

## No. 37.—Petition of J. CHRISTIE AND SONS, of Waiapu.

PRAYING for compensation for loss of horses arising out of alleged negligence of the Railways Department.

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

6th September, 1934.

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## No. 28, 1933.—Petition of MARJORIE BANKS, of Auckland.

PRAYING for compensation for alleged unfair treatment during detention in a mental hospital.

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.
- (4) That Mrs. Banks was absent on leave from the 4th day of July, 1930, to the 18th day of July, 1930.
- (5) 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 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."
- (6) That whilst absent on leave she was served with the petition for divorce on the said 18th day of July, 1930.
- (7) That on the 5th day of August, 1930, a decree *nisi* in divorce was granted by the Court.
- (8) 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.
- (9) 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.
- (10) That a decree absolute in divorce was granted on the 26th day of November, 1930, unopposed.
- (11) That Mrs. Banks wished to defend the case and no steps were taken on her behalf to bring certain essential facts before the Court.
- (12) That within three weeks after the decree absolute was granted Mr. Banks married again.
- (13) 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.
- (14) 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.

6th September, 1934.

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## No. 176.—Petition of W. HODGE, of Christchurch.

PRAYING for reconsideration of his petition of 1933 for an inquiry into alleged grievances and for redress.

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

18th September, 1934.

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## No. 74.—Petition of EDWARD J. CHARLES, of Christchurch.

PRAYING that he be reinstated in the Railways Department.

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

18th September, 1934.

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## No. 102.—Petition of J. A. CARSON, of Palmerston North.

PRAYING that he be granted compensation or other relief on account of alleged miscarriage of justice.

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

27th September, 1934.