

No. 6.

Mr. T. BECKHAM to the Hon. the MINISTER of JUSTICE.

SIR,—

District Court, Auckland, 26th April, 1873.

Adverting to that portion of my letter of the 17th instant, in which I informed you that the Clerk of my Court intimated to Mr. J. B. Russell that I was desirous to make him an apology in open Court on any day that might suit his convenience, but that no reply had been received,—I have now the honor to report that I received an answer to the Clerk's communication on the 22nd instant, a copy of which I beg to enclose (comment upon which is unnecessary), and to request you will do me the favour to cause a copy of it to be also laid before the House of Representatives with the other papers and letters connected with this case.

In conclusion, I beg to state that I this day, in open Court (Mr. Russell did not appear on Thursday), apologized to him, as directed in your Minute of the 17th March, 1873.

I enclose a copy of my apology.

The Hon. John Bathgate, Esq., Minister of Justice, Wellington.

I have, &c.,

THOS. BECKHAM.

Enclosure 1 in No. 6.

SIR,—

Auckland, April 22nd, 1873.

I beg to acknowledge receipt of a letter of 10th April from the Clerk of your Court, intimating a desire on your part to apologize for certain remarks made by you on my conduct in the case of *Burgess v. McLean*, in November, 1871. As there were other matters complained of by me to the Government than this one, I deem it but right, in justice to you, to say that not one of those matters would even have been mentioned or referred to but for the matter of *Burgess v. McLean*, and they were used solely as a means to compel attention to it, and not in themselves or any of them as substantial complaints.

I shall be in the Police Court on Thursday next, 24th instant, or any other day to suit your convenience, when I trust all the past may be buried.

Thomas Beckham, Esq., Resident Magistrate, Auckland.

I have, &c.,

JOHN B. RUSSELL.

Enclosure 2 in No. 6.

Copy of APOLOGY made to Mr. J. B. RUSSELL in open Court this 26th day of April, 1873.

MR. RUSSELL, I wish to take advantage of your presence in Court to-day, to offer to you an apology for certain remarks which I some time since made in this Court, during the hearing of the case of *Burgess v. McLean*, in reference to your conduct in the case of *Burgess v. Matzen*. You are probably aware that the Commissioners appointed to inquire into and report upon the truth of the various allegations contained in your Petition to the House of Representatives, and the numerous specific charges you preferred against me, have now made their Report thereon. It has given me sincere satisfaction to find that the Commissioners' report that the "evidence adduced before them was insufficient to show that I have pursued a course of conduct towards you which was unjust and oppressive, as you alleged in your Petition."

That it has "not been proved that your practice has seriously suffered."

That "no evidence was offered in support of your tenth allegation, viz., that no alteration has taken place in my demeanour towards you."

That you yourself have testified that "at present my conduct towards you is free from all ground of complaint; and the Commissioners also find that the case of *Burgess v. McLean* is the only instance in which it has appeared to them that my conduct towards you calls for official censure."

I need hardly say it is with much pain and regret I learn that the Commissioners' report that in their opinion my comments on your "conduct in that case were unwarrantable, and that in that opinion the Government concur." Having now been authoritatively informed that I was unwarranted in making those remarks, I take the earliest opportunity to withdraw them, and to express to you, in the most public manner, my unfeigned regret that under a mistaken sense of duty I should, during the progress of the case of *Burgess* and *McLean*, have commented upon your conduct in the case of *Burgess v. Matzen*; and I now tender you this apology in the hope that it may be received by you in the spirit of frankness and unreserve with which it is made.

No. 7.

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

SIR,—

Office of the Minister of Justice, Wellington, 1st May, 1873.

I have the honor to acknowledge the receipt of your letter of the 17th ult., on the Report of the Commissioners appointed to inquire into the complaints made by Mr. J. B. Russell against you, and in reply, to inform you that a copy thereof will be placed on the table of the House of Representatives, as requested by you.

I have, &c.,

WILLIAM H. REYNOLDS,

(in the absence of the Minister of Justice).

Thomas Beckham, Esq., District Judge, and
Resident Magistrate, Auckland.