

1936.
NEW ZEALAND.

PUBLIC PETITIONS A TO L COMMITTEE

(REPORTS OF THE).

(MR. F. W. SCHRAMM, CHAIRMAN.)

Laid on the Table of the House of Representatives.

ORDERS OF REFERENCE.

Extracts from the Journals of the House of Representatives.

FRIDAY, THE 17TH DAY OF APRIL, 1936.

Ordered, "That all petitions not finally dealt with during the session of 1935 be again referred to the same Committees as they were referred to during the said session."—(Hon. Mr. SAVAGE.)

WEDNESDAY, THE 13TH DAY OF MAY, 1936.

Ordered, "That a Select Committee be appointed, 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. Cotterill, Mr. Endeane, the Hon. Mr. Hamilton, Mr. Hultquist, Mr. Neilson, Mr. Roy, Mr. Schramm, Mr. Sexton, Mr. Thorn, and the Mover."—(Hon. Mr. PARRY.)

TUESDAY, THE 18TH DAY OF AUGUST, 1936.

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

TUESDAY, THE 15TH DAY OF SEPTEMBER, 1936.

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

FRIDAY, THE 16TH DAY OF OCTOBER, 1936.

Ordered, "That the report of the Public Petitions A to L Committee on the Petition of F. A. Cullen be referred back to the Committee for further consideration."—(Hon. Mr. ARMSTRONG.)

INDEX.

| No. | Petitioner. | Page. | No. | Petitioner. | Page. |
|------------|--|---------|-------------|---|-------|
| 136/35 | Accountants' Protection Society (Incorporated) | 4 | 130/35; 211 | Ellis, F. | 3 |
| 173 | Aitken, W. | 7 | 77 | Esther, R. T. | 4 |
| 141/35 | Amalgamated Society of Railway Servants | 8 | 267 | Fenwick, D., and 354 others | 8 |
| 170 | Andrews, E. H., and 3,115 others .. | 3 | .. | Final Report | 8 |
| 221 | Andrews, W. R., and 36 others .. | 7 | 17 | Fitzherbert, P. B. | 2 |
| 145 | Atkinson, Jessie A. | 6 | 146 | Fitzpatrick, W. H. | 6 |
| 95/35 | Baird, J. J., and 122 others | 3 | 21 | Fitzsimmons, J. P., and 3 others .. | 3 |
| 209/35 | Baker, Florence M. | 4 | 206 | Fryday, N. B. | 2 |
| 8 | Banks, Marjorie E. | 2 | 70 | Garthwaite, W. J. | 3 |
| 154 | Bedell, Margaret | 5 | 110 | Harding, Gladys U. | 7 |
| 87 | Beel, F. J. | 5 | 166 | Henderson, S., and 86 others | 2 |
| 204/35 | Birch, T. G. | 4 | 33 | Henry, H. L. | 5 |
| 86 | Blue, G. P. | 4 | 165 | Hogg, C. H. | 7 |
| 134 | Burfield, W. | 7 | 128/35 | Holmes, Katherine | 4 |
| 235 | Campbell, R. W., and another | 7 | 275 | Hugo, T., and 151 others | 8 |
| 121 | Chegwidden, Lilian E. | 5 | 137/35 | Hunt, F. E. | 5 |
| 74 | Chulav, J. | 5 | 153 | Hyde, W. J. | 6 |
| 30 | Cook, H. H. | 2 | 155/35 | Invercargill, the Mayor, Councillors, and Citizens of | 2 |
| 133 | Cooper, W. S. | 5 | 90/35 | Jaboor, J. | 4 |
| 161 | Costar, H. W. | 6 | 64/35 | Johnston, Katharine A. | 4 |
| 167 | Cullen, F. A. (two reports) | 6 and 7 | 213 | Kirkbride, G. | 7 |
| 165/35; 32 | Curran, J. E. (two reports) | 2 and 8 | 93 | Lake, F. J. | 6 |
| 130 | Davidson, J. | 2 and 8 | 126 | Lawry, A. C., and another | 5 |
| 208/35; 49 | D'Oridant, W. A. P. | 4 | 199/35 | Lever, H. W. | 2 |
| 152/35 | Drew, G. W. | 7 | 268 | Ruffell, H. W. S., and 1,182 others | 8 |
| 191 | Duff, A. S. | 4 | .. | Special Report (re Chairman) | 8 |
| 39; 250 | Edwards, G. | 5 | .. | Special Report (re Clark) | 8 |
| 85 | Edwards, J. H. | 6 | 18 | Stephens, E. J., and 91 others | 6 |
| | | | 111 | Taylor, Janet | 7 |

REPORTS.

No. 166, 1935.—Petition of S. HENDERSON and 86 Others.

PRAYING that he be granted a jockey's license.

I am directed to report that the Committee has no recommendation to make.
6th August, 1936.

No. 199, 1935.—Petition of H. W. LEVER, of Wellington.

PRAYING for a refund of income-tax.

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

6th August, 1936.

No. 30.—Petition of H. H. COOK, of Christchurch.

PRAYING for a refund of stamp duty.

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

11th August, 1936.

No. 165, 1935.—Petition of J. E. CURRAN, of Auckland.

PRAYING for redress on account of alleged wrongful arrest and imprisonment.

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

11th August, 1936.

No. 155, 1935.—Petition of THE MAYOR, COUNCILLORS, AND CITIZENS OF THE CITY OF
INVERCARGILL.

PRAYING for amendment of the Electric-power Boards Act, 1925.

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

11th August, 1936.

No. 130.—Petition of J. DAVIDSON, of New Plymouth.

PRAYING for development of the mineral deposits in the Taranaki District.

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

20th August, 1936.

No. 206, 1935.—Petition of N. B. FRYDAY, of Ngaere.

PRAYING for an investigation into the circumstances surrounding the seizure of his arms and ammunition.

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

20th August, 1936.

No. 17.—Petition of P. B. FITZHERBERT, of Wellington.

PRAYING for vindication of his professional conduct while practising as a barrister in Samoa, and for compensation for the cancellation of his trader's license.

I am directed to report that in the opinion of the Committee the petition should be referred to the Government for consideration, and the Committee is also of the opinion that there is nothing against the professional conduct of the petitioner while practising as a barrister and solicitor in Samoa.

26th August, 1936.

No. 8.—Petition of MARJORIE E. BANKS, of Auckland.

PRAYING for compensation for alleged miscarriage of justice.

I am directed to report that the following facts were placed before the Committee:—

- (1) That Mrs. Marjorie Emma Banks was committed to the Porirua Mental Hospital as a mental defective on the 5th day of June, 1923.
- (2) That from the 19th day of September, 1923, to the 27th day of February, 1925, Mrs. Banks was absent on leave and was with her husband during the whole of this period.
- (3) That Mrs. Banks was also absent on leave from the 19th day of September, 1929, to the 19th day of October, 1929, and from the 4th day of July, 1930, to the 18th day of July, 1930.

- (4) That on the 30th day of June, 1930, a petition for a divorce was filed in the Supreme Court Office at Wellington by Mr. Alfred John Banks praying for a divorce against Mrs. Banks on the grounds that "the petitioner's wife is a person of unsound mind and is unlikely to recover and has been continuously a person of unsound mind for a period of seven years and more immediately preceding the filing of this petition—namely, from the 5th day of June, 1923—and during the whole of the said period of seven years and more has been confined as such in the Porirua Mental Hospital at Porirua in New Zealand, an institution within the meaning of the Mental Defectives Act, 1911."
- (5) That whilst absent on leave she was served with the petition for divorce on the said 18th day of July, 1930.
- (6) That on the 5th day of August, 1930, a decree *nisi* in divorce was granted by the Court.
- (7) That at the hearing of the case, which was undefended, the petitioner and a medical officer gave evidence on oath to the effect that during the whole of the period referred to in the petition the said Mrs. Banks was continuously confined in the mental hospital at Porirua as a mental defective.
- (8) That at the hearing of the case it was not brought to the notice of the Court that Mrs. Banks was during such period for a considerable time living at home with Mr. Banks.
- (9) That a decree absolute in divorce was granted on the 26th day of November, 1930, unopposed.
- (10) That Mrs. Banks wished to defend the case and no steps were taken on her behalf to bring certain essential facts before the Court.
- (11) That within three weeks after the decree absolute was granted Mr. Banks married again.
- (12) That Mrs. Banks was on leave from the 22nd day of June, 1931, to the 1st day of June, 1932, and was discharged relieved on the 1st day of June, 1932.
- (13) That Mrs. Banks has recovered.

The Committee is therefore of the opinion that the petitioner is the victim of a grave miscarriage of justice, and recommends that the petition be referred to the Government for most favourable consideration.

26th August, 1936.

No. 95, 1935.—Petition of J. J. BAIRD and 122 Others.

PRAYING for restoration of the 10 per cent. cut in miners' phthisis and widows' pensions.

I am directed to report that, as a question of policy is involved, in the opinion of the Committee the petition should be referred to the Government for consideration.

2nd September, 1936.

No. 21.—Petition of J. P. FITZSIMMONS and 3 Others.

PRAYING for payment of wages allegedly due under a Public Works contract.

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

2nd September, 1936.

No. 170.—Petition of E. H. ANDREWS and 3,115 Others.

PRAYING that legislation be enacted providing for the taking of a referendum to be held in the Lyttelton Harbour Board District to decide between two schemes designed to give better access to the sea.

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

2nd September, 1936.

No. 70.—Petition of W. J. GARTHWAITE, of Dunedin.

PRAYING for compensation or other relief in respect of injuries allegedly sustained while employed by the Railways Department.

I am directed to report that in the opinion of the Committee the petition should be referred to the Government for favourable consideration with a view to the petitioner being given employment in the Railways Department at the first available opportunity.

3rd September, 1936.

No. 130, 1935, and No. 211.—Petitions of F. ELLIS, of Palmerston North.

PRAYING for compensation for injuries allegedly received whilst travelling on New Zealand railways.

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

3rd September, 1936.

No. 90, 1935.—Petition of J. JABOOR, of Wanganui.

PRAYING that legislation be enacted to enable him to appeal against a Magistrate's maintenance order.

I am directed to report that the Committee has no recommendation to make.
3rd September, 1936.

No. 64, 1935.—Petition of KATHARINE A. JOHNSTON, of Eketahuna.

PRAYING for reimbursement of certain expenses allegedly incurred as result of negligence of State Advances Department.

I am directed to report that the Committee has no recommendation to make.
3rd September, 1936.

No. 128, 1935.—Petition of KATHERINE HOLMES, of Auckland.

PRAYING for refund of the balance of amount contributed to the Public Service Superannuation Fund by her husband.

I am directed to report that the Committee has no recommendation to make.
8th September, 1936.

No. 208, 1935, and No. 49.—Petitions of W. A. P. D'ORIDANT, of Taumutu.

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

I am directed to report that the Committee has no recommendation to make.
8th September, 1936.

No. 204, 1935.—Petition of T. G. BIRCH, of Riverton.

PRAYING for a Commission to be set up to inquire into a land transaction dealt with by a Mortgage Adjustment Commission.

I am directed to report that the Committee has no recommendation to make.
11th September, 1936.

No. 86.—Petition of G. P. BLUE, of Dunedin.

PRAYING that he be granted an old-age pension.

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

16th September, 1936.

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

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

I have the honour to report that the Committee has no recommendation to make.
17th September, 1936.

No. 136, 1935.—Petition of ACCOUNTANTS' PROTECTION SOCIETY (INC.), of Auckland.

PRAYING that they be relieved from the injustices suffered by them under section 140 of the Companies Act, 1933.

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

23rd September, 1936.

No. 209, 1935.—Petition of FLORENCE M. BAKER, of Levin.

PRAYING for compensation for alleged wrongful dismissal from the service of the Dannevirke County Council.

I am directed to report that the Committee has no recommendation to make.
23rd September, 1936.

No. 77.—Petition of R. T. ESTHER, of Wairoa, Hawke's Bay.

PRAYING that he be granted a superannuation allowance under the provisions of the National Provident Fund Act, 1936.

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

23rd September, 1936.

No. 39 and No. 250.—Petitions of G. EDWARDS, of Wellington.

PRAYING for appointment to a position commensurate with the one he held prior to taking up the appointment of Harbourmaster at Apia, or compensation in lieu thereof.

I am directed to report that in the opinion of the Committee the petition should be referred to the Government for consideration with a view to the petitioner being found suitable employment in a Government Department for a period.

23rd September, 1936.

No. 133.—Petition of W. S. COOPER, of Wellington.

PRAYING 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 urgent and most favourable consideration.

25th September, 1936.

No. 154.—Petition of MARGARET BEDELL, of Wellington.

PRAYING that she be granted a compassionate allowance on account of her straitened circumstances and ill health and in consideration of losses suffered by her late husband in unsuccessful farming operations.

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

29th September, 1936.

No. 137, 1935, and No. 141, 1935.—Petition of F. E. HUNT and THE AMALGAMATED SOCIETY OF RAILWAY SERVANTS.

PRAYING that legislation be enacted providing for the payment of full superannuation to members of the Railways Department compulsorily retired on an actuarial equivalent basis in 1931.

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

29th September, 1936.

No. 87.—Petition of F. J. BEEL, of Hyde, Otago.

PRAYING for compensation for injuries allegedly sustained while engaged 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.

29th September, 1936.

No. 121.—Petition of LILIAN E. CHEGWIDDEN, of Wellington.

PRAYING for compensation for land taken under the provisions of the Public Works Act, 1928.

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

6th October, 1936.

No. 74.—Petition of J. CHULAV, of Auckland.

PRAYING for compensation for alleged injury received while employed by the Public Works Department.

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

6th October, 1936.

No. 128.—Petition of A. C. LAWRY and Another.

PRAYING for a remission of succession duty in respect of the estate of the late Adeline Mary Garland.

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

15th October, 1936.

No. 33.—Petition of H. L. HENRY, of Wellington.

PRAYING for inquiry into the circumstances surrounding the loss of his property in Invercargill.

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

15th October, 1936.

No. 153.—Petition of W. J. HYDE, of Matakana.

PRAYING for a rehearing of his case for recovery of moneys allegedly due to him.
I am directed to report that the Committee has no recommendation to make.
15th October, 1936.

No. 145.—Petition of JESSIE A. ATKINSON, of Christchurch.

PRAYING for a refund of stamp duty.
I am directed to report that the Committee has no recommendation to make.
16th October, 1936.

No. 167.—Petition of F. A. CULLEN, of Christchurch.

PRAYING for increased superannuation allowance.
I am directed to report that the Committee has no recommendation to make.
16th October, 1936.

No. 18.—Petition of E. J. STEPHENS and 91 Others, of Wellington.

PRAYING that the laying of tramway tracks in Bowen Street, Museum Street, and Sydney Street West by the Wellington City Council be not proceeded with without the prior sanction of ratepayers, and that the Norway Street route be further considered.

I am directed to report that the Committee has no recommendation to make in respect of the prayer of the petitioners. The Committee, however, is of the opinion that in the interests of the community, tramway tracks should be laid with as little delay as possible in Bowen Street and on land to be taken as surveyed skirting the north-eastern portion of Bolton Street Cemetery to connect, via Upper Sydney Street West, with the existing tracks in Tinakori Road; and the Committee is further of the opinion that Museum Street and Lower Sydney Street West should be closed as far as the limits of the present Government property on Sydney Street West, the land thus freed to be added to Government property as at present existing, compensation therefor to be paid by the Government to the Wellington City Council, such compensation to be expended by the Wellington City Council as a set-off against the cost of the property to be acquired when constructing the Bowen Street—Sydney Street West tramway.

20th October, 1936.

No. 83.—Petition of J. H. EDWARDS, of Auckland.

PRAYING for reinstatement as a telegraphist in the Post and Telegraph Department and for other relief.

I am directed to report that in respect of the prayer of the petitioner that he be reinstated the Committee has no recommendation to make. The Committee, however, is of the opinion that in consideration of the length of service of the petitioner suitable employment should be found for him by the Government at the earliest opportunity.

20th October, 1936.

No. 93.—Petition of F. J. LAKE, of Auckland.

PRAYING for compensation for alleged loss of business incurred by the passing of the Motor-vehicles Act, 1924.

I have the honour to report that the Public Petitions A to L Committee has carefully considered this petition and has no recommendation to make.

20th October, 1936.

No. 146.—Petition of W. H. FITZPATRICK, of New Plymouth.

PRAYING for payment of interest on compensation awarded and refund of commission charged by the Public Trustee.

I have the honour to report that the Public Petitions A to L Committee has carefully considered this petition and recommends that it be referred to the Government for consideration.

20th October, 1936.

No. 161.—Petition of H. W. COSTAR, of Kaeo.

PRAYING for remission of succession duties and penalties arising from non-payment thereof in respect of the estate of the late Steve Mate Yerkovich.

I am directed to report that the Committee has no recommendation to make.
20th October, 1936.

No. 167.—Petition of F. A. CULLEN, of Christchurch.

PRAYING for increased superannuation allowance.

I have the honour to report that the Public Petitions A to L Committee has again carefully considered this petition and has no recommendation to make.

20th October, 1936.

No. 152, 1935.—Petition of G. W. DREW, of Auckland.

PRAYING for additional compensation for death of son whilst 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.

22nd October, 1936.

No. 134.—Petition of W. BURFIELD, of Hastings.

PRAYING for a grant to cover losses arising out of the Hawke's Bay earthquake.

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

22nd October, 1936.

No. 213.—Petition of G. KIRKBRIDE, of Waimana.

PRAYING that he be reimbursed from public funds in respect of a sum of money twice paid for work carried out under an unemployment relief scheme, and for refund of Court costs in connection therewith.

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 recommends that the petitioner should be reimbursed from unemployment funds in respect of the sum of money twice paid by him for work carried out under Unemployment No. 4B Scheme.

22nd October, 1936.

No. 221.—Petition of W. R. ANDREWS and 36 Others.

PRAYING for an inquiry into the proceedings during the investigation of the affairs of the Investment Executive Trust of New Zealand, Limited, and that they be heard.

I am directed to report that in the opinion of the Committee the petition should be referred to the Government for inquiry. The Committee has grave doubts as to whether justice has been done to the petitioning debenture-holders, and recommends that an inquiry be conducted by a competent tribunal to be appointed by the Government for the purpose of making a thorough investigation into the whole field of investment and company promotion, the inquiring tribunal to report to Parliament as to the best means of safeguarding the interests of the investing public and the Dominion generally.

22nd October, 1936.

No. 110 and No. 111.—Petitions of GLADYS U. HARDING and JANET TAYLOR.

PRAYING for compensation for damage to property by fire allegedly originating on the Railway Department's property.

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

28th October, 1936.

No. 165.—Petition of C. H. HOGG, of Wellington.

PRAYING for compensation for loss of employment and earnings, and for reinstatement in the Post and Telegraph Department.

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

28th October, 1936.

No. 173.—Petition of W. AITKEN, of Christchurch.

PRAYING for compensation for loss suffered by fire allegedly caused by employees of the Public Works Department.

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

28th October, 1936.

No. 235.—Petition of R. W. CAMPBELL and Another.

PRAYING that legislation be enacted granting them the right of a new trial.

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

28th October, 1936.

No. 267, Petition of D. FENWICK and 354 Others; No. 268, Petition of H. W. S. RUFFELL and 1,182 Others; and No. 275, Petition of T. HUGO and 151 Others.

PRAYING for the enactment of legislation providing for the constitution of a national Saturday half-holiday.

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

28th October, 1936.

No. 32.—Petition of J. E. CURRAN, of Auckland.

PRAYING for redress on account of alleged wrongful arrest and imprisonment.

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

F. W. SCHRAMM, Chairman.

29th October, 1936.

SPECIAL REPORT.

THE Committee desires to record its appreciation of the very capable and efficient manner in which the Chairman, Mr. F. W. Schramm, has conducted the business of the Committee during the session; the Committee desires, further, that this resolution shall be recorded in the minutes and reported to the House.

A. GORDON HULTQUIST, Member of the Committee.

29th October, 1936.

SPECIAL REPORT.

THE Committee desires to express its approval of the work done during the session by the Clerk, Mr. R. L. Cross, and it is the wish of the Committee that this resolution shall be recorded in the minutes and be reported to the House.

29th October, 1936.

FINAL REPORT.

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

| | | | | | |
|--|----|----|----|----|----|
| Petitions referred to the Committee | .. | .. | .. | .. | 74 |
| Petitions dealt with | .. | .. | .. | .. | 59 |
| Reports presented to the House | .. | .. | .. | .. | 55 |
| Petitions referred for most favourable consideration | .. | .. | .. | .. | 5 |
| Petitions referred for favourable consideration | .. | .. | .. | .. | 12 |
| Petitions referred for consideration | .. | .. | .. | .. | 6 |
| Petitions referred for inquiry | .. | .. | .. | .. | 1 |
| Petitions given no recommendation | .. | .. | .. | .. | 33 |
| Petitions referred to another Committee | .. | .. | .. | .. | 1 |
| Petitions withdrawn | .. | .. | .. | .. | 1 |
| Petitions held over until next session | .. | .. | .. | .. | 15 |

F. W. SCHRAMM, Chairman.

29th October, 1936.

Approximate Cost of Paper.—Preparation, not given; printing (344 copies), £8 10s.

By Authority: G. H. LONEY, Government Printer, Wellington.—1937.