

tractor would have no remedy unless money had actually been voted; whilst, by omitting the proviso, he would be in the same position as an ordinary judgment creditor, entitled to ask for appropriation if none already existed.

The Hon. J. Prendergast.

Yours truly,

WM. THOS. LOCKE TRAVERS.

APPENDIX C.

IF any dispute shall arise between either of the parties to any contract, as hereinbefore mentioned, upon any matter or thing which, according to the terms of such contract, ought to be or might be referred to arbitration as aforesaid, then either party desiring to proceed to a reference under this Act shall prepare a statement in writing, setting forth in a concise manner the nature and extent of the claim made by such party, and the propositions of fact which such party desires to submit to the arbitrator in support of such claim, and shall deliver a copy of such statement of claim and propositions of fact to the other party, and the other party may, within seven days after receipt of such statement, deliver to the party from whom the same shall have been received, such propositions of fact as such other party desires to submit to the arbitrator, in opposition to such claim.

At any time after the expiration of ten days from the service in manner aforesaid of any statement of claim and propositions of fact in support thereof, the party desiring the reference shall cause a copy of such claim and of any propositions of fact in support thereof, or which shall have been delivered in opposition thereto, to be filed in the office of the Registrar of the Supreme Court, in the chief town of the province or county where, under the provisions of this Act, such reference may lawfully be had, and shall, as soon as conveniently may be after the filing thereof, apply to the Judge of the said Court to hear and determine the matter of such claim, and to fix a day, time, and place for proceeding in the matters so to be referred to him as aforesaid. Notice of the filing of such statement shall in all cases be given to the other of the said parties.

APPENDIX D.

5. If any dispute shall arise between either of the parties to any contract, as hereinbefore mentioned, upon any matter or thing which, according to the terms of such contract, ought to be or might be referred to arbitration as aforesaid, then either party desiring to proceed to arbitration under this Act shall prepare a statement in writing setting forth in a concise manner the nature and extent of the claim made by such party, and the propositions of fact and law which such party desires to submit to a Judge of the Supreme Court in support of such claim, and shall deliver a copy of such statement of claim and propositions to the other party; and the other party may, within fourteen days after receipt of such statement, deliver to the party from whom the same shall have been received, such propositions of fact and law as such other party desires to submit to such Judge in opposition to such claim.

At any time within one month after the expiration of the said fourteen days the party desiring the reference shall cause a copy of such claim, and of any proposition of fact or law in support thereof, or which shall have been delivered in opposition thereto, to be filed in the office of the Registrar of the Supreme Court in the judicial district where, according to this Act, such reference may be had.

Provided that, if in such district there be more than one such office, then such copies shall be filed at the office of the Supreme Court in such district, at the town or place where the Judge assigned to such district usually resides.

6. The party desiring a reference shall give a reasonable notice to the other party of such filing, and of the time of the application hereinafter mentioned; and as soon as conveniently may be after the filing of such copies as aforesaid, such first-mentioned party shall apply to the Judge assigned to the district to hear and determine the matter of such claim, and to fix a day, time, and place for proceeding in the matters so to be referred to him as aforesaid.

Notice of the time and place so fixed shall in all cases be given to the other of the said parties, unless such other party shall appear at the application for fixing the same.

APPENDIX E.

[*New Zealand Times*, 4th April, 1878.]

MESSRS. BROGDEN'S CLAIMS.

To the Editor of the *New Zealand Times*.

SIR,—

Mr. Henderson was in error in stating that I did not know of the existence of the Government Contractors Act until the year 1877. I knew of its existence, but had never read it until it became necessary for me to do so in connection with the claims of the Messrs. Brogden against the Government. It then appeared to me that the Government, and the Legislature by which the Act had been passed, had been guilty of a gross breach of faith towards the Messrs. Brogden, by introducing into the Act a set of provisions which materially modified the rights they had under their contracts. Messrs. Brogden were informed by the Government in office, when their contracts were entered into, that an Act would be requisite to give to the Judges of the Supreme Court authority to act as arbitrators under the contracts, and to provide for the course of procedure; but they assumed that the Government would act in good faith, and therefore did not watch the Act as it passed through the Assembly. The consequence of their reliance on the good faith of the Government has been, that their rights under their contracts have been seriously interfered with.

Wellington, April 3.

I have, &c.,

WM. THOS. LOCKE TRAVERS.