

whenever he visited the Court in reference to the case, both before and after the judgment, and took a most prominent part in the whole proceedings.

I have, &c.,
GEO. KELLY,
Clerk to the Bench.

W. B. White, Esq., Resident Magistrate, Mongonui.

MESSRS. BALL AND ANDERSON,—

Having been precluded, by Mr. Fenton's action towards me, from taking my seat on the Bench in this case, I am unable to make any remark for the information of the Government; I have therefore thought it better to refer these complaints to you and Mr. Anderson, who heard the case, requesting you will be good enough to make any inquiries you may think fit.

14th September, 1872.

W. B. WHITE, R.M.

W. B. WHITE, Esq., R.M.,—

We the undersigned having conjointly considered the complaint of Mr. Kelly in reference to the conduct of Messrs. Butler and Fenton during the hearing of the case *Fenton v. Frear*, are prepared to corroborate the charges as substantially correct.

16th September, 1872.

THOS. BALL.
ALEX. ANDERSON.

No. 5.

Mr. FOUNTAIN to CAPTAIN BUTLER.

(No. 746.)
SIR,—

Colonial Secretary's Office (Judicial Branch),
Wellington, 15th, October, 1872.

I have the honor, by direction of Mr. Hall, to enclose a copy of a letter of complaint, received from the Clerk of the Court at Mongonui, against yourself and Mr. H. H. Fenton as Justices of the Peace, with memoranda by the Resident Magistrate and Messrs. Ball and Anderson, in order that you may make such remarks thereon as you may think proper.

I have, &c.,
R. G. FOUNTAIN,
(for the Assistant Law Officer).

Captain Butler, Mongonui.

No. 6.

Mr. FOUNTAIN to Mr. H. H. FENTON.

(No. 747.)
SIR,—

Colonial Secretary's Office (Judicial Branch),
Wellington, 15th October, 1872.

Adverting to my letter of the 4th inst., No. 712, relative to complaints made by you against the Resident Magistrate at Mongonui and his Clerk, I have the honor, by direction of Mr. Hall, to enclose a copy of a letter of complaint, received from the Clerk of the Court at Mongonui, against yourself and Captain Butler as Justices of the Peace, with memoranda by the Resident Magistrate and Messrs. Ball and Anderson, in order that you may make such remarks thereon as you may think proper.

I have, &c.,
R. G. FOUNTAIN,
(for the Assistant Law Officer).

H. H. Fenton, Esq., J.P., Mongonui.

No. 7.

Mr. W. H. CLARKE to the Hon. the COLONIAL SECRETARY.

SIR,—

Mongonui, 1st October, 1872.

The extraordinary maladministration of justice in this district, and the annoyance and civil consequences to the settlers, I hope will be deemed a sufficient plea for my addressing you.

Some years ago the Resident Magistrate of Mongonui was found guilty, by an Auckland jury, of defamation of character on a settler whilst sitting on the Bench, and was punished accordingly. Afterwards there was an inquiry into his conduct whilst Acting Custom House Officer, out of which he escaped by uttering untruths. Then he became so obnoxious that the settlers memorialized the Government to remove him, which was refused—how much trouble would have been saved had their prayer been granted—since which there have been continual complaints, such as interference in politics—in one instance his taking the chair (though cautioned) when the members met their constituents; dancing at a public house with the policeman's wife; meddling in private affairs and slandering his neighbours; down to the present time, when a dispute arose about a dog (*Fenton v. Frear*), the prejudging of which is better described by an article from the Auckland press, which I have attached to this letter to prevent mistakes in transcribing, which has caused quarrels amongst the Justices of the Peace, and bringing the law into contempt. I am a settler of many years' standing, and have taken the liberty of calling your attention to this district—where there is, and has been, so much bad administration of Her Majesty's laws—hoping you in your wisdom will see the necessity of putting a stop to such a sad state of things as exists here. The system has worked so badly here, both in the administering the laws and the peace of the community, with the evils attending it, that it has caused a scandal, and made us a by-word amongst our neighbours.

I have, &c.,
WILLIAM HENRY CLARKE.

To the Hon. the Colonial Secretary, Wellington.