

to do so. I had not been in any way advised of a successor, and when he would assume office. I apprehend it is possible for Government to arrange matters, and I am quite prepared to do my share to prevent inconvenience, which I notified as soon as I clearly saw it would arise. If something be not done, of course cases unheard must stand over. The present case is not finished. It is possible, though not probable, there may be a settlement. If it be not, the case may have to be begun over again. I can only repeat my willingness to act in any way and in any capacity you think fit, even as a Deputy-Judge to save trouble. I should like to hear early in the morning, because I will adjourn cases without loss of time if provision be not made for me to complete them, as I tell you again I am quite prepared to do.

The Hon. the Minister of Justice, Wellington.

THOS. S. WESTON.

The Hon. the MINISTER of JUSTICE to Mr. District Judge WESTON.

(Telegram.)

Wellington, 29th October, 1880.

I AM sorry there should have been any misapprehension on your part. In my telegram of the 20th September last I said the decision of the Government was final, and I relied on your making arrangements accordingly. With the information now before me I cannot indicate what should be the manner in which the particular cases should be dealt with, and I rely upon the assurance that you give me of your doing your best to prevent public inconvenience, as I am advised it would not now be competent to deal with the matter by making the appointment of a Deputy-Judge.

T. S. Weston, Esq., District Judge, Reefton.

W ROLLESTON.

APPENDIX.

Petition of J. B. Beeche, of Reefton.

To the Honorable the House of Representatives of the General Assembly of New Zealand in Parliament assembled.

THE humble petition of John Blennerhassett Beeche, of Reefton, in the County of Inangahua, in the Colony of New Zealand, sheweth:—

That on the 14th day of October, 1880, commenced an action against a mining company called “The Welcome Gold-Mining Company (Limited),” in the District Court of Westland, at Reefton, under its original jurisdiction, under “The Mines Act, 1877,” in which action your petitioner sought to recover the sum of £900, as damages for loss sustained by the unlawful interference by the said company with a certain gold-mining claim, situated in the County of Inangahua, belonging to your petitioner.

That the said action was set down for trial at the next sitting of the District Court held at Reefton on the 27th day of October last.

That, owing to the number of cases on the cause-list for the said sittings, your petitioner's case was not called upon till the afternoon of Friday, the 29th day of October last.

That your petitioner's case had just been opened by his counsel, and the examination of his first witness was being proceeded with, when Mr. Weston, the learned Judge who presided at the trial, told the counsel engaged in the cause that he had just been informed by the Minister of Justice that his commission as Judge would expire on the following day, and asked them if there was any probability of bringing the trial to an end before such expiration.

That, considering the number of witnesses to be examined, the number of facts in dispute, and the importance and complicated nature of the case, the counsel on both sides informed the Judge that, in justice to their respective clients, they felt compelled to say that the case could not possibly be finished during the following day, and that the learned Judge concurred in this opinion.

That the learned Judge, with a view to prevent the great loss which both parties would sustain by a compulsory adjournment of the case, such adjournment rendering it necessary to proceed with the case *de novo* before his successor, telegraphed to the Minister of Justice, stating the above facts, and requested him to appoint him as Deputy-Judge, so that the case might then and there be finally decided.

That this request was not granted.

That the said Judge, seeing the impossibility of finally deciding the case during the sitting, was compelled to adjourn the hearing of the case to the next sittings of the District Court, to be held at Reefton on the 2nd day of December, 1880.

That a number of short cases were then proceeded with till the sittings terminated.

That your petitioner found it necessary to retain counsel from Greymouth, a distance of fifty miles from Reefton, as the only counsel resident in Reefton had been retained by the defendant in the said action, and that he had to pay a fee of £35 for such counsel's services.

That your petitioner's costs, as shown by the subjoined statement, amounted to £66 18s., for witnesses' expenses, counsel's fee, &c.:—

	£	s.	d.
James McNeill, miner, Boatman's Creek, mileage 10s., three days' attendance	..	2	0 0
Peter Ewing, miner, Boatman's Creek, mileage 10s., three days' attendance		2	0 0
Peter O'Neill, miner, Boatman's Creek, mileage 10s., three days' attendance		2	0 0
James Wilson, miner, Boatman's Creek, mileage 10s., three days' attendance	...	2	0 0
George Farelly, miner, Boatman's Creek, mileage 10s., three days' attendance		2	0 0
John Love, miner, Boatman's Creek, mileage 10s., three days' attendance	...	2	0 0
Matthew Byrne, miner, Boatman's Creek, mileage 10s., three days' attendance	...	2	0 0
P. Walsh, miner, Cannibal Gorge, mileage 50s., three days' attendance	...	4	0 0
William Faler, Reefton, three days' attendance	...	1	10 0