

I am directed by the Attorney-General to inform you that the Government, relying on your desire to co-operate with His Excellency in the measure necessary to carry his plan into complete effect, wish that you should undertake the duties of a Resident Magistrate, under the Act referred to, within the hundred of Kororareka in addition to those now fulfilled by you under the Resident Magistrates' Ordinance.

Your salary being at present £250, the Government will be prepared to increase the same to £350, the additional £100, being as a remuneration for services and commutation of travelling allowance.

The limits of the hundreds constituted in the Bay of Islands will be found in the Gazette of the 3rd February, page 71, &c.

An immediate reply is requested.

I have, &c.,

FRANCIS D. FENTON,
Assistant Law Officer.

R. C. Barstow, Resident Magistrate, Bay of Islands.

No. 6.

R. C. BARSTOW, R.M., TO THE HONORABLE THE ATTORNEY-GENERAL.

Resident Magistrate's Court,
Russell, 15th March, 1862.

SIR,—

I have the honor of acknowledging receipt of yours, No. 139, under date the 6th instant. I have great pleasure in undertaking the duties of the office therein proffered to me, and I do not doubt that I have both sufficient capacity and leisure to satisfactorily perform them; but I must stipulate for two conditions, viz. :—

1. That I remain exactly in *statu quo ante*, as far as my present offices, pay, and responsibilities are concerned, or that as Resident Magistrate (under the Resident Magistrates' Courts Ordinance), Registration and Returning Officer, Coroner, District Registrar, &c., I am entirely free from the control of the Civil Commissioner. My reason for this condition is, that certain of these situations render it imperative upon me to perform certain duties at fixed times, and must consequently take precedence of all other work.

2. That in case I should find myself unable to carry out, to the satisfaction of my own conscience, the additional duties I now undertake, or His Excellency's Government deem it desirable to make any changes in their management, my resignation of or removal from the situation under the Native Districts Ordinance shall in no way prejudice the retaining my present appointments, for it would be obviously unfair for any Government officer who had originally taken an office for which he deemed himself suitably qualified, that the acceptance at a subsequent period of additional duties of a different character under a new chief should, through any circumstance whatever arising from such acceptance, be used to his detriment as far as related to his prior situations.

I wish to place upon record, in order that this hundred may not be compared hereafter to my disadvantage with the others in this district, that although the smallest, it contains both the Rawhiti and Waikare Natives, who are by far the most unruly and dissipated of any of the Ngapuhi, and are so broken that there exists no chief in either hapu of sufficient authority to exercise any effectual control; indeed, the very men who by hereditary position should be able to afford the Magistrate assistance, are the most notorious for their drunkenness and vices. I trust that as, from my residence in close proximity with them, I have had better means of knowing the character of each individual than any one else can enjoy, I may be allowed the privilege of recommending Assessors and Policemen, or that only such may be appointed as I may approve of. It is plain that I cannot be expected to do much good unless I can depend upon the efficiency of my Native co-adjutors.

At a conversation I had with the Civil Commissioner relative to the duties of this situation, he informed me that a clerk and interpreter would be allowed upon the same scale as the other Magistrates; indeed my knowledge of the Maori language is not sufficient to enable me to give instructions in laws and regulations with that clearness and precision which is desirable, and as this place is resorted to as the town of the district, a great deal of time is consumed in this way even now. The Commissioner asked me if I could point out anyone qualified to perform these services, and I named Mr. James Hamlyn Greenway, (who had generally acted as interpreter for me) as being by his character, knowledge of, and popularity with the natives of the neighbourhood, well adapted for such purpose, in which recommendation the Civil Commissioner was pleased to concur. Neither clerk nor interpreter have been attached to the Resident Magistrate's Court here during my time of fulfilling the duties; and I think it would be advisable that the interpreter under the Native District's Court Ordinance, should likewise be appointed to act as Clerk under the Resident Magistrate's Court Ordinance, which would leave much more time at my disposal for efficiently carrying out the former duties.

I have, &c.,

ROBERT A. BARSTOW,
Resident Magistrate.

The Honorable the Attorney-General, Auckland.