

*Mr. Brookfield*: The matter has been mentioned to me. These Natives have been kept here some three weeks, and they say they cannot get in their crops, or something of that kind.

*His Honor*: The Court has nothing to do with that. Tell him so.

*Mr. Brookfield*: I wish to bring another matter under the notice of the Court. The witnesses have been ordered out of Court. I am informed that there is a gentleman, an intimate friend of the prisoner's, going constantly in and out of the Court and communicating with witnesses. I think, if such is the case, it is a matter of which the Court should take cognizance. I believe the gentleman is Mr. Firth Wrigley.

*His Honor*: If such is the case it is very wrong.

*Mr. Tyler*: I can assure the Court, if such a thing has been done, it is neither with Mr. Hesketh's knowledge nor mine.

Examination continued: The voucher for £51, purporting to be signed by Retireti Taphana, was put in the hands of the witness, and he said: This is not my signature. I know nothing about this. I have not received £51 from any person on account of lands in the Waiparapara or Rotorua Block. The only money I received from Young or Warbrick was a sum of £5 on account of the Te Puke Block. [Voucher produced.] That is my signature. My brother Hans has not paid to me moneys received from Young on account of certain lands. I never signed only "Retireti" to documents that relate to land or money. To all important documents I always sign my name in full.

Cross-examined by Mr. Hesketh: In mere letters I sign "Retireti." I receive pay as a Native constable and sign for my pay. Cannot say whether the Government require me to sign my name in full to the pay-sheet.

A number of documents were put into the witness's hand signed "Retireti" only, which the witness acknowledged to be his writing. They were chiefly orders for goods—potatoes, sugar, flour, bottles of relish, &c. A document was put into his hand to the following effect: "We, the undersigned (Hans, Philip, and Retreat Tapsell) agree to sell to the Government our interest in those pieces of land—the Patetere, Waiparapara, and Inimutu Blocks—and we have received money as deposit on account of the said land." The document was dated the 25th of September. A voucher was put into the hands of the witness, dated 21st June, 1879, to the effect, "First payment on account of land purchase, W. Puckey. Received by the hand of G. T. Wilkinson.—Retireti Taphana."

*Mr. Hesketh*: Ask him whether he does not know that his brother was to receive £200 from the late Government for election expenses?

*Witness*: I cannot say.

*Mr. Brookfield* considered the question irrelevant.

*His Honor*: It is impossible to say what may be the effect of the answer.

*Mr. Brookfield*: It cannot affect the question whether this is a false voucher.

*Mr. Hesketh*: But I maintain that, even though the voucher be spurious, if it can be shown that the prisoner paid this money to Hans Tapsell, that is a good defence.

*His Honor*: No doubt if you could show that the money was paid to Hans, although the voucher were false, it would be matter to go to the jury for the defence. I am not prepared to say that it would be absolutely conclusive.

*Mr. Hesketh*: We say that if the prisoner paid this money to Hans Tapsell he did not steal it.

*His Honor*: A man might steal for some one else. It would be a strong case to put to the jury that this money was paid to Hans. It is quite possible it might have been paid under instructions from the Minister himself.

Re-examined: The witness said the only money he ever received was the £5 and the £50 through Mr. Wilkinson. He never authorized his name to be put to the voucher found in Young's portfolio. There was £50 received on account of the Patetere Block from William Young, the prisoner's brother. That was the money received under the agreement above mentioned.

Hans Tapsell, brother of the last witness, examined by Mr. Cooper, identified the voucher for £25 on the 23rd of August. He could not say who were present on this occasion. Philip Tapsell was not present. Received £100 from Young afterwards. Philip was present when the £100 was paid. The money was his own, and he was not told to do anything with it. He gave £50 to Philip. The prisoner never gave any money to Retreat Tapsell. There was none of this money (£100) for Retreat Tapsell (Retireti). This money was for himself, to conduct his election. It was paid in Young's house. Witness was just starting for Napier to begin his election. It was money authorized.

Cross-examined: He did not know that it was authorized, but he spoke to the Minister (Mr. Sheehan) on the subject. Did not ask for £200, but asked for some money on Patetere. The money, although for witness's use, was to be charged against the three brothers. The polling took place on the 6th of September. It might have been one or two weeks before that he got some of the money. The money was not all paid at the same time. It might have occurred that Young said he would let witness have £25 before signing the joint document. Remembered signing the following document: "I agree to convey all my interest in the lands of Rotorua, and Waiparapara, and Patetere to the Government for £25. [This was the sum by the voucher, 23rd of August.]"

*Mr. Hesketh*: You were sick the morning you started for Napier?

*Witness*: Yes, it is true.

*Mr. Hesketh*: Your head was bad that morning? (Laughter.)

*Witness*: Yes, it was an old complaint.

*Mr. Hesketh*: Did not Young give you twenty-five loose notes beside, and did he not give twenty-five for you to give to Philip?

*Witness*: I cannot remember whether I got £125, making, with £25 previously obtained, £150; then giving £50 to Philip, and leaving £50 out of the £200 for Retireti (Retreat Tapsell). I got in all only £125, as far as I can recollect. But I know that the money was for me, and not for any one else. (The witness was examined at great length as to the circumstances, the places, the persons that were present, and where the several sums were paid, with the view to show that the sum of £50 was paid to the witness for his brothers, so that it should appear to the jury that the money was actually paid, although there might be some error or mistake in the form or substance of the voucher. The witness