

RETURN

To an Address of the Legislative Assembly, for a copy of all Correspondence between the Government and the Judges of the Supreme Court, as to the dismissal of the Registrar, or Deputy Registrar, of the Supreme Court.

By Command,

GEO. A. WALKEM,
Attorney-General.

ATTORNEY-GENERAL'S OFFICE.
21st January, 1873.

The Attorney-General to Chief Justice Begbie, and the two other Judges.

ATTORNEY-GENERAL'S OFFICE,
15th January, 1873.

SIR,—By order of the Executive Council I have the honor to inform you that they feel compelled, from the exigencies of the service, to diminish the present expense of the Registrar's Department, by retaining only one Registrar, who shall, when necessary, attend Circuit, and by enlisting the services of the Attorney-General's Clerk as Deputy Registrar in his absence.

The Council will deem it a favour if you will inform them which gentleman, of the two now employed, is the more efficient Officer.

I have, &c.,
(Signed) GEO. A. WALKEM.

M. B. Begbie, Chief Justice, to the Honorable the Attorney-General.

COURT HOUSE, 16th January, 1873.

SIR,—I have the honor to acknowledge the receipt of your letter of the 15th Instant, which I presume, although not so expressed, is to be taken in compliance with the directions of His Excellency the Lieutenant-Governor in Council.

With regard to the proposed change in the staff of the Supreme Court, intimated in your letter, inasmuch as I am of opinion that it will very greatly injure, and indeed, according to long experience (the same plan having been already tried and failed) nearly destroy the efficiency of the Registrar's Office.

I must beg to protest against the contemplated abolition, and to leave the entire responsibility with your Administration.

I have, &c.,
(Signed) MATT. B. BEGBIE, C. J.

Mr. Justice Crease to the Honorable the Attorney-General.

SUPREME COURT,
16th January, 1873.

SIR,—I have the honor to acknowledge the receipt of your letter requesting information, as I take it, on behalf of His Excellency the Lieutenant-Governor in Council.

In reply, I beg to state that an experience of near fifteen years in the Province, and passed, for the greater part of that time, in the position of Attorney-General and Judge of the Supreme

Court, has so strongly impressed me with the conviction of the injury to the public interests of suitors which your proposed change in the Registrar's Office would produce, and the extent to which it would cripple the effective administration of the law, that I regret I am not able to comply with your request.

The alternative arrangement you suggest has already been tried, under far more chances of success, when I was Attorney-General, and in the case of my own Clerk, and I need hardly say proved an utter failure.

The difficulties already in the way of the Supreme Court in administering the laws throughout this extensive Province, are already so great, that I regret such a proposition should have been thought of. I feel it a duty to protest against the removal of any Officers whose continued presence and acquaintance with the Records of the Supreme Court in Common Law, Chancery, Bankruptcy, and Probate, and in dealing with the large amounts of money constantly passing through the hands of the Court from day to day, and the safe custody of Wills, imperatively require to be permanently connected with the Courts.

I have, &c.,
(Signed) H. P. P. CREASE, J.

Mr. Justice Gray to the Honorable the Attorney-General.

VICTORIA, 16th January, 1873.

SIR,—I have the honor to acknowledge your note of the 15th Instant, requesting me to state which is the more efficient Officer of the two Registrars of the Supreme Court in view of one being removed.

For the information of His Excellency the Lieutenant-Governor in Council, I beg to reply that I have no sufficient personal knowledge to make the selection referred to, but, from personal experience, I know that in other Provinces both the stationary Registrar of the Court and the Clerk of the Crown on the Circuits, the corresponding Officers to the two Registrars here, are required to be men thoroughly acquainted, not only with the routine of their duties, but with the existing state of the business both at the head office and in the counties, it being the duty of the latter to see to the correctness of all preliminary measures necessary to bring Criminals before the Court, and that it has not been found to conduce to the successful Administration of Justice to have those duties discharged by persons temporarily employed.

From the information given me by my brother Judges, it appears that such also has been the course in British Columbia, and I am not, therefore, prepared to name the Registrar whose services can be dispensed with.

I have, &c.,
(Signed) J. HAMILTON GRAY, J.