

1933.  
NEW ZEALAND.

## PUBLIC PETITIONS A TO L COMMITTEE

(REPORTS OF THE).

(MR. E. F. HEALY, CHAIRMAN.)

*Laid on the Table of the House of Representatives.*

### ORDERS OF REFERENCE.

*Extracts from the Journals of the House of Representatives.*

FRIDAY, THE 6TH DAY OF OCTOBER, 1933.

*Ordered*, "That a Committee be set up, consisting of ten members, to consider all petitions from A to L that may be referred to it; to classify and prepare abstracts of such petitions in such form and manner as shall appear to it best suited to convey to this House all requisite information respecting their contents, and to report the same from time to time to this House; and to have power to report its opinions and observations thereon to this House: the Committee to consist of Mr. Ansell, Mr. Healy, Mr. Macpherson, Mr. McDougall, Mr. W. W. Massey, Mr. O'Brien, Mr. Richards, Mr. Schramm, Mr. Wright, and the mover."—(Right Hon. Mr. FORBES for Hon. Mr. RANSOM.)

WEDNESDAY, THE 18TH DAY OF OCTOBER, 1933.

*Ordered*, "That all petitions not finally dealt with during the 1932-33 session be again referred to the same Committees that they were referred to during the said session."—(Right Hon. Mr. FORBES.)

TUESDAY, THE 7TH DAY OF NOVEMBER, 1933.

*Ordered*, "That the petition of A. C. Foddy be referred direct to the Public Petitions A to L Committee."—(Mr. J. A. NASH.)

TUESDAY, THE 12TH DAY OF DECEMBER, 1933.

*Ordered*, "That the Public Petitions A to L Committee have leave to sit during the present sitting of the House."—(Mr. HEALY.)

*Ordered*, "That the petition of V. J. Hellyar be referred to the Public Petitions A to L Committee."—(Mr. HOLLAND.)

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## REPORTS.

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No. 210, 1932.—Petition of F. J. LAKE.

PRAYING for compensation for alleged business losses as a result of the passing of the Motor-vehicles Act, 1928.

I am directed to report that the Committee has no recommendation to make.  
14th November, 1933.

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No. 494, Sess. 1, 1932.—Petition of T. LUNAM and 261 Others.

PRAYING that the wage-tax be not increased to 1s. in the pound.

I am directed to report that the Committee has no recommendation to make.  
17th November, 1933.

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No. 193, 1932–33.—Petition of E. A. BAILEY, of Lower Hutt.

PRAYING for compensation for alleged injury arising out of motor accident.

I am directed to report that in the opinion of the Committee the petition should be referred to the Government for most favourable consideration.

The evidence in this, and other known cases, shows very decidedly that an alteration of the gazetted arrangement with the Motor-vehicles Third-party Pool to pay compensation in what are termed "hit-and-run" cases should be made. The present "arrangement" includes two important provisions: (1) Negligence of driver of striking car must be established; (2) it must be proved that the car (or other motor-vehicle) was fitted with a number-plate of the *current year*. As proof consistent with the latter clause is in many cases quite impossible and tends to injustice, the Committee is impressed with the desirability of having this provision deleted, and recommends the Government to favourably consider opening negotiations with the insurance companies concerned with that object in view.

The Committee, being cognizant of the fact that with the growth of motor transport the number of accidents increases, considers that the question of compensation for damages caused on the road by motor-vehicles should be investigated by a Select Committee to be appointed by the House, empowered to confer with the representatives of insurance companies, motor organizations, and other interested bodies, and to report to the House. It also considers that the investigation should cover the three important proposals at present under consideration by the British Parliament:—

- (1) That instead of the pedestrian having to prove negligence on the part of the motorist, negligence on the part of the motorist be assumed until the contrary is proved. (This procedure obtains in eleven out of thirteen countries where inquiries have been made, and transfers the onus of proof of negligence from the injured person to the driver of the vehicle causing the accident.)
- (2) That the defence of contributory negligence be eliminated, the defendant being exonerated only where the accident is *wholly* due to the fault of the injured person.
- (3) That in the case of "inevitable accidents"—that is, where no negligence is proved on other side—the risk should be covered.

The proposals outlined are admittedly of a drastic nature, involving alterations in the law of negligence, but are in keeping with overseas developments; and the Committee considers that the New Zealand Government should no longer delay in considering the advisability of adopting them, or some modification of them, that will make possible compensation for motor accidents not adequately covered by our existing law.

28th November, 1933.

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No. 222, Sess. 2, 1932.—Petition of GREATER AUSTRALASIAN FILMS, LIMITED.

PRAYING for remission of penalty for late payment of income-tax.

I am directed to report that, as a matter of policy is involved, and the petitioners admit responsibility for some degree of negligence, the Committee has no recommendation to make.  
28th November, 1933.

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No. 104, 1931.—Petition of MABEL J. GREENSILL, of Marlborough.

PRAYING for inquiry into alleged loss of her position in the Public Service.

I am directed to report that the Committee recommends that the petition be referred to the Government for most favourable consideration, and, further, that a Committee of Inquiry be set up to investigate the circumstances of the petitioner's dismissal from the Maori Hygiene Department of the Public Service, together with the allegations made against her, and the alleged improper issue of medical certificates as to her mental and physical condition.

28th November, 1933.

No. 237, Sess. 2, 1932.—Petition of W. A. P. D'ORIDANT, of Christchurch.

PRAYING for a compassionate grant in respect of an alleged miscarriage of justice.

I am directed to report that the petition be referred to the Government for consideration.  
29th November, 1933.

No. 241, Sess. 1932-33.—Petition of J. C. ANDERSEN and 86 Others, and 7 Similar Petitions as per Schedule attached.

PRAYING for the preservation from useless destruction of Native flora on both public and private property.

I am directed to report that in the opinion of the Committee the petitions should be referred to the Government for favourable consideration.

SCHEDULE.

No. 243, 1932-33.—W. J. Percy and 94 others.	No. 251, 1932-33.—T. Waugh and 81 others.
No. 244, 1932-33.—T. S. Waddell and 46 others.	No. 252, 1932-33.—E. Atkinson and 23 others.
No. 245, 1932-33.—D. McKenzie and 96 others.	No. 181, 1933.—W. T. Strand and 373 others.
No. 249, 1932-33.—A. L. Hunt and 103 others.	

6th December, 1933.

No. 4, 1932-33.—Petition of J. R. CORRIGAN, of Hawera.

PRAYING that a Committee be set up to investigate a plan for reforming the currency and restoring prosperity.

I am directed to report that the Committee, appreciating the importance of the subject-matter of the petition and the sincerity of the petitioner, recommends the petition to the Government for consideration.

6th December, 1933.

No. 264, 1932-33.—Petition of ANN W. E. HALL.

PRAYING for a further compassionate allowance in respect of the death of her husband.

I am directed to report that in the opinion of the Committee the petition should be referred to the Government for favourable consideration, and the Committee recommends that the petitioner be paid an annuity.

6th December, 1933.

No. 271, 1932-33.—Petition of F. E. HUNT, of Wellington.

PRAYING for refund of rent alleged to have been overpaid to the Railway Department.

I am directed to report that the member presenting the petition having requested permission to withdraw it, the Committee recommends that he be allowed to do so.

6th December, 1933.

SPECIAL REPORT.

I AM directed to report that the Public Petitions A to L Committee has passed the following resolution:—

“That the Committee, being of the opinion that the petitions shown in the schedule annexed hereto cannot be considered during the present session, do report the petitions back to the House in order that they may be referred to the Public Petitions A to L Supplementary Committee for consideration and report.”

SCHEDULE.

No.	Petitioners.	Members presenting.	No.	Petitioners.	Members presenting.
16, 1932-33	C. R. Lloyd, and 1,456 others	Mr. J. N. Massey.	138, 1933	J. W. Garner ..	Mr. Fraser.
279, 1932-33	N. B. Fryday ..	Mr. Polson.	149, 1933	N. B. Fryday ..	Mr. Polson.
283, 1932-33	J. Kennedy ..	Mr. Fraser.	150, 1933	Arlidge Brothers ..	Mr. Rushworth.
292, 1932-33	N. B. Fryday ..	Mr. Polson.	166, 1933	R. H. Burrell ..	Mr. Parry.
11, 1933	H. Barnes ..	Mr. Richards.	177, 1933	R. A. Alexander ..	Mr. Fraser.
21, 1933	M. Aldis ..	Mr. Harris.	208, 1933	E. Hurcomb and 229 others	Mr. Field.
29, 1933	V. J. Hellyar ..	Mr. Smith.	203, 1933	A. C. Foddy ..	Mr. J. A. Nash.
116, 1933	W. Christian ..	Mr. Barnard.	209, 1933	J. Hill and 122 others	Mr. Bodkin.
127, 1933	G. W. Drew ..	Mr. Savage.	233, 1933	W. F. Cutler ..	Mr. J. A. Nash.
129, 1933	N. B. Fryday ..	Mr. Polson.	236, 1933	Florence E. Ford ..	Mr. Hargest.

8th December, 1933.

No. 247, 1932-33.—Petition of JEANIE E. BARR, of Auckland.

PRAYING for refund of estate moneys from Consolidated Fund or for a compassionate allowance.

I am directed to report that the Committee has no recommendation to make.

11th December, 1933.

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No. 39.—Petition of P. G. BRAZIER, of Wellington.

PRAYING for compensation for alleged false imprisonment.

I am directed to report that the Committee has no recommendation to make.

11th December, 1933.

(Debate on the question "That the report do lie upon the table," interrupted by the 5.30 adjournment on the 11th December, 1933.)

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No. 301, 1932-33.—Petition of J. COYLE, of Wellington.

PRAYING for a statement showing the amount earned by him under the Prisons Regulations and allegedly withheld.

I am directed to report that the Committee has no recommendation to make.

11th December, 1933.

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No. 19.—Petition of CYGNET LIMITED, of Christchurch.

PRAYING for compensation for loss allegedly caused by negligence of Marine Department.

I am directed to report that the Committee, being of the opinion that the officer of the Department responsible for the first survey was incompetent on account of his physical unfitness, recommends the petition to the Government for favourable consideration.

11th December, 1933.

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No. 212, 1932-33.—Petition of MARIAN C. ALGIE, of Wellington.

PRAYING that special picture-houses for children be instituted, and that unemployed youths be settled on Crown lands and financially assisted.

I am directed to report that in respect of the first part of the petition, praying that special picture-houses for children be instituted, the Committee is satisfied of the earnestness and sincerity of the petitioner, and recommends that portion of the prayer of the petition to the consideration of the Government. In regard to the prayer that unemployed youths be settled on Crown lands and financially assisted, as a matter of Government policy is involved, the Committee has no recommendation to make.

13th December, 1933.

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No. 275, 1932-33.—Petition of EDITH M. BIRKS, of Christchurch.

PRAYING for refund of excess amount alleged to have been paid into Public Service Superannuation Fund.

I am directed to report that in the opinion of the Committee the petition should be referred to the Government for most favourable consideration.

13th December, 1933.

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No. 234, 1932-33.—Petition of T. B. CLARK, of Wellington.

PRAYING for an inquiry into the matter of his dismissal from the service of the Wellington Fire Brigade, or to set up an inquiry by the Department of Internal Affairs or by some judicial person.

I am directed to report that, having given careful consideration to the evidence, the Committee has no recommendation to make.

13th December, 1933.

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No. 294, 1932-33.—Petition of W. S. COOPER, of Wellington.

PRAYING that he be allowed to appear at the bar of the House to refute aspersions allegedly made against him in connection with his claim for reinstatement in the Public Service.

I am directed to report that in the opinion of the Committee the petition should be referred to the Government for favourable consideration of the prayer of the petitioner, that the matter be referred to a Judicial Commission for full and open investigation.

13th December, 1933.

No. 284, 1932-33.—Petition of J. E. CULLEN and 259 Others.

PRAYING for amendment of the Unemployment Act, 1930.

I am directed to report that, as the Unemployment Board has now ruled that future subsidies granted by the Returned Soldiers' Association to provide work relief for unemployed returned soldiers are deemed to be neither salary nor wages for the purpose of payment of the emergency unemployment charge, the Committee desires to express its pleasure at the decision arrived at by the Board.

13th December, 1933.

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No. 299, 1932-33.—Petition of H. HAYSON, of Auckland.

PRAYING for exemption from payment of unemployment-tax and for other relief.

I am directed to report that the Committee has no recommendation to make.

13th December, 1933.

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No. 29.—Petition of V. J. HELLYAR, of New Plymouth.

PRAYING that he be enabled to lodge an appeal with the Court of Appeal.

I am directed to report that the Committee is of the opinion that the law should provide the fullest opportunity to an injured person to obtain from the Courts a final judgment on the merits of his case. That, having regard to all the circumstances, it was only reasonable for the petitioner to delay taking action by way of appeal until the judgment of the Privy Council in the case that was then before it was available to the petitioner. That in the opinion of the Committee the law should be amended to provide without limitation as to time an absolute right of appeal in all cases where the verdict of the jury is set aside by the Judge upon any legal or technical ground. That the ends of justice demand that in every case it should be the aim of the Legislature to ensure that the Courts shall give a conclusive judgment upon the merits of every case brought before it by litigants. The Committee therefore recommends that the petition be referred to the Government for most favourable consideration, and also that the Government enter into negotiations with the Motor-vehicles Third-party Pool with the object of securing for petitioner a substantial *ex gratia* payment.

13th December, 1933.

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No. 32.—Petition of W. HODGE, of Christchurch.

PRAYING for inquiry into alleged grievances and for redress.

I am directed to report that the Committee has no recommendation to make.

13th December, 1933.

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No. 273, 1932-33.—Petition of MAUD A. BRUCE, of Wanganui.

PRAYING for a compassionate allowance in respect of her late husband's services in the Public Works Department.

I am directed to report that in the opinion of the Committee the petition should be referred to the Government for favourable consideration.

14th December, 1933.

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No. 190.—Petition of BURGESS BROTHERS and 137 Others.

PRAYING for a reduction in rural-mail delivery and rural-telephone charges.

I am directed to report that, as a matter of policy is involved, the Committee has no recommendation to make.

14th December, 1933.

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No. 193.—Petition of G. T. CLIMIE and 421 Others.

PRAYING that a Central Reserve Bank be not established.

I am directed to report that the Committee has no recommendation to make.

14th December, 1933.

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No. 191.—Petition of A. S. DUFF, of Invercargill.

PRAYING for a rehearing of his appeal against dismissal from the Department of Agriculture.

I am directed to report that the Committee has no recommendation to make.

14th December, 1933.

## No. 77.—Petition of C. F. LEATHEM, of Wanganui.

PRAYING for further compensation for injuries allegedly sustained while employed by the Public Works Department.

I am directed to report that in the opinion of the Committee the petition should be referred to the Government for most favourable consideration.

14th December, 1933.

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## No. 184.—Petition of W. R. LEATHER, of Huntly West.

PRAYING for compensation for land alleged to have been unnecessarily taken for purposes of a road.

I am directed to report that the Committee has no recommendation to make.

14th December, 1933.

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## No. 62, Sess. 1, 1932.—Petition of G. BUCKMAN and 708 Others.

PRAYING for legislation to bring Palmerston North City in as consumers upon the same footing as other localities within the Manawatu-Oroua Power Board area.

I am directed to report that, as a matter of policy is involved, the Committee has no recommendation to make.

15th December, 1933.

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## No. 140.—Petition of M. DENT and Another.

PRAYING that they be permitted to adopt a child previously boarded out to them by the Child Welfare Department.

I am directed to report that in the opinion of the Committee the petition should be referred to the Government for favourable consideration, and the Child Welfare Branch of the Education Department should grant adoption of the child by the petitioners.

15th December, 1933.

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## No. 275, 1932-33.—Petition of A. FENNELL and 2 Others.

PRAYING for amendment of the Stamp Duties Act, 1923.

I am directed to report that in the opinion of the Committee the petition should be referred to the Government for favourable consideration.

15th December, 1933.

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## No. 117.—Petition of C. E. GREGORY, of Invercargill.

PRAYING for reinstatement in the Railways Department and for compensation for alleged wrongful dismissal.

I am directed to report that in the opinion of the Committee the petition should be referred to the Government for most favourable consideration, and the Committee considers that the petitioner should have the right of appeal.

15th December, 1933.

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## No. 169.—Petition of F. J. BEEL, of Hyde.

PRAYING for compensation for alleged injury suffered while employed on unemployment-relief work.

I am directed to report that in the opinion of the Committee the petition should be referred to the Government for favourable consideration.

18th December, 1933.

## No. 106.—Petition of J. EGAN and 17 Others.

PRAYING that inmates of the New Zealand Institute for the Blind be granted free railway transport to enable them to visit their homes once a year.

I am directed to report that in the opinion of the Committee the petition should be referred to the Government for most favourable consideration.

18th December, 1933.

E. F. HEALY, Chairman.

## SPECIAL REPORT.

THE Committee desires to place on record its high appreciation of the care, ability, and tact with which the Chairman, Mr. E. F. Healy, has presided over its deliberations during the session; and the Committee further desires that this resolution shall be recorded in the minutes and be reported to the House.

20th December, 1933.

R. A. WRIGHT,  
Member of the Committee.

## SPECIAL REPORT.

THE Committee desires to express its approval of the work done during the session by the Clerk, Mr. R. L. Cross, whose capable and efficient service is much appreciated by the Committee; and the Committee further desires that this resolution shall be recorded in the minutes and be reported to the House.

20th December, 1933.

A. S. RICHARDS, for Chairman.

## FINAL REPORT.

I HAVE the honour to report that the Public Petitions A to L Committee, consisting of ten members, held sixteen meetings during the session; the average attendance at each meeting was seven. The following table shows the disposal of the business which came before the Committee:—

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Petitions referred for favourable consideration	..	..	..	..	..	15
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20th December, 1933.

E. F. HEALY, Chairman.

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