

2. You have mentioned Mr. Travers's name as a person mixed up with Judge Richmond in a certain proceeding. We have "paraded" Mr. Travers, and he entirely exonerates both himself and the Judge.

3. Your clients are all bankrupt, 'tis true, but we set forth the proceedings in the Appendix; you can see with your own eyes that all the cards are fair; there is nothing anywhere that could give rise to an appeal.

4. Lastly, you have made the great mistake of treating the Executive as an Appellate Court. "It is not the function of the Executive of the Colony to act as an appellate tribunal. If the Judges decide contrary to law, ample machinery has been provided to have their decisions reviewed. Were the Executive to interfere with the Judges whenever a disappointed litigant invoked their aid, the due administration of justice would be impeded."

What a mockery of answer is this! My objections to the Judge's decisions were made not on the ground of their *illegality*, but of their *corruption*. Who ever heard of an Appellate Court dealing with the corruption of a Judge? It deals with his mistakes, but always presupposes them to be simply mistakes. Fancy the absurdity of appealing from these two Judges to a Court composed of themselves and three others, on the grounds that, although their decisions may be *perfectly legal*, they were perfectly corrupt. That these two had systematically slaughtered the interests of clients in my hands, had combined to drive me from the profession, had imprisoned me to ruin me, had shut my mouth whenever they could not answer my arguments, and, finally, that one of them had slandered me in a letter he laid before Parliament, which letter was a tissue of prevarication and falsehood from beginning to end. No Court of Appeal could deal with such conduct, and, even if it could, bold as I am for right, I dare not face the life-long incarceration for "contempt of Court" which these Judges would inflict upon me, for daring to argue to their own faces that they were unfit to sit and listen to me.

The only tribunal for an appeal from corruption is the Government. I have appealed to that tribunal, and your letter is the answer. The Judges are acquitted without a trial. I am asked to produce no evidence, and yet the Government calls this a "searching inquiry." The whole thing is a miserable farce!

The only conclusion I can come to is, that the Government had neither hand, act, nor part in the preparation of their letter, and had not even read it before it went to the printer. It is not possible that the Cabinet could have passed over in silence the whole of the charges, with which the most prominent Ministers dealt in their speeches, and with which the country has been ringing from end to end. On the other hand, the circumstantial evidence all points to the real author; the whole letter is self-defence, and every sneer it contains, every mean evasion, every turn of thought and expression betrays the writer. I have had sixteen years' experience of his sneers, evasions, habits of thought and forms of expression, and I feel no doubt about them whenever I meet them, whether in newspaper articles, Court judgments, or anywhere else. Although it is impossible that the Cabinet could have ignored all my most prominent charges, it is quite natural that the accused should ignore them, and confine his defence to those with the particulars of which the public are not familiar. By pretending that I had attacked the legality only of his judgments, he could hope to throw dust in people's eyes respecting unfamiliar cases; but he could not hope to throw such dust respecting the facts of my imprisonment, of Gillon's case, of Siewwright and Stout's case, and, above all, of his own letter to Parliament, all too widely known to permit misrepresentation to pass current.

Ever since the tumultuous demand for inquiry which followed my speech, and rendered it imperative that something must be done to allay public distrust, Mr. Justice Richmond has been absent from his Court duties through "illness," and on the very day I was officially informed that the draft of your letter was completed and would be sent to me as soon as fair-copied, Mr. Richmond steamed out of Wellington harbour on his holiday trip to the Hot Springs. I can now fathom the purpose of the astonishing statement that "the Government have not thought it necessary to communicate with *any* of the Judges"—that purpose being to draw a red-herring across the scent.

I would have hesitated to impute to the Government such a mode of evading their heavy responsibility if I had not already conclusive evidence that on a previous occasion they pursued the same course. Incredible as it may appear, Mr. Commissioner Shearman swore in my presence—and it now stands recorded in his published evidence—that he was ordered by his superior officer, Colonel Reader, to hold no communication with me respecting my charges against the police, and he produced the letter which he had written to me, and which was suppressed by the head of his department. The only energy displayed in the police affair was in efforts to discover my informant, and the only attempt they made to ascertain the truth was to "parade" the men, who promptly declared themselves "not guilty." Throughout these twenty-six pages of judicial "parade," the same course has been followed, and the Judges have declared themselves "not guilty."

Sir, your letter reveals to me, as a lightning-flash in the darkness, the precipice on whose brink I have been standing. I now see the destruction that would have befallen me had I succeeded in forcing an inquiry, and I am humbly thankful to Providence for so shaping events that I am at least spared that crowning disaster—an inquiry predestined to fail, whose failure would be the more crushing by reason of its having been held under the auspices of the "people's" Government.

I have, &c.,

The Hon. G. S. Whitmore, Colonial Secretary.

GEORGE ELLIOTT BARTON.

No. 8.

The Hon. COLONIAL SECRETARY to Mr. G. BARTON.

SIR,—

Colonial Secretary's Office, Wellington, 20th December, 1878.

I have the honour to acknowledge the receipt of your letter of yesterday's date, being a rejoinder to mine of the 12th instant.

5—A. 4.