

1890.
NEW ZEALAND.

APPOINTMENT OF MR. EDWARDS

(CORRESPONDENCE RELATING TO THE).

Return to an Order of the House of Representatives, dated 25th June, 1890.

Ordered, "That there be laid before this House copies of all correspondence and papers relating to the appointment of Mr. Edwards as Commissioner under the Native Land Court Act and as Judge of the Supreme Court."—
(Dr. FITCHETT.)

No. 1.

The Hon. the PREMIER to W. B. EDWARDS, Esq.

SIR,—

Wellington, 1st March, 1890.

In reference to the conversation I had with you on the subject of the appointment of a Commissioner under section 20 of "The Native Land Court Acts Amendment Act, 1889," I have now the honour to inform you that His Excellency the Governor has been pleased to approve of your appointment to that office. It has appeared to the Government, and such appears to be the general feeling, that, for an office of such importance, involving such large interests, the Commissioner should have the status of a Judge of the Supreme Court, and therefore you will be appointed to that office also.

As you are aware, the demands on the time of the present Judges of the Supreme Court cause inconvenient but unavoidable delay in the despatch of business, and the leave of absence granted to Mr. Justice Richmond will aggravate the evil unless some provision is now made to meet it. The Government is averse to the appointment of a temporary Judge, if it can be avoided, and they hope that the arrangement by which you will afford occasional assistance in the Supreme Court work will temporarily meet the requirements.

Your salary will be £1,500 per annum, the same as the present Puisne Judges.

Your commissions to the above offices will be at once forwarded to you.

W. B. Edwards, Esq., Wellington.

I have, &c.,

H. A. ATKINSON.

No. 2.

W. B. EDWARDS, Esq., to the Hon. the PREMIER.

SIR,—

Wellington, 5th March, 1890.

I have the honour to acknowledge the receipt of your letter of the 1st March, and to say that I accept the appointments therein named upon the terms therein mentioned.

I have, &c.,

The Hon. the Premier, Wellington.

W. B. EDWARDS.

No. 3.

The Hon. W. R. RUSSELL to His Honour Mr. Justice EDWARDS.

SIR,—

Wellington, 6th March, 1890.

I have the honour to transmit to you the accompanying commission under the hand of His Excellency the Governor and the seal of the colony appointing you to be a Judge of the Supreme Court of New Zealand.

I also enclose a commission assigning you to hold the office of a Judge in bankruptcy.

It will be necessary for you to take the customary oaths before His Honour the Chief Justice, who has been authorised to administer them to you.

I have, &c.,

His Honour Mr. Justice Edwards, Wellington.

W. R. RUSSELL.

No. 4.

The Hon. W. R. RUSSELL to His Honour the CHIEF JUSTICE.

SIR,—

Wellington, 6th March, 1890.

I have the honour to transmit to you herewith an instrument under the hand of His Excellency the Governor and the seal of the colony authorising you to administer the oaths of office and allegiance to his Honour Mr. Justice Edwards.

Forms of oath are also enclosed. When duly signed I shall be obliged by your returning them to this office for record.

His Honour the Chief Justice, Wellington.

I have, &c.,

W. R. RUSSELL.

No. 5.

The Hon. E. MITCHELSON to W. B. EDWARDS, Esq.

SIR,—

Native Office, Wellington, 6th March, 1890.

I have the honour to inform you that His Excellency the Governor in Council has been pleased to appoint you and Mr. John Ormsby, of Kopua, Waikato, to be Commissioners under section 20 of "The Native Land Court Acts Amendment Act, 1889," and enclose herewith the Order in Council of appointment.

I have communicated with Mr. Ormsby on the subject, and have forwarded him a copy of the appointment.

W. B. Edwards, Esq., Barrister, Wellington.

I have, &c.,

E. MITCHELSON.

ON SLOW, Governor.

ORDER IN COUNCIL.

At the Government Buildings, at Wellington, this twenty-seventh day of February, one thousand eight hundred and ninety.

Present: The Honourable the PREMIER presiding in Council.

WHEREAS by section twenty of "The Native Land Court Acts Amendment Act, 1889," it is, among other things, enacted that it shall be lawful for the Governor, by Order in Council, to appoint two or more persons, of whom at least one shall be a Native, to be Commissioners for the purposes thereafter mentioned:

Now, therefore, His Excellency the Governor of the Colony of New Zealand, in exercise and pursuance of the power conferred upon him by the hereinbefore in part recited Act, and by and with the advice and consent of the Executive Council of the said colony, doth hereby appoint

WORLEY BASSETT EDWARDS, Esquire, of Wellington, Barrister, and

JOHN ORMSBY, of Kopua, Waikato (being a Native within the meaning of the said Act), to be the Commissioners for the purposes mentioned in the said Act.

ALEX. WILLIS,

Clerk of the Executive Council.

NOTE.—His Honour the Chief Justice entertained doubts as to the Governor's power to appoint more than four Puisne Judges of the Supreme Court, except during pleasure, and, in consequence, Mr. Edwards informed the Government that, in deference to the Chief Justice's doubts, he (Mr. Edwards) would perform no judicial act as a Supreme Court Judge until after the meeting of the next session of Parliament. Subsequently, after a consultation with the Attorney-General, the Chief Justice, finding that Judges of the Supreme Court had on several occasions been appointed before vacancies had actually taken place, or a salary provided, felt it no longer necessary to press his doubts to the extent of standing in the way of Mr. Edwards acting as a Puisne Judge of the Supreme Court.

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