

and the title of Secretary to "Commissioner," thus following the analogy of the Land and Assessment Acts. (b.) Appeals from assessments: Under the existing law the Crown must pay costs unless the Commissioner's assessment is sustained as a whole: hence, where it is confirmed in part only, he pays costs. It seems to us to be equitable that the costs should be in the discretion of the Court, having regard to the extent to which the assessment is confirmed or otherwise, thus following the analogy of other cases.

3. MONEY PAYABLE BY THE CROWN FOR COMPENSATION CLAIMS UNDER THE PUBLIC WORKS ACT AND LAND FOR SETTLEMENTS ACTS.

We suggest that the place of payment be the Treasury, Wellington, or such other place as is agreed on between the Minister and the claimant.

4. COAL-MINES ACTS.

Under the Act of 1891 leases are granted by the Warden or Commissioner, as the case may be, with the approval of the Minister, but with power to the Governor in certain cases to cancel the lease and himself grant one in the name and on behalf of the Crown. Section 5 of the Act of 1901 provides that every lease granted under the principal Act shall be signed by the Governor for and on behalf of His Majesty.

It appears to us that in requiring that the Governor should execute the lease, the Legislature must have intended that he should also grant it. We suggest that the functions of the Warden and Commissioner in the matter of these leases be defined.

5. "THE MARRIAGE ACT, 1904."

Section 19 of this Act requires that a minor shall not marry without the consent of the parent or guardian. Section 20 empowers a Judge of the Supreme Court to dispense with the parent's consent where the parent is *non compos mentis*, or with the guardian's consent where it is withheld unreasonably or from undue motives. Thus there is no power to dispense with the parent's consent where it is withheld unreasonably or from undue motives. This power existed under "The Marriage Act, 1854," but appears to have been inadvertently dropped in the Act of 1880, of which the Act of 1904 is a compilation.

We suggest that the Act be amended by extending the powers of the Judge under section 20 to every case where the consent is withheld unreasonably or from undue motives, or the parent or guardian whose consent is required is *non compos mentis*.

6. WORKERS' COMPENSATION FOR ACCIDENTS ACT.

It is not clear whether the benefits of the Act are limited to New Zealand dependants or extend to dependants generally. The doubt on the point should be removed. If the first-mentioned view represents the real intention of the Legislature, the simplest way to give effect to it would be by limiting the term "dependant" to dependants domiciled or resident in New Zealand when the claim for compensation arises.

Respectfully submitting the foregoing matters for Your Excellency's consideration,

We have, &c.,

ROBERT STOUT,
FRED. FITCHETT, } Commissioners.
W. S. REID, }

Wellington, 20th July, 1905.

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