

No. 76.

The AGENT-GENERAL to the Hon. J. VOGEL.

7, Westminster Chambers, Victoria Street, Westminster, S.W.,
17th November, 1874.

SIR,—

In continuation of my letter of the 30th October, relative to the proceedings instituted against the contractors for the temporary San Francisco Mail Service, I have the honor to enclose, for your information, a letter which I received on the eve of the departure of the mail, from my solicitors, relating the proceedings taken by them since my last communication to you, together with a note of the evidence of Mr. Hall, who was examined under commission yesterday.

2. Since the receipt of Messrs. Mackrell's letter, I have been informed that a telegram has been received, reporting that process in the suit has been served on Mr. Forbes, in America.

I have, &c.,

I. E. FEATHERSTON,

Agent-General.

The Hon. Julius Vogel, C.M.G., Wellington.

Enclosure in No. 76.

Messrs. JOHN MACKRELL and Co., to the AGENT-GENERAL.

21, Cannon Street, London, E.C., 17th November, 1874.

Postal Contracts.

DEAR SIR,—

We beg leave to report to you, that in the action which has been brought against Mr. Hall he has allowed judgment to go by default.

In conference with the solicitors for the Government of New South Wales, we have not thought it expedient to issue execution against Mr. Hall, unless upon direct instructions from the Postmasters-General, inasmuch as, from inquiries we have made, we cannot learn that Mr. Hall has any property which could be reached by an execution.

We have also to report that, in the action against Mr. De Bussche, on learning that Mr. Hall was about to leave England, we advised with counsel as to the propriety of having him examined to prove the default under the bond; and acting under counsel's advice, we obtained an order of a Judge, requiring his examination before a special commissioner, and Mr. Pinder was appointed to take the examination.

In conference with the solicitors to the New South Wales Government, it was thought desirable to retain the services of Sir Henry James, to act with Mr. Denistoun Wood in conducting the examination. The examination took place yesterday, and we send herewith a transcript of the shorthand writer's notes of what took place.

We hope that the evidence of Mr. Hall will be sufficient to prove the breach under the bond without the expense and delay of sending a Commission to the colonies.

We have no doubt that an application will be made by the defendant for an order upon the Postmaster-General to state what books, papers, or documents they have relating to the contracts and the performance of the service, and for leave to inspect the same.

According to the ordinary practice, ten days are given to make the affidavit with the list of documents; and if the affidavit be not made within that time, all proceedings in the action are stayed until the affidavit is perfected.

We have little doubt that a Judge will allow the proceedings to be stayed until the affidavit has been made.

It is more than probable, therefore, that this action may be stayed until Mr. Vogel and Mr. Samuel arrive in England, and can make the affidavit. We are afraid, however, that this may not be the full extent of the delay, as they may not be able to recollect, and of course will not be able to produce the papers in the colony. We think, therefore, it would be very desirable that all the papers in any way relating to the service which are now in the colony should be at once transmitted to England.

We are, &c.,

JOHN MACKRELL AND Co.

The Agent-General for New Zealand.

No. 77.

The AGENT-GENERAL to the Hon. J. VOGEL.

7, Westminster Chambers, Victoria Street, Westminster, S.W.,
27th November, 1874.

SIR,—

In continuation of my letter of the 17th November, I have the honor to forward, for your information, a copy of a letter which I have received from my solicitors, relative to the progress of proceedings against the contractors for the temporary San Francisco Mail Service, and their sureties, now pending here and in the United States.

I have, &c.,

I. E. FEATHERSTON,

Agent-General.

The Hon. Julius Vogel, C.M.G., Wellington.

Enclosure 1 in No. 77.

Messrs. JOHN MACKRELL and Co. to the AGENT-GENERAL.

21, Cannon Street, London, E.C., 25th November, 1874.

DEAR SIR,—

Postal Contracts.—As to the Temporary Service.

We have to-day received from Messrs. Foster and Thomson, of New York, a letter informing