

No. 13.

District Judge WARD to the Hon. the MINISTER of JUSTICE.

SIR,—

Oamaru, 20th July, 1889.

I have the honour to acknowledge the receipt of a letter from the Secretary of Justice, stating (*inter alia*) that the Cabinet do not intend to take any action respecting the correspondence *in re* Christie until the Committee to whom his petition has been referred report upon it. It is pleasant to observe by the telegrams that the matter has been brought before both Houses, and that the despatches in question must be forthwith produced. The case is now in the hands of the Legislature, to whom you and I are alike responsible. It remains for the Houses of Parliament to decide whether you and Mr. Hislop are to be approved of as the apostles of the new doctrine of intervention, under which, according to you, no tradesman to whom a Judge or Resident Magistrate owes a shilling can sue or be sued in his Court without its becoming "the duty of the Minister of Justice, in the public interest, to intervene;" or whether I have simply done my duty in repelling a grave attack on the independence of the judicial Bench.

As the law now stands, had I refused to hear Christie's examination in bankruptcy on the sole ground that a debt fully secured by mortgage was due by me to the Colonial Investment Company, one of his creditors, a writ of *mandamus* ordering me to proceed with it would certainly have been granted by the Supreme Court.

I have recently observed that the pressed copy of the petition of certain residents of Oamaru in favour of Christie, and the letter of the 11th of April from Mr. Hislop forwarding it, are in the same handwriting. It is thus clear that this petition, if drafted by Mr. Newton, was engrossed by a clerk of the Colonial Secretary.

I have, &c.,

The Hon. the Minister of Justice, Wellington.

C. D. R. WARD, D.J.

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