

My next task was to hear appeals from prisoners in the gaols, always the first duty to be undertaken by a District Officer on visiting any island. Some 30 or 35 male prisoners - the whole population of the male gaol - were then brought in one by one, each one obviously determined to participate in the general bank holiday mood, even to the extent of pleading that they were innocent, though some had pleaded guilty when originally charged and convicted. There was nothing particularly noticeable about their cases; there were a few minor assault cases, some cases of adultery and several of drunkenness. I recall freeing one or two, but without granting a general amnesty which seemed to be expected of me by the crowds in celebration of the award to old Noa. I adjusted the sentences of one or two others, in all cases in consultation with the Native Court.

However, at the end of the queue were two strapping Gilbertese, aged about 30, whom I noticed, from studying the prison warrants, were both charged with attempted murder, an unusual offence though probably more likely to occur in Tabiteuea than elsewhere. Both had pleaded not guilty at their trials, but had unanimously been found guilty by the court, and been sentenced to three years imprisonment. Accordingly,



I asked Noa to recount in outline the circumstances of the case for my benefit. This he did as follows.

Some two weeks previously, two Gilbertese men whom, to render the story intelligible I shall call A and B, had set out very early in the morning in their canoe across the lagoon, through the main channel in the reef, and turned northwards to a fishing ground some two miles to the westward of the main reef. They had fished all the morning and, having made a good catch, decided to continue fishing in the afternoon, though they had casually noted that it looked as though a storm might be breaking in the west. By about 4 p.m. they decided, however, that they had better run for the shore, and hoisted the sail. Unfortunately they had wasted some precious time in pulling their fishing lines in, removing the hooks, and threading the fish they had caught on a piece of sennit. The westerly storms in that part of the Pacific can, however, arise with great suddenness and, by the time they set sail, conditions had markedly deteriorated; the wind was gusting and short, steep seas were getting up. Not very long afterwards the mainmast, which had been repaired more than once previously, broke, doing great damage to the canoe and outrigger, and leaving the men with only one paddle, the steer-oar and other paddle having been lost when the mast broke. (Their biggest danger at this stage was that their canoe had been fairly full of fish which they had caught. A large number of fatalities or serious injuries have resulted from fishermen (or, indeed, fisherwomen) holding on to fish which they have caught, whilst continuing to fish either in the rivers or at sea, for it is the scent of such dead fish which immediately attracts those scavengers of the sea - the sharks.) Fortunately, the men realized this danger and with great reluctance let all their catch drift away as soon as the canoe was damaged. This may well have saved their lives. Meanwhile, swimming as fast as they could away from the spot where the canoe was damaged, and pushing the damaged canoe before them, they were slowly carried towards the main reef on which the canoe grounded.

I have already mentioned that the lagoon at Tabiteuea is a very wide one, but their only hope was to attempt to swim ashore, despite the distance and the danger from sharks.

Unbeknownst to A and B, the two prisoners, whom I shall refer to as C and D, had also gone fishing that morning, but off the northernmost end of the island, even further out to sea and north of where A and B were fishing. Anticipating the worst of the storm rather earlier, however, they had decided to run for the main channel through the main reef, but wisely decided against hoisting their mainsail, and



to rely on a small jib and the power of their steer-oar and paddles. Coming southwards along the main reef towards the main channel into the lagoon, they had apparently come across A and B in their desperate plight, but passed them at a range of about 40 yards. According to both A and B, either C or D called out "Ti a kabo, ti na aki manga ni kaitibo mangkani" which means "Goodbye, we shall not be meeting up with you again", and had then vanished into the rain and mist to the southwards, passed through the channel, and finally reached the shore, whence they returned to their own village.

It was little short of a miracle that at dusk a large sea-going launch unexpectedly happened to be proceeding southwards from Nonouti to Tabiteuea to seek shelter from the storm and saw the two shipwrecked fishermen A and B on the reef and rescued them, though not without very considerable difficulty owing to the weather conditions then prevailing. The launch then proceeded southwards through the main channel and finally landed A and B on the shore in the vicinity of the Government Station.

Though it was night when they landed, A and B immediately sought out Noa and told him their story. Noa had previously heard rumours that there was bad blood between the two pairs of fishermen - on islands and in populations so small everyone knows everyone else's business and activities - and he quickly realized that, if he did not take almost immediate action, A and B would take the law into their own hands, collect some of their supporters, visit the village of C and D even in the middle of the night and the result would almost certainly be bloodshed and possibly fatalities. Despite his age, however, Noa was a man of action and of shrewd judgment; he was almost certainly right in his prognostication of the situation. He therefore rapidly mobilized a squad of village constables and set out at night for the village of C and D. Stealthily surrounding the bure in which C and D were asleep, Noa caused them to be awakened, told them of the allegations made to him by A and B, arrested them, marched them back to the Government Station, and had them locked up in the male gaol in separate cells, whilst promising to hold court the following morning. It is hardly necessary to add that both protested their innocence, and denied the story told by A and B to Noa.

Noa wasted no time and summoned a meeting of the Native Court for the following afternoon. He was in some doubt as to what offence C and D should be charged with, but was firmly determined that they should be brought to book if the story of A and B were true. He therefore decided to charge them with attempted murder, which seemed



to him as near the mark as any other charge. A and B related their story to the court; nor could it be shaken. Thereafter C and D appeared before the court, though separately and one after the other, since Noa thought their stories might be different in detail, as indeed they proved to be. Both at first denied that they had sighted A and B on the main reef. However, after lengthy questioning by members of the court, both separately admitted that they had seen two Gilbertese with their canoe near the reef. But both denied that they had spoken to, or shouted at, the two men; that they had not recognized them since they had only seen them in the far distance; that the two men on the reef did not seem to require any assistance (though A and B had said that they had waved furiously); and that, in any case, to have stopped and communicated with the two men would only have jeopardized their own safety in the weather conditions then prevailing. They also admitted after questioning - since it was well known - that there had previously been disputes between them and A and B over certain matters of land ownership - disputes which cause more trouble in the Gilbert Islands than any other issue.

Apart from the main defence offered by the accused, there were also a number of minor discrepancies between their evidence, which need not be mentioned here. The Native Court did not, however, take long to decide on a verdict of Guilty and Noa, after consulting its members in this unusual case, sentenced them to three years imprisonment for attempted murder.

This then was the case in which C and D lodged an appeal before me in the Native Court. It was the custom in the Gilbert Islands in the case of appeals to re-hear the evidence from the parties concerned, and this I proceeded to do. First, A and B gave their evidence in a quiet and impressive manner. C and D were then called to give evidence one after the other. This time, however, their defence was that the charge of attempted murder - as listed in the their warrants of imprisonment - could not be sustained and that they should therefore be freed. They said that they had in no way harmed A and B and that they had simply acted in the way in which they did as a matter of self-preservation. When asked to explain their initial denial that they had sighted A and B on the main reef hanging on to their wrecked canoe, they said that they had been frightened to admit that they had seen two Gilbertese on the reef and did not wish to become involved in what conceivably might turn out to be a fatality.

Like the Native Court, and having heard the evidence of the four protagonists in the case, I was vastly more impressed with the



evidence of A and B, and the manner in which it was given, than I was with the evidence of C and D and their demeanour in court. The problem facing me, however, was this - could a charge of attempted murder be justified, with its concomitant sentence? I had little or no doubt as to the intention of C and D; equally I had no doubt that, like Noa and his court, if a verdict of not guilty was given and the prisoners freed, bloodshed and possibly fatalities would take place in the not too distant future.

All I could call to mind was a couplet, by one Clough I thought, which appeared in Kenney's "Criminal Law" which I had been cursorily studying, which ran:-

"Thou shalt not kill, but need'st not strive  
Officiously to keep alive".

On the basis of that dictum, it seemed that I ought to find the prisoners not guilty. But, to have released them would have placed a very unfair responsibility on the shoulders of Noa and his court to try and ensure that the peace was kept, and I gravely doubted if such was possible; further, I felt it would be exceedingly difficult, if not impossible, to blame A and B if it were not.

But time was passing and I knew that I had to make a decision in the case before I embarked on the schooner that evening. It was, therefore only after much hard thought that I took the cowardly course of telling the court that a very intricate point of English law was involved, that I had not brought my English law books with me, and so could not reach an immediate decision on the appeal, but that I believed the evidence of A and B, and that the court had reached the correct decisions; so I said that I proposed to confirm the sentences for the time being, which would at least allow tempers to cool and avoid any bloodshed or other trouble. The decision was warmly welcomed by the court, with whom I said I would communicate further in due course, and the prisoners were summoned and told that their appeals were dismissed.

In the event, when I returned to my district headquarters, I found a signal telling me of my transfer to headquarters on Ocean Island and to hand over to my successor who was already awaiting me. So, in handing over to him, I gave him a detailed report on the case and the general situation on Tabiteuea, and suggested that he might be wise to seek some legal advice before he visited the island.

Having concluded the somewhat lengthy appeal described above, I was informed that there was a smaller number of female prisoners, who were also desirous of appealing, and these were then called before the court one by one. Most had been imprisoned for minor cases of assault,



or for adultery, and it was thus possible to dispose of all the appeals quickly; not so, however, with the case of the final appellant. Advancing into the court-house came a young Gilbertese girl, about 19 years of age, who could only be adjudged as beautiful by any standards, with shortish wavy jet-black hair, with black sparkling eyes, and attired in literally nothing save for a brief beautifully oiled riri (grass skirt), which barely concealed anything and merely served to accentuate the absence of any other item of attire - what Robert Louis Stevenson called "the perilous hairbreadth riri". As she walked the length of the court-house, she moved her hips so that her riri swung gracefully like a kilt.

Looking at the prison warrant, I noted that she had been convicted for adultery and sentenced to four months imprisonment. Now this was unusual, for sentences for a first commission of that offence were invariably imprisonment for the minimum period of three months laid down in the native law. I therefore asked Noa if this was the girl's first offence. He replied that that was so. I therefore asked him why she had been sentenced to four months imprisonment. He replied, after a pause, that that represented a sentence of three months imprisonment for adultery and an additional month for arguing heatedly with him about her innocence. These questions and answers had been conducted in the Gilbertese language with the aid of my interpreter, since in court matters I preferred to rely on him rather than trust to my own modest knowledge of Gilbertese at that time. The prisoner was therefore fully apprised of the conversation just recorded between Noa and myself. At this point, when Noa gave me the reason why he had sentenced her to the additional month's imprisonment, she started to protest; not merely had she not been guilty of adultery, she argued, but it was a grave error of justice that Noa himself, without any reference to the other members of the court, had sentenced her to an additional month. At this interruption Noa became somewhat angry, arguing that her behaviour when her case was originally heard merited such an additional sentence. At this the appellant lost her temper and began to shout at Noa. The latter, being a somewhat peppery little man, shouted back, whereupon she flung a phrase at him, at which he stood up, drew himself up to his full five feet, and shouted back at her. Meanwhile the maneaba had filled up since there had been much interest in the hearing of the case of attempted murder described above; but when the news rapidly spread that Noa and the Gilbertese girl were shouting insults at each other, the maneaba rapidly became packed. Noa by now was thoroughly incensed and bouncing up and down on his chair like a jack-in-a-box whose springs had gone haywire, whilst the girl was waving her arms and shouting insults at him. The crowd was



roaring its approval of this oratorical contest and doing everything possible to encourage the contestants.

Catching Noa by the tail of his coat, I finally managed to hold him down in his chair and, fortunately knowing the Gilbertese phrase "Tai karongoa", meaning "Keep quiet" or "Shut up", I stood up and told the prisoner and the crowd in no uncertain terms in rather bad Gilbertese that, if they did not cease their shouting and cheering, I should order the maneaba to be cleared by the village policemen and the hearing of the appeal to be suspended. Order was slowly restored and at last it became possible for me to ask the interpreter what the furious row between Noa and the girl had been about. For myself, I had only been able to recognize one phrase screamed by Noa after her final insult - that was the phrase "teuana riki te namakaina", meaning "one more month". But the row had been so deafening, and the shouting between the two conducted in such angry tones, that he was unable to give me even the gist of the torrent of words exchanged between the participants. I then asked him what it was that the girl had said that had finally caused Noa to start bouncing up and down in his chair. The interpreter was obviously very embarrassed by this question which I had to repeat twice. If a Gilbertese could have blushed, I believe he would have done so. But he finally managed to say "Well, Sir, er.. she..er...called...er, him, er er er er a bag of er er er er er excrement". This produced another roar of amusement from the crowd, many of whom understood English, whilst I feared that old Noa was going to burst a blood vessel. I asked the girl whether she had indeed insulted Noa thus. She admitted that she had and that she thought herself fully justified in doing so in view of the injustice done to her by her sentence, especially the extra month added on at the whim of the Native Magistrate.

As it was by now quite obvious that any rational consideration of the appeal could not be conducted in the hilarious atmosphere of the maneaba, and with Noa's temperature at boiling point, I adjourned the court, much to the crowd's disappointment, but said that I would consider later what should be done and give my decision before I left the island that evening.

After a very hurried lunch in the District Officer's transit quarters, I rejoined the members of the Native Government in the maneaba and, for the rest of the afternoon, was engaged in discussion with its members of matters relating to roads, schools, hospitals and other items before adjourning to the office of the Native Scribe to check his cash and cash book, with supporting documentation, his stock of stamps, etc., all of which were fortunately in order. I then



returned to the quarters about 4.30 p.m. after warning Noa that I should want to see him alone. He arrived a few minutes later looking somewhat woebegone.

After a few opening words, I said that we must determine the case of the female prisoner. I then asked my Gilbertese servant to visit the well behind the quarters and draw up a couple of large bottles of beer, which I thought might facilitate the discussion. Hearing this, I could not help noticing a gleam in Noa's eyes. I said that I was worried, not about the original sentence of three months imprisonment passed on the girl, even though she had denied her guilt in the original court case and now on appeal, but about the additional one month's imprisonment. The kaubure (members of the court elected by their village communities) had been satisfied as to her guilt of the original offence, and I did not propose to amend it. But the additional month was quite another matter. First, it was an unwritten rule that offenders for adultery received the minimum of three months imprisonment for a first conviction for this offence. Secondly, the addition of the extra month was his decision alone; he had not consulted the rest of the court on that point. Thirdly, the extra month had been included on the warrant as part of the sentence for adultery; this was quite wrong; if the behaviour of the prisoner was really serious, she might just conceivably have been charged with threatening language under another native law, though I could not imagine any person, especially a young girl, deliberately daring to threaten old Noa. Fourthly, whilst her verbal barrage protesting her innocence and the injustice of a sentence of four months imprisonment might not normally be condoned, the prisoner was a young girl who did not understand that, whilst it was perfectly in order to protest, such must be done in an orderly and reasonable manner, and certainly not impugning the dignity of the proceedings and the integrity of the Native Magistrate. Finally, whilst her language may have been verging on the abusive in the original court case, this was just possibly excusable in the case of a young girl who might well have been frightened by the dignity and solemnity of the court proceedings. Nevertheless, her abusive and insulting language in the appeal case could clearly not be tolerated, and she must be told so in no uncertain terms. For these reasons, I felt that there was perhaps something, but by no means everything, to be said for her outburst. At the same time I was not prepared to see his position as Native Magistrate undermined in the matter.

At this point, I turned to my servant and told him to open two of the four large bottles of beer which he had brought up from the well where they had been cooling and with two glasses had placed on a



nearby table. This he did. I then said to Noa that, whilst I knew it was against the law to give him an alcoholic drink, I felt that the very distinguished tribute which had been paid to him by the award of the Coronation medal, justified a celebration and a brief overlooking of the law for a few moments. Accordingly I invited him to help himself to a drink of beer. Taking hold of one of the bottles and a glass I thereupon poured myself out some beer. Noa, however, scorning the use of a glass, seized the other bottle of beer, threw back his head, placed the bottle perpendicularly between his lips, and commenced to drink. To say that I was amazed would be an understatement; any German or Australian who are, I believe, the biggest beer-drinkers in the world league, would have watched his display with pride and envy. For in the space of seconds - not minutes - that bottle was empty. How Noa managed it - with all that aeration in a bottle of beer - I don't know. Suffice it to say that he did, and then calmly placed the empty bottle on the table; this action was accompanied by a beatific smile which spread slowly across his face, and a lordly belch - after which he profusely thanked me and said that he agreed with me that there<sup>were</sup> occasions such as this which justified a small and temporary dispensation with the law. Meanwhile I had been left standing, holding my bottle and a glass from which I had only taken a few sips with, I am sure, a glazed expression on my countenance .

We then resumed discussion of the girl prisoner's appeal. Noa, whose demeanour had in no wise been seemingly affected by his intake of alcohol, admitted that he had not sought the views and advice of the kaubure regarding the extra sentence of one month in the case, as he should have done, but said that he was so angry with the somewhat loud-mouthed reaction of the girl in the original hearing, that he could not restrain himself from imposing an immediate sentence. He admitted that he should not have allowed himself to do so; it was undignified, especially as only a young girl was concerned. He also admitted that the extra month's sentence should not in any case have been made part of the sentence of imprisonment for adultery, and that three months was always regarded as the proper sentence for a first offender, which she was. On the other hand, he said that he was not going to put up with such abusive and insulting language from a mere chit of a girl like the prisoner, and was certainly not prepared to endure such remarks as her final insult to him. With the latter sentiments I told him that I felt bound to agree.

At this point my servant decided to take a hand in the game and on his own initiative removed the tops from the two remaining full bottles



of beer; then, with a knowing glance at Noa and myself, he withdrew from the room. Noa obviously felt that this was a signal to him, for he seized one of the bottles and disposed of its contents with the same amazing speed and silence that he had done in the case of the earlier bottle. Having again given a vast belch and then thanked me, he said that perhaps he should have restrained himself, although deeply provoked by the girl's abusive and insulting language, and he was agreeable for me to "withdraw" the additional sentence of one month, provided that I saw the prisoner and gave her a real tongue-lashing about her behaviour and especially the insults to himself. This I readily agreed to do, and he said that I could leave it to him to explain to the other members of the court the gist of our discussions, in which I had no doubt Noa would appear in a good and merciful light, and that the beer would receive no mention at all!

The old man was not quite finished however. He thanked me profusely for the presentation of the medal to him, stuck out his chest, and said that he hoped that one day it might be possible for him to visit Britain and meet the King and Queen. Of course, if he did so, he added, he would need to be rather better turned out than he then was; for example, his battered old grey Homburg hat which he was holding, and which looked as though the village children had been playing a game of football with, would be unsuitable for such a visit; if, on the other hand, he was able to sport a smart brown soft-brim Homburg such as mine, that would immediately raise his standing, not only in Britain, but in Tabiteuea. All this was accompanied by a sly grin, doubtless induced by the consumption of two full bottles of beer in a short space of time and at hurricane speed. The Gilbertese have a custom known as bubutei, similar to a Fijian custom known as kerekere; though it is now probably dying out, it is still practised. The custom broadly allows any Gilbertese to demand from his relatives any of their possessions which takes their fancy, and it was extremely difficult, if not impossible, for the relatives to refuse such a request. Knowing of this custom, I was therefore prepared for the next stage in my conversation with old Noa, and I was not therefore surprised when he said that he wished to bubutei that magnificent hat from me on this momentous occasion. Austin Reed of Regent Street would have been proud to hear the eloquent attributes and compliments lavished on their hat. There was no option for me but to hand over the hat as though it was one of my most treasured and valuable possessions. Whereupon the old man left the house in triumph, after thanking me, doubtless to parade in it before his many admirers.



However there still remained the little problem of the girl prisoner and I told my police orderly that he was to proceed to the nearby female gaol, and bring to me the prisoner and her warrant of imprisonment. This he did and ushered the girl through the doorway to the house. Swinging her hips so that the oiled riri swung seductively like a kilt, she advanced across the large room to near where I sat. She wore no more clothing than she did when she had stood before the court in her appeal, but this time she did wear an intricately woven wreath of the lovely and highly-scented frangipanni flower on her head. When she had sat down on the floor, I asked her whether the wreath was a normal article of wear for a female prisoner, at which she smiled shyly and said that, as they had passed the maneaba, a spectator at her court appeal had thrown the wreath to her and told her how much he had enjoyed the spectacle of her verbal battle with old Noa. Whilst such an incident might have been untypical of the Old Bailey, I could not help thinking that it was not inconsistent with the administration of justice in the South Seas.

I told her that I had summoned her to tell her that I could see no justification whatever for freeing her from gaol, since her original sentence of three months imprisonment for adultery, which had been decided upon unanimously by the whole Native Court, seemed to me entirely proper, there being no evidence, save her flat denial, that she had not committed the offence, whereas there was some evidence to the contrary. I said that, on the other hand, I was not entirely satisfied as to the justification for the addition of a further month's imprisonment though I did not propose to discuss the reasons for this with her.

Contrariwise, I told her in no uncertain language that the abusive and insulting language which she had apparently used at her original trial, and later in the appeal court, was something which simply could not be overlooked; it was an affront to the dignity of the court, and a vilification of old Noa which I was not prepared to condone; Noa was, in my opinion, one of the best, if not the best, Native Magistrate I had encountered; being Native Magistrate in Tabiteuea was very far from being a sinecure; and he deserved every support. I warned her that, if she ever appeared in court again, and behaved as she had done in this case, she would undoubtedly be very severely punished, and on the next occasion there might be no higher authority to whom she could speedily appeal.

Finally, I told her that I had discussed the case with old Noa, who had admitted that her behaviour and speech, particularly her



final insult, had caused him, not surprisingly, to lose his temper, which he now regretted. In the circumstances I said that on this occasion I was prepared to cancel the additional month's sentence. She would have to appear before the court again on the morrow to hear officially the cancellation of that part of her sentence and I said I thought it would be tactful, if when before the court the next day, she apologized to old Noa as well as to the other members of the court for her behaviour and speech.

Her reaction caught me completely by surprise. Before you could say "Jack Robinson", she leapt to her feet, snatched the wreath from off her head, stepped smartly forward and crowned me with it, then, as if that was not enough, she bent and kissed me on my right cheek, turned, and shot out of the doorway thanking me between peals of soft laughter.

So ended what I suppose Erle Stanley Gardner would probably have entitled "The Case of the Glamorous Gaol-bird".

It was now dusk - about 5.45 p.m. - and time to leave, so I made my way down to the lagoon shore, where I bid Noa and the members of the Native Government goodbye. In the distance I could see the Government schooner, which had left the lagoon, tacking impatiently up and down outside the reef; but it was going to be a couple of hours before I could reach her in the canoe provided for my transport. However, I stepped into the canoe and we set sail. It was a beautifully tranquil evening, with a cloudless azure sky, a cool evening breeze, and the smooth surface of the lagoon the colour of burnished copper in the light of the setting sun just dipping below the western horizon. I waved goodbye to the group on the shore, the centre-piece of which was the figure of little old Noa in his white coat and Navy blue lavalava with my Homburg hat proudly surmounting his crown.

Ten hours at Tabiteuea - an entertaining, exciting, and enthralling day, which will always bring back happy memories for me.