

FRIDAY, 20TH DECEMBER, 1907.

LUKE HALLAN HOLLOWAY saith,—

I am Deputy Registrar of Deeds at Auckland.

That is my signature on the back of Exhibit A, No. 8937. The deed is a deposit in our office. It is not registered, but is deposited. It was deposited on the 7th July, 1905. I produce the cash-book of Registrar of Deeds for the month ending the 31st July, 1905. On the 7th July, 1905, is an entry, "No. of instrument, 8937; from whom received, E. Mahony; fee paid, 10s." It would probably not be received personally from Mr. Mahony but from one of his clerks. I do not know anything about the deed of lease on Mr. Mahony's file. The ten-shilling stamp on Exhibit A is the deposit fee put on in our office. The signatures on both deeds appear to be similar, and I should think were signed by the same person. I know Mr. Hill's signature. The signature on each deed has every appearance of being his. I should not question it myself. I have known it for many years.

To Mr. Greenhead: I do not remember Mr. Greenhead calling in August or September, 1905, but the search-book would show if he did.

I produce the Deeds Office search-book, which shows that Mr. Greenhead made a search on the 23rd August, 1905. The book contains his signature, to which is attached a shilling stamp, which is the search fee. The book contains no information as to what was searched, and I do not know what was searched. It could only be a deposit search, the fee for which is 1s.; a deeds search would be 2s. I do not think there are any means of finding out in the office or from our officers what was searched. No written record is kept of what was searched. It would only be a matter of memory.

The search-book I produce is from March, 1905, to February, 1906. I am quite certain no leaf is missing from it. The book is not folioed, but each page is added up and the totals carried forward to the next. The book has been audited.

I produce search-book containing entries for the 6th November, 1906, which shows that on that date Mr. Greenhead made a search, for which he paid 1s., stamp annexed. That would be a deposit search. I do not recollect Mr. Greenhead asking me on one occasion, "Where has the fine stamp gone?" I do not think I should have been likely to hand you the deed and tell you to take it up to the Stamp Office and inquire there. That is not the custom. It is quite possible you asked me if I could tell you when the fine was paid. We always answer questions, and make it as plain as we can. I could not recollect if you said, "There is no date at all showing on this fine stamp." I should say I did not intrust you with a deed to take up to the Stamp Office by yourself. I do not recollect asking you if there was any trouble about that deed. I do not recollect walking out with you to the front door and asking who were the parties involved. The clerk receives documents for deposit. He passes it on to me to see if it is correct for deposit. Then he numbers it and puts the entry on it and enters it in the book, and it comes on to me with the day's work, and I sign his entry on the document. I signed Exhibit A on the 7th July, 1905. It is dated the 7th July, but I might have signed it on the 8th July. I do not think I might not have signed it until the 9th. The entry, however, is put on the day it is received. That is my signature under the entry on Exhibit A. I am quite certain the entry on Exhibit A has not been put there within the last six months. The initials "R.H.B." are those of Mr. Bourke, the officer who received the deposit and who made the entry in the search-book. It is quite possible I did tell you that.

I produce your letter to Registrar of Deeds. That produced by you is my reply.

The deposit No. 8937 has never been taken out. There is no other 8937, and I signed no other. It had not been removed from the office until sent up to Mr. Brabant two days ago for the purpose of this inquiry. It could not be taken out and another one substituted without a fresh indorsement being put on. Another could not be substituted without my knowledge. Supposing Mr. Mahony or Mr. Cossar or any other legal gentleman had asked for the deed, I should certainly not have given it to them. I am perfectly certain and positive the deed 8937 has not been out of the office until sent to Mr. Brabant. If any one wants to see a deed deposited, myself or one of the clerks obtains it for the purpose of showing it. Solicitors and others have certain privileges of searching if they pay the fees. Any one can search if they pay the fees, but a deposit is a different thing. That must be asked for, and it is given them by one of the officers. I do not think it is possible for any one to go to the pigeon-holes and substitute one document for another. I say Exhibit A is the document deposited as 8937, and no other. None but an officer is allowed to go to them. The deposit is not complete until it is signed, and then it is put into its place. We have not used date-stamps with any colour to cancel stamps for many years. We used to use not an oblong, but a round stamp for cancelling stamps, but that was many years before this document was deposited. It is a very long time ago since blue half-crown stamps were used. It is one of my duties to see that a document is properly stamped. If a document bore blue half-crown stamps I should not take it.

I recollect Chief Detective McIlveney coming to the office. He was shown the document No. 8937 (Exhibit A). Mr. Bamford was present. I should not consider that in making a copy of that deed the copyist should copy the erasures in the deed. The certificate of the detective would not lead me to suppose that I produced some other deed to him. The detective may have had some reason for not marking the document I showed him. The blue-pencil mark under the stamps affixed in the Stamp Office are probably the assessment marks of Stamp Office. When a document is presented for stamping a form is filled up and a number given it, and a corresponding number put on the document.

It is not possible that the stamps on Exhibit A could have been tampered with while the document, Exhibit A, was in my custody. No stamps have been removed from the document since it was placed in my custody.