

1875.

NEW ZEALAND.

MR. HUGH CASSIDY'S PETITION,

PRESENTED 12TH AUGUST, 1874.

(REPORT AND CORRESPONDENCE ON.)

Presented to both Houses of the General Assembly by Command of His Excellency.

EXTRACT FROM REPORT OF PUBLIC PETITIONS COMMITTEE ON PETITION OF HUGH CASSIDY.

* * * * *

"I am directed to report that the Committee are of opinion that the Petitioner has some claim to compensation, and recommend that careful inquiries be instituted by the Post Office authorities with a view to ascertaining the actual loss sustained by Petitioner, in order that some satisfactory adjustment of the claim may be arrived at."

26th August, 1874.

THOMAS KELLY,
Chairman.*Report on Claims made by Hugh Cassidy for Compensation for Losses through Impassable State of Christchurch Road.*

HAVING now investigated this matter as fully as possible, we have the honor to report as follows:—

Items 1 and 2 are claims made for loss arising through the falling off of traffic, and, in order to verify the correctness of this, we have carefully examined the books in which the takings of each trip are entered in detail, and checked the return submitted to us by the Petitioner.

From these we find the following results,—

Taken in Hokitika, from 1st January to 31st March, 1874	...	£546	6	6
Taken in Christchurch, do.	...	678	0	6
		£1,224	7	0

[The flood occurred on 4th April, 1874.]

Taken in Hokitika, from 1st April to 30th June, 1874...	...	£207	9	6
Taken in Christchurch, do.	...	374	13	6
		£582	3	0

Taken in Hokitika, from 1st July to 30th September, 1874	...	£290	3	0
Taken in Christchurch, do.	...	248	16	6
		£541	19	6

From the evidence of the late coach proprietor's (Mr. Burton's) book-keeper, it appeared that the returns for the same periods of the previous year were—

From January to March	...	£770	0	0
„ April to June	...	882	0	0
„ July to September	...	820	0	0

This is the only data on which we were able to arrive at an approximate conclusion.

In comparing the returns, we find that for the first quarter Cassidy's receipts exceeded Burton's by £454.

Cassidy	...	£1,224	0	0
Burton	...	770	0	0
Cassidy's excess	...	£454	0	0

This large increase is to a certain extent accounted for through Cassidy having, during this period, reduced the fares for return tickets from £9 to £6, and we find that 44 return tickets were issued at £6, equal to £264. Of these, we estimate, from our own local knowledge, that at least 15 would have travelled irrespective of the reduction, and we, therefore, must reckon the ordinary traffic would have been 15 passengers at £9, equal to £135. This will leave £129 to be deducted on account of extra traffic, and still leave an increase of £325 in Cassidy's receipts for that quarter over Burton's.

The second quarter, being the one during the commencement of which the damage to the road was done, shows a falling off of £300 :—

Burton's receipts	...	...	...	...	...	£882	0	0
Cassidy's „	...	...	...	...	...	532	0	0
						<u>£300</u>	<u>0</u>	<u>0</u>

And, if we take the proportionate increase of traffic as shown by the previous quarter's returns, the takings should have increased by £371, thus making an estimated loss to Cassidy for this quarter of £671.

The third quarter, ending 30th September, shows a further loss of £278 :—

Burton's returns	...	...	...	...	...	£820	0	0
Cassidy's „	...	...	...	...	...	542	0	0
						<u>£278</u>	<u>0</u>	<u>0</u>

The proportionate increase should have been £345, making Cassidy's loss £623.

We, therefore, consider that had the road been in good order Cassidy would, in all probability, have received—

During June quarter	...	...	...	...	...	£671	0	0 and
„ September quarter	...	...	...	...	...	623	0	0 .
In all	...	...	...	...	...	<u>£1,294</u>	<u>0</u>	<u>0</u>

more than his actual receipts were. There is no doubt but that Cassidy had a right to expect a certain risk of stoppage of traffic through the road being liable to interruption, but we consider that this will be fully met by the loss which must still accrue through the time which must necessarily elapse before the repairs now in progress will have sufficiently advanced to enable him to get his coach through.

Item 3, £27.—There is no doubt that this is an additional expense incurred through the accident to the road, but, we think, if the allowance is made for the loss of traffic, this should not be entertained.

Item 4.—Extra cost of feed, and extra horse kept at Otira, £156.

A spare horse has to be kept there so as to enable communication to be kept open, and the extra cost of feed is caused by wagons being unable to bring produce from the Canterbury side where the contractors have their stocks laid in. They are now compelled not only to purchase at a higher price in Hokitika, but to pay an increased rate of carriage on its transit. The amount claimed appears to us to be understated, and, we think, may be fairly allowed.

Item 5.—For depreciation in saddles. This we cannot recommend, although the wear and tear going over such a country is very severe.

Item 6 we do not recommend, as by this arrangement the Contractor has been able to do without the Castle Hill change of horses.

Item 7.—Loss of coach and horses at Kelly's Creek. This we consider one of the ordinary risks of the road, and do not recommend for payment.

To summarize our recommendations, we suggest for your approval that—

For loss of traffic a sum be allowed of	...	...	...	...	£1,294	0	0
And for extra cost of feed	...	...	...	...	156	0	0
In all	...	...	...	...	<u>£1,450</u>	<u>0</u>	<u>0</u>

This amount to be in full compensation for all claims arising through the non-repairing of the road.

We are of opinion that the Contractors have used every endeavour to carry out their contract efficiently, notwithstanding the great difficulties they have had to contend with owing to the state of the road.

JAMES BONAR, Superintendent.
F. K. GEISON, District Engineer.
ROBERT KIBTON, Chief Postmaster.

**TAKINGS of Coach from Hokitika to Christchurch
for the three Months ending 31st March.**

1874.			
Jan.	2.—Coach fares and carriage of parcels, &c.	...	£19 0 0
"	6.—	"	23 4 0
"	9.—	"	20 12 0
"	13.—	"	17 5 0
"	16.—	"	25 4 6
"	20.—	"	27 5 0
"	23.—	"	46 4 0
"	27.—	"	40 7 6
"	30.—	"	15 0 0
Feb.	3.—	"	38 1 6
"	6.—	"	16 2 0
"	9.—	"	21 16 6
"	13.—	"	2 11 0
"	13.—	"	2 5 6
"	17.—	"	1 12 6
"	17.—	"	0 13 6
"	20.—	"	23 6 0
"	24.—	"	25 15 6
"	27.—	"	2 3 0
Mar.	3.—	"	32 17 6
"	6.—	"	35 15 0
"	10.—	"	8 2 6
"	13.—	"	27 12 6
"	17.—	"	8 1 0
"	20.—	"	16 9 6
"	24.—	"	8 3 0
"	27.—	"	19 7 6
"	31.—	"	18 16 6
"	31.—	"	2 12 6
Carried forward			£546 6 6

**TAKINGS of Coach from Christchurch to Hoki-
tika for the three Months ending 31st March.**

1874.			
Jan.	2.—Coach fares and carriage of parcels, &c.	...	£546 6 6
"	6.—	"	30 5 0
"	9.—	"	52 10 0
"	13.—	"	18 19 0
"	16.—	"	49 15 0
"	20.—	"	35 5 6
"	23.—	"	33 10 0
"	27.—	"	22 16 6
"	30.—	"	15 6 0
"	30.—	"	29 11 6
Feb.	3.—	"	5 0 0
"	3.—	"	5 13 6
"	6.—	"	25 5 0
"	9.—	"	11 12 6
"	13.—	"	27 1 6
"	17.—	"	28 15 6
"	20.—	"	24 9 0
"	24.—	"	22 0 0
"	27.—	"	0 15 0
"	27.—	"	11 15 6
Mar.	3.—	"	23 5 0
"	6.—	"	33 19 6
"	10.—	"	45 15 6
"	13.—	"	20 0 6
"	17.—	"	25 14 0
"	20.—	"	6 2 0
"	24.—	"	41 0 6
"	27.—	"	20 16 6
"	31.—	"	10 1 0
Smith, wayside			1 0 0

Total, for the three months ending
31st March, 1874, receipts, as per
day book £1,226 7 0

**TAKINGS of Coach from Hokitika to Christchurch
for the three Months ending 30th June.**

1874.			
April	3.—Coach fares and parcels	...	£10 5 0
"	7.—	"	Nil.
"	10.—	"	1 12 6
"	14.—	"	5 10 0
"	17.—	"	5 5 0
"	21.—	"	1 8 6
"	24.—	"	0 18 6
"	28.—	"	0 18 0
"	28.—	"	1 0 0
May	1.—	"	13 8 0
"	5.—	"	7 5 0
"	8.—	"	6 15 0
"	8.—	"	0 7 6
"	12.—	"	9 5 0
"	15.—	"	Nil.
"	19.—	"	12 2 6
"	22.—	"	1 12 6
"	26.—	"	15 18 6
"	29.—	"	15 19 6
June	2.—	"	18 11 6
"	5.—	"	13 6 0
"	9.—	"	0 6 6
"	12.—	"	3 12 6
"	16.—	"	9 1 0
"	19.—	"	28 6 0
"	23.—	"	3 12 6
"	26.—	"	0 12 6
"	29.—	"	20 10 0
Carried forward			£207 9 6

**TAKINGS of Coach from Christchurch to Hoki-
tika for the three Months ending 30th June.**

1874.			
April	3.—Coach fares and parcels	...	£207 9 6
"	7.—	"	7 4 0
"	10.—	"	25 0 0
"	14.—	"	Nil.
"	17.—	"	5 3 0
"	20.—	"	Nil.
"	24.—	"	24 3 0
"	24.—	"	18 5 0
"	28.—	"	29 4 6
May	1.—	"	24 17 0
"	5.—	"	9 5 0
"	8.—	"	7 0 0
"	11.—	"	7 15 0
"	15.—	"	16 10 0
"	19.—	"	16 7 0
"	22.—	"	40 15 0
"	26.—	"	9 4 6
"	29.—	"	9 4 0
June	2.—	"	15 0 6
"	5.—	"	28 12 0
"	8.—	"	0 15 6
"	12.—	"	20 14 6
"	15.—	"	22 3 6
"	19.—	"	14 17 6
"	23.—	"	10 6 6
"	26.—	"	4 13 6
"	30.—	"	7 12 6

Total receipts for the three months
ending 30th June, 1874, as per
day book £582 3 0

TAKINGS of Coach from Christchurch to Hokitika
for the three Months ending 30th September.

1874.	July 3.—Coach fares and carriage of parcels ...	£4 12 6
	" 7.—	15 6 0
	" 10.—	9 0 0
	" 14.—	3 5 0
	" 17.—	20 12 6
	" 21.—	25 17 6
	" 24.—	5 17 6
	" 28.—	5 9 6
	" 31.—	13 19 6
Aug.	4.—	7 13 0
	" 7.—	22 16 0
	" 12.—	4 10 0
	" 14.—	5 14 0
	" 18.—	13 16 0
	" 21.—	14 2 6
	" 24.—	31 16 6
	" 28.—	16 14 0
Sept.	1.—	3 12 0
	" 4.—	3 6 6
	" 8.—	3 2 6
	" 11.—	2 16 0
	" 14.—	23 0 0
	" 18.—	3 12 0
	" 22.—	17 17 0
	" 25.—	8 10 0
	" 29.—Floods ...	6 5 0
	Carried forward ...	£293 3 0

TAKINGS of Coach from Hokitika to Christchurch
for the three Months ending 30th September.

1874.	Brought forward ...	£293	3	0
July 3.—	Coach fares and carriage of parcels ...	1	11	6
" 7.—	" ...	11	10	6
" 10.—	" ...	13	14	6
" 14.—	" ...	10	12	6
" 17.—	" ...	4	7	0
" 21.—	" ...	5	7	6
" 24.—	" ...	0	18	6
" 28.—	" ...	12	12	6
" 31.—	" ...	2	9	6
Aug. 4.—	" ...	26	9	6
" 7.—	" ...	15	3	0
" 11.—	" ...	32	6	6
" 14.—	" ...	2	8	0
" 18.—	" ...	8	2	6
" 21.—	" ...	1	0	0
" 25.—	" ...	19	12	6
" 28.—	" ...	4	10	0
Sept. 1.—	" ...	5	15	0
" 4.—	" ...	1	0	0
" 8.—	" ...	15	17	6
" 11.—	" ...	21	8	0
" 15.—	" ...	3	5	0
" 18.—	" ...	13	8	0
" 22.—	" ...	7	0	0
" 25.—	" ...	7	17	0
" 29.—	" ...	Nil.		
Total receipts for the three months ending 30th September, 1874, as per day book ...		£541	19	6

STATEMENT showing the Loss sustained by Cassidy and Co. in conveying the Inland Mail from Hokitika to Christchurch, by Coach, on account of the Road being damaged to a great extent.

Item 1.—Loss in receipts for the quarter ending 30th June, as per bill of particulars accompanying ...	£644 4 0
" 2.—Loss in receipts for the quarter ending 30th September, as per bill of particulars accompanying ...	709 12 0
" 3.—7th April, one man extra went with the coach, trying to get the mail through, one week ...	3 0 0
14th April, " " " ...	3 0 0
23rd June, " " " ...	3 0 0
3rd July, " " " ...	3 0 0
10th July, " " " ...	3 0 0
28th July, " " " ...	3 0 0
11th August, " " " ...	3 0 0
14th August, " " " ...	3 0 0
21st August, " " " ...	3 0 0
" 4.—Extra horses at the Otira Gorge, and extra cost of horse feed there, £6 per week for the six months ending 30th September ...	156 0 0
" 5.—Four riding saddles, £4 each ...	16 0 0
Two pack saddles, £3 10s. each ...	7 0 0
Two ladies' saddles, £5 10s. each ...	11 0 0
" 6.—Two extra horses at the Cass, £2 per week each for six months ...	104 0 0
" 7.—Loss of coach and horses at Kelly's Creek, caused by the road being out of repairs, two horses ...	60 0 0
One four-horse set of harness ...	16 0 0
Damage to coach cushions, loss of bars and tools ...	65 0 0

Dr. to Cassidy and Ashton (omitted in Statement sent in).

Passage to and from Wellington, Mr. Cassidy per steamer ...	£9 0 0
Five weeks in Wellington, hotel and incidental expenses ...	35 0 0
A driver, instead of Mr. Cassidy, five weeks, £5 per week ...	25 0 0
	£69 0 0

We may mention here that only for the absence of Mr. Cassidy in Wellington, the accident would not have happened to the coach. C. and A.