

The reason we make the above request, without awaiting the preparation of the petition, is that so short a time remains within which the validity of the statute in question must be settled so as to still leave sufficient opportunity for us to enforce our claims under the Act, if bound by it.

We have, &c.,

JOHN BROGDEN AND SONS,
(per JOHN HENDERSON.)

The Hon. the Minister for Public Works, Wellington.

The SOLICITOR-GENERAL to the Hon. the MINISTER for PUBLIC WORKS.

The Hon. the Minister for Public Works.

I HAVE read the within letter addressed to you by Messrs. John Brogden and Sons. The purpose for which the Messrs. Brogden seek to obtain the consent of the Governor to a petition under the Crown Redress Act is that the validity of the Government Contractors Arbitration Act may be tested. It seems to me that this is not a purpose for which the necessary consent should be given, and that the writers should be so informed. Moreover, the consent, even in a proper case, should be given only when a claim is laid before the Governor in the manner prescribed by law.

21st March, 1877.

W. S. REID.

The UNDER-SECRETARY for PUBLIC WORKS to MESSRS. BROGDEN and SONS.

GENTLEMEN,—

Public Works Office, Wellington, 22nd March, 1877.

In reply to your letter of the 20th instant, I am directed by the Hon. the Minister for Public Works to inform you that the purpose for which you seek to obtain the consent of the Governor to a petition under the Crown Redress Act—viz, to test the validity of "The Government Contractors Arbitration Act, 1872"—is not a purpose for which the desired consent should be given.

I have, &c.,

Messrs. Brogden and Sons,
Wellington.

CHARLES T. BENZONI,
(in the absence of Under-Secretary for Public Works.)

The UNDER-SECRETARY for PUBLIC WORKS to MESSRS. BROGDEN and SONS.

GENTLEMEN,—

Public Works Office, Wellington, 12th May, 1877.

With reference to the last paragraph of the letter addressed to you on the 19th June last by direction of the Hon. the Minister for Public Works, I am now directed to inform you that the overpayment to your firm on the Waitara and Waitara 10-per-cent. contract is £2,572 18s. 8d., and the overpayment on the Invercargill Contract is £2,009 16s. 5d.

I have, &c.,

Messrs. Brogden and Sons, Wellington.

JOHN KNOWLES,
Under-Secretary for Public Works.

Mr. TRAVERS to the SOLICITOR-GENERAL.

SIR,—

Re Brogden.

Wellington, 15th May, 1877.

I have been requested to address you again with reference to the contemplated proceedings under the provisions of "The Government Contractors Arbitration Act, 1872."

The Messrs. Brogden are desirous that the Government should waive any proceedings under the 4th section, allowing all matters in dispute to go direct to the Judge in the first instance.

They are further desirous that the Government should concur with them in preventing the applications of sections 12 and 13 to the proceedings to be referred. I have pointed out that this could only be done effectively by alteration of the law, but that in all probability the Judge would consent not to use the powers given by those sections if both parties concurred in requesting him to abstain from doing so.

They are further desirous that the Judge should be empowered, at the request of either parties, to submit any question of law for the decision of the Supreme Court, if his decision should be unsatisfactory. I have pointed out that this is not provided by the Act, but I apprehend that by consent such a power might be given to the Judge independent of the Act, and that such a power would probably be satisfactory to the Judge himself.

Some doubt exists in the mind of their agent here whether, in our former correspondence, you consented to waive any question of time under section 31. I have informed them that I understood you to have agreed on the part of the Government to do so, but it would be satisfactory to my clients if you would, assuming I rightly understood you, repeat that assurance.

With respect to the first three points above referred to, I have the honor to request that you will inform me, at your early convenience, whether the Government will consent to all questions going direct to the Judge instead of first passing through the stage mentioned in section 4; whether the Government will concur in an arrangement, pending legislative alterations, to avoid the Judges acting under the powers given by sections 12 and 13; and whether the Government will consent to give the Judge power, at the request of either party, to refer any matter of law for the consideration of the Supreme Court.

I have, &c.,

The Solicitor-General, Wellington.

WM. THOS. LOCKE TRAVERS.

The SOLICITOR-GENERAL to the Hon. the MINISTER for PUBLIC WORKS.

The Hon. the Minister for Public Works.

I FORWARD for your information and instructions the within letter received from Mr. Travers respecting the matters in dispute between the Government and the Messrs. Brogden. I have simply acknowledged Mr. Travers's letter in the meantime. The proposal now made by Mr. Travers is to the effect stated in the latter part of his letter. Clause 4 of the Government Contractors Arbitration