

No. 8.

The Hon. W. H. REYNOLDS to Mr. T. BECKHAM.

SIR,—

Office of the Minister of Justice, Wellington, 7th May, 1873.

I have the honor to acknowledge the receipt of your letter of the 26th ult., in which you enclose a copy of one received from Mr. J. B. Russell, in answer to a letter sent to him by you offering to apologize, and request that a copy thereof may be laid on the table of the House of Representatives.

In reply, I have to inform you that your request will be complied with.

I have, &c.,

The District Judge, Auckland.

WILLIAM H. REYNOLDS,
(in the absence of the Minister of Justice).

No. 9.

G. F. BOWEN, Governor.

To JOSHUA STRANGE WILLIAMS, Esquire, Registrar-General of Land, and to WALTER SCOTT REID, Esquire, Assistant Law Officer.

WHEREAS John Benjamin Russell, Esquire, a Barrister and Solicitor of the Supreme Court of the Colony of New Zealand, on or about the 26th day of July last past presented a Petition to the House of Representatives of the said Colony, wherein the said John Benjamin Russell, after alleging (among other things) that he was and had been for nine years last past a Barrister and Solicitor of the Supreme Court of the Colony of New Zealand, practising in Auckland: that at various times and periods during the said last nine years Thomas Beckham, Esquire, the Resident Magistrate and present District Court Judge for Auckland, had without any cause emanating from the said John Benjamin Russell pursued a course of conduct towards him which he conceived to be unjust and oppressive: that the said Thomas Beckham, when sitting as Resident Magistrate, had publicly accused the said John Benjamin Russell of conduct in his professional capacity which, if the accusations were true, would render him liable to be struck off the rolls of the Solicitors of the Supreme Court, and cause him to be expelled from the society of gentlemen: that at such times the said Thomas Beckham had accused the said John Benjamin Russell, as a professional man, of wilfully attempting to deceive the Justices on the Bench; had taxed him with gross ignorance of his profession; he has accused him of performing acts which in his own words "destroy all confidence, and beget distrust in the integrity of a profession where no distrust should exist;" he has accused him of attempting to pervert justice; he has on other occasions in open Court attacked him in a violent, offensive, and uncalled-for manner, and especially during the last year his demeanour towards him in the different Courts over which he presides has been rather of a violent personal opponent than that of an impartial Judge: that the practice of the said John Benjamin Russell, as a Solicitor and Barrister, had seriously suffered through the premises: the said John Benjamin Russell prayed that an inquiry might be instituted into the truth of the statements contained in his Petition, and that he should be protected by the said House of Representatives from the repetition of such conduct:

And whereas the said Petition was referred to the Public Petitions Committee of the said House of Representatives, to inquire into and report upon the allegations contained therein, and the said Committee did report to the effect that, having carefully considered the evidence offered on the subject, they considered that the said John Benjamin Russell had established a case for inquiry:

And whereas, upon the said report being made to the said House of Representatives, it was resolved "That this House agrees with the Report of the Public Petitions Committee on the Petition of Mr. John Benjamin Russell, of Auckland, and requests the Government to cause an inquiry to be made into the matter:"

And whereas, in compliance with the request of the said House of Representatives, it is expedient that an inquiry should be held in the manner hereinafter mentioned:

Now therefore I, Sir George Ferguson Bowen, the Governor of New Zealand, having confidence in your knowledge, ability, and integrity, do hereby, by and with the advice and consent of the Executive Council of New Zealand, appoint you, the said Joshua Strange Williams and Walter Scott Reid, to be Commissioners to inquire into the truth of all the allegations contained in the hereinbefore in part recited Petition of the said John Benjamin Russell, but so that every charge made by the said John Benjamin Russell against the said Thomas Beckham shall be made by him in writing, specifying as nearly as may be the day, time, and place on and at which the matters therein alleged occurred or happened; and that before any inquiry shall be held by you therein, that a copy or copies of each such charge shall be delivered to the said Thomas Beckham, and that no inquiry shall be had therein until the expiration of two days from the delivery of such copy or copies as aforesaid: And I do hereby, by and with the advice and consent aforesaid, require you, within three calendar months after the date of this Commission, or as much sooner as the same can conveniently be done (using all diligence), to certify to me under your hands and seals your proceedings and your opinion touching the premises: And with the like advice and consent I do hereby declare that this Commission shall continue in full force and virtue, and that you, the said Commissioners, shall and may from time to time proceed in the execution thereof, although the same be not continued from time to time by adjournment.

Given under the hand of His Excellency Sir George Ferguson Bowen, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued under the Seal of the said Colony at Wellington, this twenty-first day of January, one thousand eight hundred and seventy-three.

G. M. WATERHOUSE,
Presiding.

Approved in Council,
FORSTER GOBING, Clerk of the Executive Council.
2—H 30.