

So the motion was lost.

Mr. Rolleston moved, That the Committee having taken all the evidence that was available to them on the subject of the claims put forward in the petition of Messrs. Brogden and Sons, are of opinion that the statements in the said petition are not substantiated, and, so far as they are able to judge, there is no good ground for such claims, either in law or equity. The Committee are 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 agreement.

The Committee divided, when there were,—

Ayes, 8.
Mr. Cuthbertson,
Mr. Macandrew,
Mr. Ormond,
Hon. Mr. O'Rorke,
Mr. Parker,
Hon. Mr. Richardson,
Mr. Rolleston,
Mr. White.

Noes, 2.
Mr. Carrington,
Mr. O'Neill.

So the motion was carried.

Resolved, On the motion of the Hon. Mr. Richardson, That, in the opinion of this Committee, it is not advisable that the evidence should be published.

The Chairman was requested to report to the House on the petition in accordance with the above Resolutions.

On the motion of the Hon. Mr. O'Rorke, the Petition of Teoti Rapatini was further postponed.

The Committee then adjourned *sine die*.

MINUTES OF EVIDENCE.

TUESDAY, 9TH SEPTEMBER, 1873.

Mr. JOHN HENDERSON, of Messrs. Brogden and Sons, was in attendance, and was examined as follows:—

1. *The Chairman.*] The Committee have under consideration a petition from your firm relative to the liabilities they have entered into in regard to the business of immigration. We understand that it is your wish that you should be called upon to give evidence. Perhaps you would make a statement of what you have got to say, after which it will be open for the members of Committee to question you on the subject?—All the statement I have got to make is embodied in the petition to the House.

2. *Hon. Mr. Fitzherbert.*] Have the Messrs. Brogden and Sons taken all the steps that they reasonably could be expected to take for recovery of these promissory notes?—So far as I know they have done so. Of course many of the men by whom these notes were given have left our employment and gone out of the way into the interior, in which case it might possibly entail more cost than the value of the notes to follow them up. In not a few cases the men have changed their names.

3. Let me ask, what steps have you taken to trace out the men who have gone away? There are police in the country, besides a variety of ways a private firm would adopt for the recovery of debts due to them under similar circumstances?—We have left no means untried, so far as local agencies are concerned.

4. Have you any complaints to make against the police arrangements in consequence of which payment has been evaded?—None whatever. In many instances we are unable to trace the men. They leave here, for example, and go to Auckland, where they change their names, and many of them set to work on the way up.

5. In a country like this, it appears to me that if I had £20,000 or £30,000 out in small sums, there would not be so very much difficulty in tracing the persons out by whom these sums were owing?—There are other difficulties in the way of recovering these sums. The men may not have the money to pay them even after they are sued; and if we have them arrested and put into gaol, we have to pay 10s. a week for keeping them there.

6. Why then do you not adopt a course like this: Sue them, and after having confessed judgment, hold it over to such time as these men become worth powder and shot?—We do so in many instances.

7. I would wish you to explain more fully why that course is not adopted in every instance?—It is adopted in every case in which we have found the men.

8. Why do you not adopt that course before the men leave you. When you have reason to suspect that they are about to leave, why do you not do that before they escape?—In many, very many of these cases, the men leave us without giving us notice of their intention to do so, and then make their way direct into the interior.

9. Is there no other reason why you do not sue them all?—In many instances it would not pay to sue them.

10. What is the cost of suing for amounts like these?—I do not remember the cost, but I could get it if it is considered necessary.

11. How many judgments have you got in that way?—I cannot say from memory, but I can furnish you with the number by to-morrow.