

No. 71.

Mr. Justice EDWARDS to the Hon. the PREMIER.

SIR,—

Judge's Chambers, Wellington, 17th April, 1891.

I have the honour to refer you to my letter of the 14th April, covering copies of a Statement of Claim and other documents served upon me at the suit of John Aldridge, a criminal, and requesting you to inform me whether, under the circumstances therein mentioned, you will cause the Law Officers of the Crown to be instructed to defend the action.

I have now the honour to call your attention to the immediate necessity, owing to the exceedingly limited time available for defence of the action, for my receiving a reply to this inquiry.

I have, &c.,

The Hon. the Premier, Wellington.

W. B. EDWARDS.

No. 72.

The Hon. the PREMIER to Mr. Justice EDWARDS.

SIR,—

Premier's Office, Wellington, 17th April, 1891.

I am in receipt of your letter of the 14th instant, in which you forward to me a copy of a Statement of Claim and other documents served upon you at the suit of one John Aldridge, a criminal sentenced by you at the Blenheim session of the Supreme Court in November last; also of your further letter of this date.

In reply I beg to inform you that this Government has never recognised your status as a Judge of the Supreme Court, and is not prepared to instruct the Law Officers of the Crown to defend any action which may be brought against you.

I return the papers which were enclosed in your letter.

I have, &c.,

W. B. Edwards, Esq., Wellington.

J. BALLANCE.

No. 73.

Mr. Justice EDWARDS to the Hon. the PREMIER.

SIR,—

Judge's Chambers, Wellington, 17th April, 1891.

I have the honour to acknowledge the receipt of your letter of this date, and in reply I have to point out to you that you are in error in stating that my status as a Judge of the Supreme Court has never been recognised by the Government, though it may be that it has not been recognised by the Ministry at present holding office.

I hold a commission as a Judge of the Supreme Court, regularly issued by His Excellency the Governor under the seal of the colony, upon the advice of the Responsible Advisers for the time being of the Crown.

The validity of that commission depends upon points of law of which the Judges are the only proper exponents, and it is in no respect affected by recognition or non-recognition by the Ministry of the day.

If it be true, as alleged by you, that my commission is invalid, and that I am consequently improperly usurping the office of a Judge of the Supreme Court, then it is the plain duty of the Ministry for the time being, by appropriate proceedings in the Supreme Court, to cause me to be ousted from the office which I am alleged to be usurping, and not to stand by as indifferent, publicly declaring, however, that my commission (which is regular in form, at all events), is invalid, while that commission is being attacked by a felon regularly imprisoned in the public prison.

I have the honour, therefore, to request that you will cause the Law Officers of the Crown to be forthwith instructed to take the appropriate proceedings to cause me to be ousted from the office which you allege I am usurping.

I have the honour further to request that you will inform me at the earliest possible moment what course you intend to take in this matter, in order that, if proceedings against me are undertaken by the Crown, I may cause counsel to be instructed to apply to the Court to stay the proceedings begun by the felon Aldridge until the proceedings undertaken by the Crown have been disposed of.

I have the honour to add that, upon proceedings being regularly instituted by the Law Officers of the Crown against me, I shall cease to exercise judicial functions until the determination in the Supreme Court of those proceedings.

I have, &c.,

The Hon. the Premier, Wellington.

W. B. EDWARDS.

No. 74.

The Hon. the PREMIER to Mr. Justice EDWARDS.

SIR,—

Premier's Office, Wellington, 18th April, 1891.

I have the honour to acknowledge the receipt of your letter of the 17th instant, and in reply to state that the Government has nothing to add to the decision conveyed to you in my letter of the 17th.

I have, &c.,

W. B. Edwards, Esq., Wellington.

J. BALLANCE.