

4. That, if after due inquiry, it is found that John Hamill, one of the petitioners, has been constantly employed on the said railway line, the Railway Commissioners be recommended to pay him any wages due.

5. That, as the other petitioners have not exhausted their legal redress against the legal representatives of the said company, the Committee cannot express any opinion on the merits of their claims.

29th September, 1893.

No. 301.—Petition of HENRY GRAHAM and 449 Others, of Otago.

PETITIONERS pray for an extension of the railway system in the Wakatipu, Cromwell, Wanaka, and Hawea districts.

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

3rd October, 1893.

No. 327.—Petition of DANIEL EGAN, of Wellington.

PETITIONER states that he was employed by the Survey Department on the Waiomatatine to Hicks Bay Road, as overseer, and while lifting a heavy piece of timber he slipped, the timber falling on him and severely injuring him. He prays for relief.

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

3rd October, 1893.

No. 143.—The DUNEDIN CITY AND SUBURBAN TRAMWAYS COMPANY (LIMITED) (*vide* also Appendix I.—1A).

PETITIONERS state that they have entered into arrangements for the disposal of their tramways to a new company, who make it an essential condition that electricity on the single-trolley system shall be adopted as the motive-power. That, on application to the Public Works Department for the issue of an Order in Council permitting the use of electricity as the motive-power, under the single-trolley system, such permission was refused, on the plea that the use of the ground as a return-circuit would interfere with the telephone system.

They pray that they be not debarred from adopting the single-trolley system as a motive-power for their tramways.

The Committee having considered the evidence given before the recent Parliamentary Committee in England on a similar question, and all the other evidence submitted in connection with the petition of the Dunedin City and Suburban Tramways Company (Limited), asking permission to use electricity on the single-trolley system as a motive-power, beg to report as follows:—

1. That while the request of the petitioners, that the Government shall at its own cost insulate the wires of its telephones, and take such other precautions as may be deemed necessary for making their exchange a self-contained system, is clearly untenable at law, the Committee are of opinion that, owing to the delicacy of the instruments employed, it will soon be necessary to alter the telephones in all large cities to the metallic-return; and they therefore suggest, in the interests of the public, that the Government should as far as possible give facilities to companies desirous of establishing electrical tramways. The fact that the Government is first in the field, and (as acting under statute) presumably within their legal rights, should not, in the opinion of the Committee, be considered to give them paramount right over the streets, which were primarily established, not for telephone purposes, but for the purpose of facilitating travel and transportation; they belong entirely to the Corporations for the above purposes, and any use of them for telephones must necessarily be considered as subservient to this original easement of the public for highway purposes.

2. That it is desirable, in view of the facts disclosed in the evidence, that proper precautions should be adopted to safeguard the rights both of the municipal bodies and the general public, and, with this view, that any company desiring to introduce electrical energy for the purpose of traction should have to submit to conditions similar to those contained in the clause proposed by the English Parliamentary Committee (see Appendix H., I.—1A), or such modification thereof as further experience may have rendered necessary; but the Committee are of opinion that these conditions should not be such as to practically give the Government a monopoly of the ground-circuit, or to impose such limitations as would be practically prohibitive, having regard to expense and the commercial prospects of the undertaking, both in construction and working. A copy of the evidence taken is herewith attached. (*For evidence vide* Appendix I.—1A)

3rd October, 1893.

C. H. MILLS,  
Chairman.

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