

1898.
NEW ZEALAND.

MR. DISTRICT JUDGE KETTLE

(CORRESPONDENCE WITH) IN THE CASE OF MR. ALBERT BARNES.

Laid on the Table by the Hon. T. Thompson with the leave of the House.

No. 1.

The Hon. the MINISTER of JUSTICE to Mr. District Judge KETTLE.

SIR,—

Department of Justice, Wellington, 21st March, 1898.

Referring to previous correspondence, I have the honour to transmit for your information the accompanying copies of the following documents: namely,—(1.) Letter from the Hon. the Minister of Lands to Mr. Albert Barnes dated the 11th December, 1897. (2.) Letter from Mr. Barnes to the Hon. the Minister of Lands dated the 15th December, 1897. (3.) Letter from the Under-Secretary of Justice to Mr. Barnes dated the 1st March, 1898. (4.) Letter from Mr. Barnes to the Under-Secretary of Justice dated the 15th March, 1898.

Probably, after reading these documents you will not desire that the matter should be carried any further. Should you, however, consider that inquiry is necessary, the Government will be prepared to offer facilities for such an inquiry; but I may say that the Government is quite satisfied that there were no grounds for imputing to you corruption or other breach of your judicial duty in the proceedings relating to Mr. Barnes's bankruptcy.

I have, &c.,

Mr. District Judge Kettle, Wanganui.

T. THOMPSON.

Enclosure No. 1.

The Hon. the MINISTER of LANDS to Mr. A. BARNES.

SIR,—

Office of Minister of Lands, Wellington, 11th December, 1897.

I forward herewith copy of correspondence from District Judge Kettle to the Hon. the Minister of Justice, and I now wish to ask you if you still adhere to the statement made in your explanation which you forwarded to me, and which forms the subject of this correspondence.

I have, &c.,

A. Barnes, Esq., District Land Valuer, Wanganui.

JOHN MCKENZIE.

Enclosure No. 2.

Mr. A. BARNES to the Hon. the MINISTER of LANDS.

SIR,—

Wanganui, 15th December, 1897.

I have to acknowledge the receipt of your letter of the 11th instant, enclosing copies of correspondence from District Judge Kettle to the Minister of Justice, and requesting to know if I still adhere to the statements made by me in explanation forwarded you some time back.

In reply, I beg to advise you that I have nothing to withdraw from the explanation made by me, which contains absolute facts so far as they are within my knowledge. There is, however, one point which possibly requires amplification. In stating that Judge Kettle was the tool of the Bank of New South Wales, I did not mean to imply personal corruption to Judge Kettle. I was aware that the acting-manager of the Bank of New South Wales here was boarding at Chavannes's Hotel, where Judge Kettle is also a boarder, and was informed that the two had conversations on the subject of my bankruptcy. My own opinion, and that of my friends, was that the manager, who had a strong personal feeling against me, influenced Judge Kettle through these conversations, and that, possibly unconsciously to himself, Judge Kettle became the bank's engine of oppression against me.

I have, &c.,

The Hon. John McKenzie, Minister of Lands, Wellington.

ALBERT BARNES.

Enclosure No. 3.

The UNDER-SECRETARY, Justice Department, to Mr. A. BARNES.

SIR,—

Department of Justice, Wellington, 1st March, 1898.

Your letter of the 15th December last, addressed to the Hon. the Minister of Lands, has been forwarded to this department, and has received the consideration of the Government.

I am now directed by the Minister of Justice to inquire whether you have anything to add to that letter; and, if not, the Government is of opinion that you were in no way warranted in casting the reflection you did upon District Judge Kettle, and that you should unreservedly withdraw the charges made in your memorandum which was quoted in the House by the Minister of Lands, and express regret for having on such slight grounds based so serious a reflection.

The Government is further of opinion that you should express to the Minister of Lands your regret at having misled him by making a statement which you are unable to substantiate, and which you have now practically, though not in express terms, withdrawn; and also that, from the position you hold as a public officer, it is reprehensible in the highest degree to have written to the Minister in charge of the department as you have done.

I shall be glad to receive your reply at the earliest possible date.

I have, &c.,

F. WALDEGRAVE,

Under-Secretary.

Albert Barnes, Esq., Wellington.

Enclosure No. 4.

Mr. A. BARNES to the UNDER-SECRETARY, Justice Department.

SIR,—

Wellington, 15th March, 1898.

I have to acknowledge the receipt of your letter of the 1st instant, with respect to my reflections on District Judge Kettle.

When I made them I was suffering under a keen sense of wrong, and honestly believed them to be true. I have, however, since satisfied myself that they were in no way warranted by the facts, and in these circumstances it is my plain duty to make all the reparation in my power. I therefore unreservedly withdraw them, and desire to express my regret that, misled by my own feelings and the advice of my friends, I should ever have made them.

In quoting from my memorandum in the House the Hon. the Minister of Lands did so in good faith, relying on the accuracy of my statements, and was consequently misled. That, however unintentionally, I should have placed him in a false position, is also a matter for which I desire to express my regret. I have already informed him of it.

I feel that, in fairness to Judge Kettle, a copy of this letter should be sent to him by you, and I have accordingly to ask that you will be good enough to do so.

I have, &c.,

ALBERT BARNES.

The Under-Secretary, Department of Justice, Wellington.

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