

Natives to Her Majesty of the block of land known as Waitahanui. He verified the signatures of Nuku Pauro and Maraki. He deposed that it was not his habit to keep a heap of 170 blank vouchers by him.

Te Mapu deposed that he did not receive the £7 mentioned in the indictment. He denied that the voucher for the amount was in his handwriting. He said his name there was correctly spelt, but his "hand did not write it." In cross-examination, he admitted getting £5, some blankets, and clothes from Mr. Warbrick. It was contended that this £5 and the blankets were paid on account of the £7 vouched.

Mr. Mitchell was called to prove the date, places, and periods of the Native Lands Court sittings in 1878-79, with a view to trace the object for which the money was paid.

Nuku Pauro said he had sold certain land to the Government for £15. He signed a voucher, and received one sum of £15. (The witness identified his signature to one voucher.) The signature to that was genuine. (Another voucher was handed to witness.) But the handwriting to this second signature he swore positively was not his. He had received money once, and that was from Mr. Warbrick, at Maketu. He had authorized no one to sign for him. He had no brother or other relative to whom he gave general authority to sign his name.

Maria Maraki gave similar evidence. She sold her interest in the Waitahanui Block for £15. She had been paid, and signed a voucher when she was paid. (Witness identified her signature.) She never received any other money from Mr. Young or Mr. Warbrick. (Another voucher was handed to witness, and she said that the signature to it was not in her handwriting.)

Joseph Foster Buddle, manager of the Bank of New Zealand, was put in the box, but was not examined by the prosecution. In answer to questions by Mr. Tyler, the witness said that defendant had accounts at the bank—(1) "J. C. Young's official account;" (2) "J. C. Young's private account." Mr. Warbrick had also an account there, but it was "inoperative" for some time past. If the official account became low, rather than dishonor the cheque drawn by Mr. Young he would cash it, upon Mr. Young paying it from his private account if the remittance to replenish the account did not arrive next day. Sums of money have been transferred from Mr. Young's private account to his official account, so as to keep the latter account in funds, and to prevent cheques being dishonored.

Abraham Warbrick was called by Mr. Brookfield, but not examined for the prosecution. In answer to Mr. Tyler, he said he resided at present in Mount Eden Gaol, for a breach of the Revenue Act. He was a Native Interpreter. He was, before going there, Assistant Land Purchase Officer. He had a great deal to do with Native land purchases. His duty was to act under orders derived from Mr. Young. Was appointed by a late Under-Secretary (Mr. H. T. Clarke). Formerly received 30s. a day, but that was altered to £350 a year. Mr. Young's salary was altered at the same time. It was a practice, when Natives came to draw money, to obtain their signature to voucher-form not filled up, and the accounts for goods obtained to his order would be attached to the voucher, and the amounts filled in and charged to that Native. Occasionally the voucher would be in duplicate. He could not say what were the objects of the duplicate. Witness conducted the whole of the negotiations relating to the Waitahanui Block. He paid Maria Maraki the £15. The two vouchers handed to him were for the same £15. The voucher signed by Nuku Pauro was attested by witness, and the money was paid by cheque. Some of these were put into the hands of witness.

Mr. Brookfield objected to any cross-examination upon the names attached to the voucher. They had no connection of any kind with this charge, one particular Native signing the voucher.

Mr. Tyler thought that the defence was entitled to obtain from the witness information as to the practice.

*His Honor*: No one can doubt that the practice of resorting to these blank vouchers is a direct, ready means of fraud. If the practice exists, it would be perhaps wrong to make a particular individual suffer by what cannot be called by any other name than a gross malpractice.

The witness explained the discrepancies of the signature in the following manner:—When these vouchers were signed, there would be a great number of Natives present. The one signing would sometimes be a slow writer, and another would sign for him. The spelling is different. The reason for that was, that Nuku was a Roman Catholic. The Catholic mode of spelling "Paul" was "Pauro," the Protestant mode was "Paora."

*His Honor*: Will you tell me how it is you altered this? You see the letter "M" there, initialled by you. (Voucher, in duplicate, handed to the witness.)

*Witness*: I cannot recollect.

*His Honor*: You were beginning to write "March." How came you to write "April"? These are meant for a voucher in duplicate?

*Witness*: Yes.

*His Honor*: Then they are duplicates of different dates. Now, on your oath, Mr. Warbrick, did you not make that alteration designedly? Show those to the jury. There seems to me to be a good deal of duplicity about these "duplicates."

*Witness*: The matters in account would appear clearer if the pass-book (Warbrick's account No. 2) had been sent up with the other papers. Pass-book No. 2 showed the sums paid out of Young's official account to enable witness to pay Natives all about the country.

*His Honor*: This was evidently a device to enable the witness to hold Crown money. The effect of it was to make Young's account a sham. Young acquiesced in it; but I do not say he is guilty of felony for doing that. With regard to that £31 5s., he had paid that sum into the official account, and this cheque referred to was simply paying himself back again.

The witness said there was a mistake committed by him, but the prisoner knew nothing at all about it. His habit was to tick off the sums of money which he paid to Natives. He paid the two sums (£15 each to Nuku and Maraki), but forgot to tick them off. The next month these were again charged; but it was wholly his own mistake. He was very uncomfortable when he discovered it. It was on a Sunday. After which he went to prisoner's house. He saw Mrs. Young, but the prisoner was lying down. The effect of the mistake was, that there was a surplus in the prisoner's account.