

I charge Mr. Beckham with interfering in his judicial character with a judgment pending, in which he was not concerned, and attempting to bias the minds of the judges. I also charge him with using his judicial position to attack my professional character, and thereby gratify personal feeling; this latter attack being the continuation of annoyance from him, while occupying the position and office of Judge for years past. I may, perhaps, be permitted to draw your attention to the conclusion the charge made must necessarily lead to, and which must evidently have been Mr. Beckham's intention, namely, that of depriving me of my practice, either in his Court or any other, except the Supreme Court; as an accusation of so grave a character, from one of Mr. Beckham's experience and presumed knowledge of law, must necessarily weaken the confidence of any Justice of the Peace, Resident Magistrate, or the public generally: of this latter I have positive proof since the attack.

I have delayed this complaint, as I knew the Justices had written for the opinion of the Attorney-General on the law raised by me, and while that was pending I refrained from writing.

I have, &c.,

JOHN B. RUSSELL.

The Hon. the Colonial Secretary,
(Judicial Branch), Wellington.

Enclosure in No. 3.

At the Police Court yesterday two painful cases of juvenile depravity were investigated, and the offenders punished. A case of threatening language resulted in the defendant being bound over to keep the peace, and other unimportant business was disposed of. In an action for breach of the Harbour Regulations, brought against Solomon McLean, for neglecting to keep lights burning on board his vessel, his Worship took occasion to comment severely upon the defence set up by Mr. J. B. Russell in a similar case. The action referred to was one preferred, a short time ago, before two Justices of the Peace, against the Captain of the "Golden Isle." In that case Mr. Russell appeared for the defendant, and the questions he then raised were: First, that it required the production of the *Gazette* to validate by-laws; secondly, that Captain Burgess should produce some authority for laying the information. The first objection, as to the production of the *Gazette*, Mr. Russell held to be fatal; but as to the other objection he considered he ought to raise it in justice to his client, although not at that time prepared to support it by authorities. If the Magistrates would inflict the penalty the money would be paid into Court, reserving the right to appeal, which would not compromise the Magistrates. The Justices, however, preferred, as it was a matter affecting the Harbour Regulations, to take the opinion of the Attorney-General before giving judgment, and they therefore adjourned the case for a month. Mr. Beckham considered that Mr. Russell had misled the Justices in the matter, and so expressed himself. Mr. Russell replied, and a warm passage of arms ensued, an account of which appears in our police report. In the case of Mr. McLean a fine of £5 and costs was imposed.

BREACH OF HARBOUR REGULATIONS.—PASSAGE OF ARMS.

Solomon McLean was charged with a breach of the Harbour Regulations, by not keeping a bright light burning between the hours of sunset and sunrise on board his schooner. The information had been laid by the Harbour Master.

Defendant pleaded guilty.

His Worship said: I am sorry the solicitor is not present in Court this morning who was professionally engaged in a similar case some little time ago. It was Mr. J. B. Russell. He objected to Captain Burgess's power to lay information, as not possessing the authority, or that it required the production of a *Gazette*. Mr. Russell must have known better. I am sure he knew better, and he could have only raised such an objection in ignorance or in wilfulness, to deceive the gentlemen who sat upon the bench, and who, fearing to contravene the law, had adjourned the case for one month. The law is very clear upon the subject. Nothing indeed could be clearer. There is not an articulated clerk but would know better. Such acts destroyed all confidence, and beget distrust in the integrity of a profession where no distrust should exist.

His Worship then read from "Oke's Magisterial Synopsis," under the heading of "Summary Convictions or Orders," the following extract:—

"Every complaint or information (whether by a party aggrieved or an informer) may be laid by the complainant or informant in person, or by his counsel or attorney, or other person authorized in that behalf. It is conceived, however, that this provision will not apply to those cases where a particular person is required by the statute to lay the information or make the complaint, or when under a local Act the complainant is not a party aggrieved by the act of the defendant. In all other cases any person may lay the information. And it has been held that where the offence is not an individual grievance, but is a matter of public policy and utility, and concerns the public morals, any person has a general power to sue for the penalties."

His Worship continued: Here one may see the matter is plain enough; but then gentlemen who sometimes sit on this bench may not be acquainted with the law, and when they depend upon the legal knowledge of a professional man they do not look to being misled. The statute requires nothing of the kind as stated by Mr. Russell. Any person has the power to lay such an information. Why, the Harbour Master's boatmen could do it.

(Here Mr. Russell entered the Court.)

Mr. Russell, addressing the Bench: I have, your Worship, heard sufficient to know that you have been using my name very freely.

His Worship: I wish that you had been here sooner. I say that it has been either through gross ignorance or wilfulness that you raised your objections; and I say that you had no right to do so.

Mr. Russell: There is one thing, and that is, I will not be put down in this Court. I may not have received the education your Worship has.

His Worship: Perhaps you have not.

Mr. Russell: Well, perhaps I have not; but this I will assert, that I was educated a solicitor, and I know my profession. I am prepared to argue the objections I raised in this Court before the Chief