

No. 12.

THE CHIEF JUSTICE TO THE ATTORNEY-GENERAL.

Supreme Court,
Auckland, 13th July, 1865.

SIR,—

Considerable sums of money are from day to day, or from week to week, paid to and remaining in the hands of the Registrar and Deputy-Registrar of the Supreme Court at this place. These sums are of two classes, viz., moneys which are paid at stated intervals into the Colonial Treasury, and moneys which, in the present state of the law and practice are not so payable, or at all events have not been so paid. Of the first class, fees and fines and balances of official administration of real or personal estate, are examples; of the second class, any moneys paid into Court to the credit of the estate of a lunatic, &c.

The Insolvent Estates Fund is also about to become a somewhat important amount, in respect of which opinions probably differ to which of the above classes it belongs, having regard to the construction which may be put upon the "Debtors and Creditors Act 1862."

Probably some uniform system will ere long, be established for the deposit, and the process of operating upon all such funds. But meanwhile, the Registrar proposes (as to those moneys which at present are not paid into the Colonial Treasury at all events) to open accounts at one of the leading Banks, which accounts shall only be operated upon by Order of Court.

Hitherto, and up to the present time, these moneys have rested, until finally disposed of, at the Union Bank of Australia; but I should not think it right to open separate accounts there or at any other Bank in the name of the Supreme Court without the sanction of the Government.

Will you therefore be pleased to inform me whether the Government desire that, for the present, and until some system is determined upon for the keeping of these moneys, the Court should deposit them with the Union Bank of Australia, with the Bank of New Zealand, or elsewhere?

The matter is becoming urgent. The Fees and Fines alone, I believe, amounted for the past month to some £142. The Insolvent Estates Fund is now becoming productive, and the fund "In Lunacy" is likely to be of some importance.

I have, &c.,

GEORGE ALFRED ARNEY,
Chief Justice.The Honorable the Attorney-General,
Wellington.

No. 13.

THE CHIEF JUSTICE TO THE ATTORNEY-GENERAL.

Supreme Court,
Auckland, July 21, 1865.

SIR,—

I beg to acknowledge the receipt of your letter of the 10th instant, enclosing copy of correspondence between yourself and the Colonial Treasurer, and certain information respecting the accounts of Intestate Estates, which, you inform me, is forwarded to me with reference to my letter of 19th May last.

As to the correspondence, I am not aware of having cast imputations on the integrity and credit of the General Government. Certainly I had no such intention. My comments were directed to a series of proposals, upon which I was invited to comment (and which I certainly felt it humiliating to receive from the Attorney-General) proposals embracing, among other matters, the system adopted in this Colony for the management of Intestate Estates.

In regard to the information above mentioned, I observe, it is incidental to the correspondence, but I beg to thank you for it. I can see no possible objection to the carrying into effect of Mr. Batkin's Memorandum, if the Government really think that the public interest will be served by a republication once every quarter, of accounts which, if I am rightly informed, are already published in monthly *Gazettes*.

I have only to add that whatever be the system from time to time established by law, it will be my duty to endeavour to give it effect.

I have, &c.,

GEORGE ALFRED ARNEY,
Chief Justice.The Hon. the Attorney-General,
Wellington.

No. 14.

THE ATTORNEY-GENERAL TO THE CHIEF JUSTICE.

Attorney-General's Office,
Wellington, July 31, 1865.

SIR,—

I have the honor to acknowledge the receipt of your letter of the 21st instant, respecting the accounts of Intestate Estates.

I have, &c.,

His Honor Sir G. A. Arney,
Chief Justice.

HENRY SEWELL.