

Mr. Brookfield objected to any adjournment. The application should have been made at the beginning of the case, but when the evidence had been heard it was out of the question.

The Magistrates refused to grant an adjournment.

Mr. Young (who had received the usual caution from the Bench): The Court not having thought it advisable to grant an adjournment to prepare my defence, I reserve my defence.

Mr. Brabant: I have only to add that we are very sorry indeed to see Mr. Young—a gentleman who is well known to us—charged with an offence like this; but, after hearing the evidence brought before us, and there being no defence we can understand to it, the only course open to us is to commit the defendant for trial to a higher Court.

The accused was then formally committed for trial at the next criminal sessions of the Supreme Court to be held in Auckland.

Mr. Brookfield: There are two other charges. He is charged with the larceny of £10 in September, and of £7 in April, 1879.

Mr. Quintal: We know nothing about these charges. If they are to go on, we must ask for an adjournment to prepare a defence to them.

The charge of stealing £10 on the 8th of September, 1879, was then proceeded with.

Mr. Hall, Clerk of the Court, having read the information,

Mr. Bromfield applied for an adjournment in order that they might prepare a defence.

Mr. Brookfield said there had been time enough to prepare a defence since the information was laid. If the adjournment was granted, he would withdraw the informations and indict in the Supreme Court; and then Mr. Young would have no opportunity of knowing what the cases were, and so would be in a much worse position.

Mr. Bromfield said, as far as he was concerned he would prefer that the case should go on now, but Mr. Young and Mr. Quintal held a different view, and it was at their earnest request he asked for an adjournment. He entirely disagreed with that course himself, and would much prefer that the case should go on, so that they might know what they had to answer at the Supreme Court instead of going there on an undisclosed charge. However, he held himself bound by the instructions of his client and Mr. Quintal.

Mr. Brabant: Has Mr. Young had any notice of the charges against him?

Mr. Hall: I think not.

Mr. Brookfield: They were mentioned in the *Times* this morning.

Mr. Brabant: As he got no formal notice, we think it is only fair he should have a short adjournment.

Mr. Brookfield: With a view of saving expense to the country, I shall adopt the course I suggested, and simply withdraw these charges, intimating that I shall indict the accused at the Supreme Court on these charges, as well as many others.

Mr. Bromfield: You should not make that statement.

Mr. Brookfield: I make it in view of an application for bail, and I shall make another statement that I think will astonish you.

Mr. Bromfield applied that the bail should not be fixed at too high an amount, which might oblige the accused to remain in prison till the trial came on. The minds of their Worships had been poisoned by the gentleman representing the Crown, who had stated he had a great many other cases to bring forward, but he hoped the Magistrates would disregard all those insinuations, and name a reasonable amount.

Mr. Brookfield: With regard to the question of bail, Mr. Young is entitled to bail. I do not ask for prohibitory bail, but at the same time I must apply for heavy bail, inasmuch as the defalcations amount to some hundreds of pounds. It is not only that the £51, the subject of this charge, is deficient, but there are defalcations amounting to some hundreds, and hence I must ask for substantial bail.

Mr. Bromfield: My learned friend states there is any amount of defalcations, but he has no right to say that until the matter is decided by law. A heavy bail in a place like this would be a prohibitory bail.

Mr. Brabant said the Magistrates had agreed to accept the defendant's own recognizances of £1,000, and two sureties of £300 each.

Mr. J. A. Chadwick, J.P., and Mr. Cook signed the necessary bail for the accused's appearance in Auckland.

[*New Zealand Herald*, Tuesday, 20th April, 1880.]

SUPREME COURT (CRIMINAL SITTINGS).—MONDAY, 19TH APRIL, 1880.

[Before His Honor Mr. Justice Richmond, and a Special Jury.]

His Honor took his seat on the bench at 10 o'clock.

Larceny of Public Money.

John Charles Young, late Native Lands Purchase Officer in the employment of the Government, was arraigned upon an indictment under the 69th section of "The Larceny Act, 1867," which provides that whoever, being in the employment of the Government, and, by virtue of his employment, steals any chattel, money, &c., shall be guilty of felony, liable to any term of penal servitude not exceeding fourteen years or less than three. The prisoner was an imprestee under the Public Revenues Act, to whom large sums were paid for the purposes of the public service, and for payments from which sums he had to account by vouchers in the ordinary form.

The following special jury was sworn to try the case: G. W. Binney (foreman), John Dickenson Jackson, William Henry Lyons, Joseph Dacre, William Frank Buckland, Henry Allwright, Charles Devereux Stainer, William Paganini Hoffman, William Cruickshank, John Scarrott, William Flood, and Matthew Harry Clark.