

The judgment of the Court of Appeal was delivered, as you will remember, on the 27th May last, and it was not until 29th June that the Crown Solicitor could intimate to my solicitors what course was to be taken, although he was repeatedly pressed for information in the meantime.

On 29th June the Crown Solicitor intimated to my solicitors that he was instructed to proceed with the appeal. On the same day my solicitors wrote to the Crown Solicitor, mainly with reference to payment of my salary and to provision for the costs of the proceedings, but pointing out also that if it was desired that I should not, pending the appeal, exercise my judicial functions, it would be necessary, in addition to providing for payment of my salary, that formal leave of absence should be granted to me; and stating that in order to anticipate any objection which might be raised to payment of my salary, and to granting me leave of absence on the ground that that course would involve a recognition of the validity of my appointment, they were instructed to undertake that no such result should follow, and that I would sign any formal undertaking to that effect which might be deemed desirable.

No reply was received to this letter until 16th July, upon which day the Crown Solicitor wrote to my solicitors enclosing copy of a letter, dated 15th July, from the Under-Secretary for the Department of Justice to himself, curtly stating that he was directed by the Minister of Justice to inform the Crown Solicitor that he regretted that the Government was unable to accede to the request made by my solicitors.

On 28th July, the late Premier, Sir Harry Atkinson, had an interview with the present Premier, the Hon. John Ballance, with reference to the mode in which I am being treated by the present Ministry, with the result, as I am informed, that the Premier did not express himself in any degree personally adverse to treating me with every consideration, but said that he must consult the Cabinet before expressing any definite opinion.

I made many attempts to ascertain whether the matter had been reconsidered by the Cabinet, but without success; nor do I know even now whether the Premier has ever returned any reply to Sir Harry Atkinson.

On 11th August I wrote to the late Native Minister, the Hon. E. Mitchelson, and requested him to see the present Native Minister, the Hon. Mr. Cadman, upon the subject. Mr. Mitchelson did so, and Mr. Cadman promised to bring the matter before the Cabinet for reconsideration. This was not done until the 28th of August, although repeated efforts were made to obtain a definite reply. On the 28th of August Mr. Cadman informed Mr. Mitchelson that at a meeting of the Cabinet, held on that day, it had been decided to let matters take their course.

On the 4th of September I presented a petition to Parliament, in which, amongst other things, I pointed out that, unless leave of absence were granted to me, it would be necessary for the preservation of my rights that I should resume the exercise of my judicial functions, and that I should have no alternative but to do so.

On the 9th of September I learned from the public Press that the Premier had declined to allow a Select Committee to be set up to consider my petition, alleging as his reasons the lateness of the date at which it was presented, and the fact that the case is *sub judice*. I have, therefore, now exhausted every means in my power to obtain leave of absence while the appeal is pending, and, although it would be more consonant with my own inclinations, and necessarily, I imagine, in the circumstances, with the wishes of the other members of the Bench, that I should not act until the appeal to the Privy Council has been disposed of, I see no alternative but now to resume my seat upon the bench.

His Honour the Chief Justice, Wellington.

I am, &c.,

W. B. EDWARDS.

No. 13.

The Hon. the PREMIER to the CHIEF JUSTICE.

SIR,—

Premier's Office, 12th October, 1891.

I have the honour to acknowledge the receipt of your letter of the 6th instant, covering copy of a letter from Mr. W. B. Edwards in reference to his position, and, in reply to your suggestion, beg to state that, in the opinion of the Government, the fact of his not acting in his office pending the appeal to the Privy Council will not prejudice any claims he may have.

His Honour the Chief Justice, Wellington.

I have, &c.,

J. BALLANCE.

No. 14.

The CROWN SOLICITOR to the ATTORNEY-GENERAL.

SIR,—

Wellington, 19th March, 1892.

I have the honour to report that yesterday evening I received a cable from my London agents informing me that the case, Attorney-General v. Edwards, had been fixed by the Privy Council for Wednesday next. I presume, therefore, that the argument will begin on that day.

I have, &c.,

HUGH GULLY,

The Hon. the Attorney-General, Wellington.

Crown Solicitor.