

# CORRESPONDENCE

RELATIVE TO THE

## CONDUCT OF THE BUSINESS OF THE RESIDENT MAGISTRATE'S COURT AT AUCKLAND.

*(Return to an Order of the House of Representatives, dated 9th August, 1872.)*

“That copies of all Correspondence between Mr. J. B. Russell, the Government, and Mr. Beckham, upon the subject referred to in the Petition of Mr. J. B. Russell, be laid upon the Table.”

*(Mr. Wood.)*

WELLINGTON.

—  
1872.



## CORRESPONDENCE RELATIVE TO THE CONDUCT OF BUSINESS OF THE RESIDENT MAGISTRATE'S COURT, AUCKLAND.

### No. 1.

Mr. W. C. DALDY and Mr. J. M. DARGAVILLE to the Hon. the COLONIAL SECRETARY.

SIR,— Police Court, Auckland, 14th November, 1871.  
We have the honor to draw your attention to a case which was brought before us, on the 1st instant, at this Court, by J. T. Burgess, Chief Harbour Master, *versus* Peter Matzen, for a breach of the 32nd clause of the Harbour Regulations for the Ports of New Zealand.

Mr. Beveridge appeared for the prosecution; Mr. J. B. Russell for the defence.

On Captain Burgess's evidence being given, Mr. Russell took objection to the power of the Chief Harbour Master laying information without special authority. As this was seriously urged on behalf of the defendant by his counsel, although we do not entertain any doubt as to the power of the Chief Harbour Master laying information under the Harbour Regulations, we see that the objections open up the very important question of the validity of the Harbour Regulations of the Colony, and think it our duty, on public grounds, to request you will be pleased to obtain the opinion of the Attorney-General as to who is authorized to lay information under Harbour Regulations, and thereby settle the question.

We have reserved judgment until we receive your reply.

We have, &c.,

W. C. DALDY, J.P.

J. M. DARGAVILLE, J.P.

The Hon. the Colonial Secretary,  
(Judicial Branch,) Wellington.

### No. 2.

The Hon. W. GISBORNE to Mr. W. C. DALDY.

Colonial Secretary's Office (Judicial Branch),

Wellington, 16th January, 1872.

SIR,— Adverting to the letter signed by you and Mr. Dargaville, dated the 14th November last, inquiring who is the person authorized to lay information under the Harbour Regulations for the ports of the Colony, and intimating that a decision to be given by a Bench of Justices in Auckland was dependent on the reply to your question, I have the honor to inform you that the Government see no reason for departing from the usual rule of the Executive Government not advising Justices as to matters depending before them.

W. C. Daldy, Esq., J.P., Auckland.

I have, &c.,

W. GISBORNE.

### No. 3.

Mr. J. B. RUSSELL to the Hon. the COLONIAL SECRETARY.

Frazer's Buildings, Shortland Street,

Auckland, 21st November, 1871.

SIR,— On Thursday, the 2nd day of November, instant, I appeared at the Police Court to defend a client against a charge, on the complaint of Mr. Burgess, who was represented by counsel; the presiding Justices were Messrs. Daldy and Dargaville; the complaint being for a breach of the Harbour Regulations. I might have taken exception to Mr. Daldy sitting, as he was Chairman of the Harbour Board, but knowing well that gentleman's integrity, I did not.

In the course of the proceedings, I raised two objections in law, upon one of which judgment was reserved.

On Tuesday last, the Resident Magistrate, Mr. Beckham, while adjudicating upon a similar case, when the defendant had pleaded guilty, took advantage of the occasion to make an attack upon my professional character. I was not in the Court, nor was I aware of what was taking place: Mr. Beckham thus interfering with a judicial proceeding and cause in which he was in no way, directly or indirectly concerned. A meagre report of the proceedings is found in the newspaper reports, slips of which report I enclose. The literal language made use of by him is not given; that used by him being more offensive, while his manner was more violent. Mr. Beckham, amongst other things, said,—“Mr. Russell showed gross and wilful ignorance; it was an attempt on his part to pervert justice, as the merest tyro in the profession knew better; any articulated clerk knew it.” He also said, “that my conduct arose from my being too well colonized,” &c.

If the charges made against me by Mr. Beckham be true, I ought to be struck off the rolls, and I have therefore written to him, either to proceed against me in the Supreme Court, or apologize, to which he has not replied.

I have now no other protection than this application for an investigation, as I believe the judicial position protects him from an action for defamation.

I charge Mr. Beckham with interfering in his judicial character with a judgment pending, in which he was not concerned, and attempting to bias the minds of the judges. I also charge him with using his judicial position to attack my professional character, and thereby gratify personal feeling; this latter attack being the continuation of annoyance from him, while occupying the position and office of Judge for years past. I may, perhaps, be permitted to draw your attention to the conclusion the charge made must necessarily lead to, and which must evidently have been Mr. Beckham's intention, namely, that of depriving me of my practice, either in his Court or any other, except the Supreme Court; as an accusation of so grave a character, from one of Mr. Beckham's experience and presumed knowledge of law, must necessarily weaken the confidence of any Justice of the Peace, Resident Magistrate, or the public generally: of this latter I have positive proof since the attack.

I have delayed this complaint, as I knew the Justices had written for the opinion of the Attorney-General on the law raised by me, and while that was pending I refrained from writing.

I have, &c.,

JOHN B. RUSSELL.

The Hon. the Colonial Secretary,  
(Judicial Branch), Wellington.

### Enclosure in No. 3.

At the Police Court yesterday two painful cases of juvenile depravity were investigated, and the offenders punished. A case of threatening language resulted in the defendant being bound over to keep the peace, and other unimportant business was disposed of. In an action for breach of the Harbour Regulations, brought against Solomon McLean, for neglecting to keep lights burning on board his vessel, his Worship took occasion to comment severely upon the defence set up by Mr. J. B. Russell in a similar case. The action referred to was one preferred, a short time ago, before two Justices of the Peace, against the Captain of the "Golden Isle." In that case Mr. Russell appeared for the defendant, and the questions he then raised were: First, that it required the production of the *Gazette* to validate by-laws; secondly, that Captain Burgess should produce some authority for laying the information. The first objection, as to the production of the *Gazette*, Mr. Russell held to be fatal; but as to the other objection he considered he ought to raise it in justice to his client, although not at that time prepared to support it by authorities. If the Magistrates would inflict the penalty the money would be paid into Court, reserving the right to appeal, which would not compromise the Magistrates. The Justices, however, preferred, as it was a matter affecting the Harbour Regulations, to take the opinion of the Attorney-General before giving judgment, and they therefore adjourned the case for a month. Mr. Beckham considered that Mr. Russell had misled the Justices in the matter, and so expressed himself. Mr. Russell replied, and a warm passage of arms ensued, an account of which appears in our police report. In the case of Mr. McLean a fine of £5 and costs was imposed.

#### BREACH OF HARBOUR REGULATIONS.—PASSAGE OF ARMS.

Solomon McLean was charged with a breach of the Harbour Regulations, by not keeping a bright light burning between the hours of sunset and sunrise on board his schooner. The information had been laid by the Harbour Master.

Defendant pleaded guilty.

His Worship said: I am sorry the solicitor is not present in Court this morning who was professionally engaged in a similar case some little time ago. It was Mr. J. B. Russell. He objected to Captain Burgess's power to lay information, as not possessing the authority, or that it required the production of a *Gazette*. Mr. Russell must have known better. I am sure he knew better, and he could have only raised such an objection in ignorance or in wilfulness, to deceive the gentlemen who sat upon the bench, and who, fearing to contravene the law, had adjourned the case for one month. The law is very clear upon the subject. Nothing indeed could be clearer. There is not an articulated clerk but would know better. Such acts destroyed all confidence, and beget distrust in the integrity of a profession where no distrust should exist.

His Worship then read from "Oke's Magisterial Synopsis," under the heading of "Summary Convictions or Orders," the following extract:—

"Every complaint or information (whether by a party aggrieved or an informer) may be laid by the complainant or informant in person, or by his counsel or attorney, or other person authorized in that behalf. It is conceived, however, that this provision will not apply to those cases where a particular person is required by the statute to lay the information or make the complaint, or when under a local Act the complainant is not a party aggrieved by the act of the defendant. In all other cases any person may lay the information. And it has been held that where the offence is not an individual grievance, but is a matter of public policy and utility, and concerns the public morals, any person has a general power to sue for the penalties."

His Worship continued: Here one may see the matter is plain enough; but then gentlemen who sometimes sit on this bench may not be acquainted with the law, and when they depend upon the legal knowledge of a professional man they do not look to being misled. The statute requires nothing of the kind as stated by Mr. Russell. Any person has the power to lay such an information. Why, the Harbour Master's boatmen could do it.

(Here Mr. Russell entered the Court.)

Mr. Russell, addressing the Bench: I have, your Worship, heard sufficient to know that you have been using my name very freely.

His Worship: I wish that you had been here sooner. I say that it has been either through gross ignorance or wilfulness that you raised your objections; and I say that you had no right to do so.

Mr. Russell: There is one thing, and that is, I will not be put down in this Court. I may not have received the education your Worship has.

His Worship: Perhaps you have not.

Mr. Russell: Well, perhaps I have not; but this I will assert, that I was educated a solicitor, and I know my profession. I am prepared to argue the objections I raised in this Court before the Chief

Justice. I never yet raised an objection in law that I was not prepared to support by legal argument.

His Worship: It has been laid down by the highest authorities in the English Court that no lawyer is permitted to deceive the Justices. It could not be tolerated. No solicitor educated in England would do such a thing.

Mr. Russell: I did not learn my profession in England. Unfortunately for me my practice has chiefly lain in the Resident Magistrate's Court, and, by experience, I shall never feel any surprise at what may happen there. I repeat that I never attempted to lay down a point of law but what I was prepared to support by reference to competent authorities.

His Worship: No menaces.

Mr. Russell: I consider that in my absence you have acted very unjustly towards me.

His Worship: I shall have to be severe if I hear a repetition of such remarks.

His Worship then ordered Mr. Russell to sit down.

Mr. Russell: I appear for the defendant, and I have a right to be heard. First, in defence of my conduct, which in this Court or in any other has always been that of a gentleman. As for what the Court may threaten, I am quite prepared for it.

His Worship: You have a bad memory, Mr. Russell. I shall fine the man, when he can appeal if he thinks proper.

Mr. Russell: What! after the man has pleaded guilty! That may be so in this Court. I cannot feel astonished at whatever may occur. Then I am to understand the Court will not hear me.

His Worship: The man has pleaded guilty.

Mr. Russell: Yes, but I have something to say in mitigation. The defendant was not aware that it was necessary to have a light inside the breakwater. He had put it up when he learned that it should be so. At the time when he was charged with neglect, he was at evening service in church.

After a pause in the proceedings, Mr. Russell rose and explained to his Worship that he was compelled to attend the Supreme Court.

Mr. Beveridge, who appeared for the complainant, took up the case, which resulted in the defendant being mulcted in the penalty of £5 and costs.

The Court then adjourned.

#### No. 4.

Mr. J. B. RUSSELL to the Hon. the COLONIAL SECRETARY.

SIR,—

Auckland, 18th January, 1872.

On the 21st November last, I forwarded a communication relative to the conduct of Mr. T. Beckham, Resident Magistrate at Auckland, towards myself, making specific charges against him, to which I have not yet received an answer.

I beg to call your attention thereto, and to request some action on the part of the Government, as Mr. Beckham's conduct is occasioning me serious injury.

The Hon. the Colonial Secretary,  
(Judicial Branch), Wellington.

I have, &c.,  
JOHN B. RUSSELL.

#### No. 5.

Mr. R. J. FOUNTAIN to Mr. J. B. RUSSELL.

SIR,—

Colonial Secretary's Office (Judicial Branch),

Wellington, 30th January, 1872.

I have the honor, by direction of Mr. Gisborne, to acknowledge the receipt of your letter of the 18th instant referring to a former communication of yours, dated the 20th November last, containing a complaint against the Resident Magistrate at Auckland, and in reply to inform you that your former letter has been forwarded to the Hon. Mr. Ormond, who is now in Auckland, and who will probably communicate with you on the subject.

I have, &c.,

R. G. FOUNTAIN,  
(for Assistant Law Officer).

J. B. Russell, Esq., Solicitor, Auckland.

#### No. 6.

Mr. J. B. RUSSELL to the Hon. the COLONIAL SECRETARY.

SIR,—

Shortland Street, Auckland, 9th April, 1872.

In last November, nearly five months ago, I forwarded a specific charge against the Resident Magistrate of Auckland of using his judicial position to injure my character, professional and private, and was informed some months after that the complaint had been forwarded to Mr. Ormond. I waited upon that gentleman, who informed me that Dr. Pollen would attend to it; I have since heard nothing further, and as I have no desire to visit Wellington to endeavour to obtain justice, I beg you at an early date to take some steps to have this matter settled, as apart from the question of the purity of the Judicial Bench, I cannot afford to be ruined in my profession or character without an effort to save myself.

The Hon. the Colonial Secretary,  
(Judicial Branch), Wellington.

I have, &c.,  
JOHN B. RUSSELL.

## No. 7.

Mr. A. C. P. MACDONALD to Dr. POLLEN.

SIR,—

Colonial Secretary's Office, Wellington, 16th April, 1872.

I have the honor, by direction of Mr. Gisborne, to transmit herewith, for your information, copy of a letter received from Mr. John B. Russell, of Auckland, on the subject of his complaint against Mr. Beckham, R.M., and to request you to be good enough to inform me what has been done in the matter, and whether you have acted on Mr. Ormond's instructions; if not, I am to request you to be good enough to do so.

I have, &amp;c.,

A. C. P. MACDONALD,

(for the Under Secretary).

D. Pollen, Esq., Government Agent, Auckland.

## No. 8.

Mr. R. G. FOUNTAIN to Mr. J. B. RUSSELL.

SIR,—

Colonial Secretary's Office (Judicial Branch),  
Wellington, 17th April, 1872.

I have the honor, by direction of Mr. Gisborne, to acknowledge the receipt of your letter of the 9th instant, calling attention to your complaint against the Resident Magistrate at Auckland, and in reply to inform you that a copy of your present letter has been sent to Dr. Pollen, to whom the matter has been referred, asking him what has been done, and if he has not acted on the Hon. Mr. Ormond's instructions, to do so.

I have, &amp;c.,

R. G. FOUNTAIN,

(for Assistant Law Officer.)

J. B. Russell, Esq., Solicitor, Auckland.

## No. 9.

The Hon. Mr. GISBORNE to Dr. POLLEN.

(Telegram.)

Government Buildings, 23rd April, 1872.

PLEASE submit papers relative to Mr. Russell's complaint against Mr. Beckham to Hon. Mr. Vogel, whom I have asked, by telegraph, to dispose of the matter.

The General Government Agent, Auckland.

W. GISBORNE..

## No. 10.

The Hon. W. GISBORNE to the Hon. J. VOGEL.

(Telegram.)

Government Buildings, 23rd April, 1872.

I HAVE asked Pollen to lay before you some papers referring to a complaint made by Mr. John Russell, solicitor, against Beckham. Will you please dispose of the matter while you are there, and return the papers with a memorandum of what you may have done?

Hon. J. Vogel, Auckland.

W. GISBORNE.

## No. 11.

Mr. R. G. FOUNTAIN to Mr. J. B. RUSSELL.

(Telegram.)

Government Buildings, 23rd April, 1872.

DR. POLLEN has been asked to lay your complaint before the Hon. Mr. Vogel.

J. B. Russell, Esq., Solicitor, Auckland.

R. G. FOUNTAIN.

## No. 12.

Mr. T. BECKHAM to the Hon. the COLONIAL SECRETARY.

Resident Magistrate's Office, Auckland, 25th April, 1872.

IN consequence of the repeated difficulties the unpaid Justices had been led into, several of them having been mulcted in large sums by the Supreme Court, and finding that Mr. J. B. Russell had deceived the Magistrate when investigating a breach of the Harbour Regulations, by misquoting the law, thereby causing the disposal of that case to be delayed, I conceived it to be my duty, when inquiring into a similar case a few days afterwards, to draw attention to the circumstance that the law as laid down by Mr. Russell was at variance with facts, in order to prevent the Justices being further intimidated. I feel bound to give my opinion of the law publicly, as I believe the Justices had no other means of ascertaining the truth without incurring expense.

When I commenced to speak on the subject, I stated I regretted that Mr. Russell was not in Court to hear what I had to say, but in a few minutes he made his appearance, when I repeated what I had said, and it was his grossly offensive conduct which drew from me plainer language than I had previously employed, namely, that "Mr. Russell must have misquoted the law from ignorance or wilfulness, as every lawyer's clerk must have been aware of the law on the subject." And it was from further insolence, I was induced to remark that it was "easy to become colonized."

Before I spoke to Mr. Russell with reference to his conduct, I had been made acquainted with the fact that, immediately after the case before Messrs. Daldy and Dargaville had been closed, he admitted

that he knew "there was nothing in his objection." I was, therefore, fully justified in reprimanding him. I did not use the words he imputed to me, neither were they spoken in his absence, as he affirms.

Mr. Russell states that he "delayed making his complaint, as he knew the Justices had written for the Attorney-General's opinion, and whilst that was pending he refrained from writing." What truth can there be in such a statement, when the Justices in open Court publicly postponed giving their decision, on several occasions, in consequence of their not having received the Attorney-General's opinion; and their judgment was not given until the 12th of January, 1872, six weeks after the date of Mr. Russell's letter of complaint of the 21st November, 1871. I have reason to believe that the real cause of delay arose from his being engaged in endeavouring to solicit the sympathies of his profession, so as to bring an action against me in the Supreme Court; but in that he was unsuccessful. I am also informed that he was engaged for a long time in endeavouring to get up a petition, asking the Government to remove me from office; in that also he signally failed. Immediately after receiving my reprimand, he wrote a most scurrilous letter in the newspaper with reference to myself. If, from the circumstances I have stated, and what appears to me to be most unprofessional conduct, the language I used was stronger than necessary, it is to be regretted. The charges made against me by Mr. Russell are unworthy of notice. I may here remark that Mr. Russell's conduct is generally known to be very offensive. During a judicial experience of thirty-eight years in New Zealand and the neighbouring Colonies, I never heard of a Judge's conduct being investigated for reprimanding an attorney. It appears to me clear that if Judges and Magistrates are to have an inquiry made into their conduct upon the complaint of every unscrupulous person, the independence of the Bench must be destroyed, Judges and Magistrates will be afraid to perform their duty, and the due administration of justice must utterly fail. During the trial of the celebrated Eltham murder case, in which the Solicitor-General appeared on behalf of the prosecution, tried before the Lord Chief Justice, his Lordship is reported to have commented in no measured terms on the conduct of the prosecution, and declared it was the duty of counsel to assist the Bench; but it is nowhere intimated that the Attorney-General suggested that an inquiry should be held into his Lordship's conduct. Lord Brougham writes: "To secure the independence of the Judges, they should be only removable upon misconduct, proved to the satisfaction of some competent tribunal."

THOMAS BECKHAM.

### No. 13.

The Hon. W. GISBORNE to Mr. T. BECKHAM.

Colonial Secretary's Office (Judicial Branch),  
Wellington, 12th June, 1872.

SIR,—

With reference to certain complaints made to me by Mr. J. B. Russell, a solicitor, practising at Auckland, relative to your conduct towards him on certain occasions, and which complaints were communicated to you through Dr. Pollen, I have the honor to inform you of the conclusion which the Government, after long and anxious consideration, have arrived at on the matter.

The Government regret to think that, on the occasion referred to in Mr. Russell's letter of the 21st November last, the observations made by you, concerning Mr. Russell, in reference to a matter not before you, were not justifiable. However irritating may be the manner of those who conduct business before a judicial officer, it is his duty to control his feelings, and to avoid angry retort and offensive remarks.

It is with extreme reluctance that I feel bound to write to you this letter, for the Government recognize your long and valuable services, but they are unable to pass over what seems to them in this instance a well-grounded complaint.

Thos. Beckham, Esq., R.M., Auckland.

I have, &c.,  
W. GISBORNE.

### No. 14.

The Hon. W. GISBORNE to Mr. J. B. RUSSELL.

Colonial Secretary's Office (Judicial Branch),  
Wellington, 13th June, 1872.

SIR,—

With reference to certain complaints made by you to me relative to the conduct of Mr. Beckham, the Resident Magistrate, in his official capacity, I have the honor to inform you that the Government have, after such inquiry as they thought requisite, informed Mr. Beckham of their opinion that the observations made by him on the 14th day of November last, concerning yourself, in reference to a case not before him, were not justifiable.

J. B. Russell, Esq., Solicitor, Auckland.

I have, &c.,  
W. GISBORNE.

### No. 15.

Mr. J. B. RUSSELL to the Hon. the COLONIAL SECRETARY.

SIR,— Shortland Street, Auckland, 29th April, 1872.

I am again compelled to complain of the unjustifiable conduct of the Resident Magistrate at Auckland, Thomas Beckham, Esq.

On Friday, the 19th instant, upon his giving judgment in a matter which involved a release from two wholesale merchants and importers, I asked permission to appeal from his judgment, and was answered by an outburst of passion and invective, some slight idea of which may be gathered from the accompanying reports of the *Evening Star* and *Daily Southern Cross*, slips of which are herewith.

During the whole time I neither by word or action did anything other than that which was courteous or respectful.

These frequent expressions and outbursts of temper from Mr. Beckham have now become notorious. Helpless drunkards and unfortunate women, the latter of whom are described by him in open Court as below the brute beasts, must, from their unfortunate position and as women, submit. But when the attack is made upon me, I must resist, unless I consent to be driven from the Resident Magistrate's and Police Courts, to which, without cause, I object. I am being deprived of my Court practice, which, it appears to me, is Mr. Beckham's determination, and I am daily informed by my clients it is useless to give me business before him.

I beg, therefore, the Government will take some steps to compel this gentleman, who, I believe, has sworn to act justly, to abide by his oath. It is now becoming too serious for me to submit to without further protest. As it now is, it is not possible for me, upon any occasion, when addressing him, to receive courtesy or even attention.

I enclose statement of facts, of which I challenge contradiction.

The Hon. the Colonial Secretary  
(Judicial Branch), Wellington.

I have, &c.,  
J. B. RUSSELL.

### Enclosure in No. 15.

(From *Daily Southern Cross*.)

RESIDENT MAGISTRATE'S COURT.—Friday, 20th April, 1872.

THE Court gave its reserved judgment in the cause of John Ogilvie v. Hugh Campbell, on a claim for £10, particulars of which were reported in a previous issue of this journal. Verdict went for the plaintiff.

*Mr. Russell*, for the defendant, said that as the decision of the Court would involve, and did involve, other transactions in connection with the business relations of the parties concerned in this action, he would ask leave to appeal.

*Mr. Beckham*.—You have a perfect right, Mr. Russell, to take any advantage which the law allows you.

*Mr. Russell*.—But before I can appeal, it is necessary that I should have the consent of the Court.

*Mr. Beckham*.—That requires consideration.

*Mr. Russell*.—All that I ask is, in the interest of justice, that I may have permission to appeal.

*Mr. Beckham*.—Justice, law, evidence, honour, and morality are against you in this matter. Justice you have got.

*Mr. Russell*.—But it is necessary that the Court should give its consent before I can appeal. There are interests involved by the decision of the Court in this case, which affect other interests outside of it.

*Mr. Beckham*.—I am not inclined to allow an appeal at present. You can appeal some other time.

*Mr. Russell*.—But I am only allowed three days to make the appeal.

*Mr. Beckham*.—I shall not decide now.

The next case having been called on, Mr. Russell sat down. After a minute or two Mr. Beckham said he would state whether or not he would allow the appeal before the business of the Court concluded.

(Extract from the *Evening Star*.)

19TH APRIL, 1872.

The following incident occurred in the Resident Magistrate's Court to-day, in the case of Ogilvie v. Campbell.

#### Judgment:

*His Worship*.—The Court, after considering the evidence given in this case, is of opinion that judgment must pass for plaintiff.

*Mr. J. B. Russell*.—Judgment for the plaintiff?

*His Worship*.—Yes.

*Mr. Russell*.—I stated to the Court, upon the opening of the case, that there are other matters involved besides this particular matter. I presume the Court will not object to grant me an appeal.

*His Worship*.—Whatever the law allows you, you can take advantage of. If the law allows you, you can take advantage of that.

*Mr. Russell*.—My application is, that the Court will grant me its consent.

*His Worship*.—I have some doubt about that; I must consider of it. It is one of a class of cases that can be brought here, in which if the law and the evidence were against you, honor, honesty, and morality would declare there was no defence whatever.

*Mr. Russell*.—That is a question for my client. I ask, in the interest of justice, that you will grant me an appeal.

*His Worship*.—Justice! You have got justice. Judgment has been given for the plaintiff, otherwise it would not be justice. Judgment for the plaintiff.

*Mr. Russell*.—Will the Court grant me an appeal?

*His Worship*.—The Court must consider of it.

*Mr. Russell*.—When will the Court give me an answer.

*His Worship*.—When the Court rises.



No. 16.

The Hon. W. GISBORNE to Mr. J. B. RUSSELL.

Colonial Secretary's Office (Judicial Branch),  
Wellington, 4th July, 1872.

SIR,—  
Adverting to your letter, dated 29th April last, I have the honor to inform you that, after consideration, the Government do not think that the circumstances of the special matter referred to therein are such as to require their interference.

I have, &c.,  
W. GISBORNE.

J. B. Russell, Esq., Auckland.

No. 17.

Mr. J. B. RUSSELL to the Hon. the COLONIAL SECRETARY.

SIR,—  
In the early part of last month, the Hon. J. Vogel assured me my complaint against Thomas Beckham, Esq., Resident Magistrate, should have prompt attention; as yet I have had no evidence that the promise will be carried out.

May I request the favour of an intimation of what the Government intend to do, as seven months appear to me a long time to arrive at a conclusion respecting the charge I made against a Judge.

I have, &c.,  
J. B. RUSSELL.

The Hon. the Colonial Secretary,  
Judicial Department, Wellington.

No. 18.

The Hon. W. GISBORNE to Mr. J. B. RUSSELL.

Colonial Secretary's Office (Judicial Branch),  
Wellington, 1st July, 1872.

SIR,—  
In reply to your letter of the 8th ultimo, I have the honor to state that your letter complaining of the conduct of Mr. Thomas Beckham, Resident Magistrate at Auckland, was answered on the 13th of last month.

I have, &c.,  
W. GISBORNE.

J. B. Russell, Esq., Auckland.

