

10. To the statements of that letter of the 12th June, 1873, no contradiction has ever been offered by the Agent-General, either to your petitioners or to the Government; but they have for many years been acquiesced in, and are, therefore, to be taken as proved.

11. In their letter of the 10th July, 1873, to the Agent-General, already referred to (1873, I.—5), your petitioners showed that the amount in which their immigrants were indebted to them on promissory notes for the agreed rate of passage, and for nearly £11,500 advanced for kits, outfits, and sundries, was £39,874 13s. 9d. (including the extra £5 referred to in paragraph 5); and that, against the item for passage-money, your petitioners had given to the Government their own promissory notes for £18,240; and they proposed that they should be relieved from these latter promissory notes, and should transfer to the Government those of the immigrants, to enable the Government to collect them, and apply the moneys collected in reduction rateably of the passage-money and your petitioners' advances.

12. Your petitioners in August, 1873, presented a petition to the honorable the House of Representatives, praying inquiry into their case with a view to such relief as might be just. To that petition they ask now to refer.

13. The petition was referred to the Public Works and Immigration Committee, who heard evidence upon it, and made their report, dated the 24th September, 1873.

14. The report was to the effect that the petitioners prayed to be relieved from the loss to which they alleged they had been subjected under their immigration contract with the Government; that the Committee, having taken all the evidence that was available to them on the subject of the claims put forward in the petition, were of opinion "that the statements in the said petition were not substantiated;" that, "so far as they were able to judge," there was no good ground for such claim either in law or in equity; and that the Committee were, further of opinion that, "in the absence of proof," it would be a bad precedent to entertain claims founded upon vague allegations, and the admission of which would do away with all finality in a system of public contracts under written engagements.

15. Upon the consideration of the report, the opinion of the House was clearly to the effect that the Committee did not consider either the evidence submitted to them, or their decision, final and conclusive; and that the subject still lay open for further investigation. It further appears that the Agent-General's despatch of the 10th July, 1873, had been received, and was, or might have been, before the Committee. The early portion of this despatch is not printed, but your petitioners know that it recommends the Government to agree to the proposal in their letter; your petitioners are confirmed in this statement by a reference to the Agent-General's despatch on the same subject, dated the 5th May, 1874, in which, while giving additional reasons for adopting the proposals of the petitioners, he says, "In forwarding this letter, I can only refer the Government to my despatch of the 10th July, 1873, No. 502, in which I forwarded the proposals then made by the firm for an amicable settlement of their claims, and recommended it to the favourable consideration of the Government."

16. The conclusions reported by the Committee being therefore based on the want of sufficient evidence, the petitioners renewed the subject in a letter, dated the 25th March, 1874, addressed to the Agent-General (see Parliamentary Papers, 1874, D.—3A), recalling to his attention their letters of the 12th June and 10th July 1873;—again setting forth the state of accounts with respect to expenditure upon immigration; reiterating the history of the deed of June, 1872, and of the representations and assurances of the Agent-General which induced them to undertake it; and renewing their former claim for relief.

17. In the letter of the 25th March, 1874, your petitioners also quoted a memorandum of the Hon. E. Richardson, Minister for Public Works, to the Cabinet (No. 66, 1st April, 1873), which says, "The only thing which has kept the rates of labour from rising to rates ruinous to the various interests in the colony has been the shipment of so much labour by Messrs. Brogden." In fact (as the same letter states), out of the 1,299 able-bodied male immigrants introduced by your petitioners, there remained working for their firm at that date only 76. That number was afterwards reduced to 39, and ultimately to none. Practically, therefore, the whole number sent over by your petitioners violated their engagements to them under a sense of the disadvantage at which they were placed relatively to Government immigrants, and distributed themselves throughout the colony, working for other employers, and producing that benefit to the colony at the expense of your petitioners, which the Minister for Public Works has described in the above extracts.

18. Out of the 2,000 male immigrants and their families contemplated to be sent out by your petitioners, 1,877 statute adults, or 2,174 persons, were actually forwarded, and of these no less than 887, or 41 per cent., were women and children—a class much more valuable to the colony than to your petitioners. The changes in the terms of forwarding the immigrants by the Government occurred during the same period as your petitioners were so occupied, and continued after they finished, but the effect of the changes was really felt after the arrival of the immigrants in the colony, and when the time came for collecting the moneys for them.

19. It cannot be contended that your petitioners were reimbursed for loss under the immigration agreement by any allowance in the prices of their contract works; in confirmation thereof your petitioners refer to the answers made by the Engineer-in-Chief, Mr. Carruthers, before the Committee of the House.

20. In the year 1875 the Government retained out of the moneys due to your petitioners under their railway contracts the sum of £20,739 15s. 10d., and applied the same in payment of the passage-moneys of the immigrants and interest thereon.

21. Your petitioners cannot, and feel it was not intended that they should, accept the resolution of 1873 as a final decision. The Government, in their various immigration arrangements, have not charged to other immigrants more than £5 cash for the passage-money of each adult; and, where promissory notes for £10 or other sums have been given by immigrants (as an alternative for cash), the Government have not recovered the moneys under them to any appreciable extent, and have ceased to prosecute their claims. Finally, the principle of free immigration was adopted; but, on the other hand, your petitioners have been charged and made to pay £10 cash for each statute adult, amounting to upwards of £18,240, while the varying and more favourable terms granted to other immi-