

itself will be a suspicious circumstance, and it then remains for the Government to obtain the notes that I requested by notice Messrs. Ball, White, and Kelly to take a few hours after the letter had been shown to Mr. Ball.

Mr. White has given out that he intends to resign. I shall be glad to settle the matter in this way, my only object being to get rid of an officer who no longer retains the confidence of the public, nor reflects credit on the Government employing him.

The Government is aware that Mr. Kelly, the Clerk of the Court, has made a charge against me of disgraceful conduct, and this charge has to some extent been confirmed by the Justices. In reference to this matter, as I stated in my former letter in replying to the charge, my wish is that there should be a full investigation. I am still of that determination, and now reiterate my desire that my character shall be cleared of an aspersion that I shall prove was unwarrantable.

The Government granting an inquiry into the conduct of an old and valuable servant like Mr. Beckham, encourages me to hope that a proper supervision over the conduct of officers not immediately under their eye will form a part of their future policy. Former Governments have taken the opposite extreme, treating well-grounded complaints with contempt and even rudeness. The inevitable result has been too plainly seen. The officers complained of have become greater tyrants, marking out those who have attempted to thwart them for their especial disfavour, which brings about the further result that the people make up their minds to allow things to take their own course or it will fare worse for them.

With Mr. White I have always endeavoured to be on friendly terms,—not intimate, for his habits precluded that; and now that differences have arisen, I shall be prepared to show the Government that public grounds alone have prompted me to take these steps.

The Hon. the Minister of Justice.

I have, &c.,
HAROLD H. FENTON.

No. 21.

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

Office of the Minister of Justice,
Wellington, 14th May, 1873.

(No. 304.)
SIR,—

I have the honor, by direction of the Hon. Mr. O'Rorke, in the absence of the Minister of Justice, to acknowledge the receipt of your letter of the 6th ultimo, with further reference to the complaints made by you against Mr. White, the Resident Magistrate at Mongonui, and his clerk. As you have intimated to the Government that you will proceed no further in the matter, so far as Mr. White is concerned, if the rumour that he is about to retire from the public service prove correct, I am to inform you that Mr. Williams, the Resident Magistrate at Waimate, has been instructed to assume magisterial duties at Mongonui, in order to allow Mr. White to retire on the pension to which he is entitled.

With regard to the complaint of the Clerk of the Court against yourself, I am to state that the matter has been referred to Mr. Williams to inquire into and report upon for the information of the Government.

I have, &c.,

H. H. Fenton, Esq., Mongonui.

R. G. FOUNTAIN,
Acting Under Secretary.

No. 22.

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

SIR,—

Mongonui, 15th April, 1873.

I have the honor to acknowledge the receipt of your reply relative to the appointment of the future Resident Magistrate for this district. The scenes of quarrels and troubles that have taken place here at various times during twenty years, between Mr. White and almost all the settlers, and the vain attempts for his removal, would fill a volume. I will not trouble you by recapitulating them, but it renders us peculiarly sensitive as to who is to be his successor. Knowing that Mr. Puckey has solicited the Natives to sign a petition for his appointment, we cannot but express our opinion that, however fitted he might be to fill an office where the Maoris only are concerned, we feel assured he is totally unfit to preside in a Court and administer the English law he has never learnt. Fear, therefore, lest the evils under which we have suffered so much and so long might be repeated in the event of his appointment, is the plea for these remarks, and we respectfully solicit great caution in your selection of our future Resident Magistrate. A man is not allowed to act as a doctor or lawyer without learning the profession: how much more necessary is it for a Resident Magistrate to know the law he has to administer.

I hope it will not be deemed presumption in me to suggest, with all due courtesy and respect, that a Court held at the Bay of Islands, Mongonui, Hokianga, and Wangaroa, monthly, could transact all the business in this part of New Zealand. It would have the advantage of economy, and render the Magistrate free from the prejudices which too often exist when he is permanently fixed and his time frequently unoccupied, as has been the case here.

I hear the retiring pension to Mr. White will be £400 per annum (equal to that of an ex-Attorney-General in Auckland), which would be a sufficient full pay for a Magistrate in all this district alluded to. The office of Coroner could be filled by a medical man, and the various Justices of the Peace could do all that is necessary in the interval of the Courts. I have the honor of having some acquaintance with the Hon. Donald McLean, who, I believe, can corroborate these statements. I am writing the sentiments of a great majority of my neighbours.

The Hon. the Colonial Secretary, Wellington.

I have, &c.,
WILLIAM HENRY CLARKE.