

1934-35.
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.

TUESDAY, THE 10TH DAY OF JULY, 1934.

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. Ansell, Mr. Healy, Mr. Macpherson, Mr. McDougall, Mr. W. W. Massey, Mr. O'Brien, Mr. Richards, Mr. Schramm, Mr. Wright, and the Mover."—(Hon. Mr. RANSOM.)

THURSDAY, THE 26TH DAY OF JULY, 1934.

Ordered, "That all petitions referred to the Public Petitions A to L (Supplementary) Committee and the Public Petitions M to Z (Supplementary) Committee during the session of 1933, and not finally dealt with, be referred to the Public Petitions A to L and M to Z Committees respectively, and that all other petitions not finally dealt with during the session of 1933 be again referred to the same Committees as they were referred to during the said session."—(Right Hon. Mr. FORBES.)

FRIDAY, THE 10TH DAY OF AUGUST, 1934.

Ordered, "That the name of Mr. O'Brien be discharged from the Public Petitions A to L Committee, and that of Mr. Jones substituted therefor."—(Hon. Mr. CORBE, for the Hon. Mr. RANSOM.)

TUESDAY, THE 2ND DAY OF OCTOBER, 1934.

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

TUESDAY, THE 23RD DAY OF OCTOBER, 1934.

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

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REPORTS.

No. 26, 1933.—Petition of EDWIN BLAKE, of Wellington.

PRAYING for compensation for loss of wages as result of illness allegedly contracted through negligence of Pensions Department.

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

1st August, 1934.

No. 5.—Petition of C. LEATHEM, of Hawera.

PRAYING for compassionate allowance in respect of injury allegedly received while employed by 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; and the Committee recommends that the law relating to workers' compensation be amended so as to allow of the reopening of such cases as the present one, where it is shown to the Court that the compensation paid is inadequate and circumstances have arisen justifying the payment of additional compensation.

8th August, 1934.

No. 257, 1933.—Petition of J. H. EDWARDS, of Auckland.

PRAYING for relief in respect of his dismissal from the Post and Telegraph Department.

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

8th August, 1934.

No. 4.—Petition of W. J. CONDON, of Petone.

PRAYING that he be reinstated in the Marine Department.

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

16th August, 1934.

No. 40.—Petition of A. CLARK, of Dunedin.

PRAYING for compensation for injury allegedly sustained while employed as relief worker.

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 further recommends that the law relating to workers' compensation should be amended so as to extend the time within which an injured worker may bring his action for compensation.

4th September, 1934.

No. 86.—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.

5th September, 1934.

No. 83.—Petition of R. KERTH, of Auckland.

PRAYING that Radio Station 1ZQ Auckland be reinstated or, alternatively, that he be granted compensation.

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

5th September, 1934.

No. 209, 1933.—Petition of J. HILL and 122 Others.

PRAYING that assistance be granted to defray the cost of transporting workmen injured on public works from such works to the hospital.

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

5th September, 1934.

No. 259, 1933.—Petition of R. HERD, of Dunedin.

PRAYING for a compassionate allowance on account of alleged injuries received while employed under the Unemployment Board's Camp Scheme.

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 an amendment be made to the Workers' Compensation Act so as to provide that compensation paid to relief workers be based on a standard rate of pay instead of relief wages on the work undertaken.

5th September, 1934.

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.

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.

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.

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.

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.

No. 119.—Petition of H. BOOTH, of Dunedin.

PRAYING that the Companies Act, 1933, be amended in order that he may qualify for appointment as auditor of a company.

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 further recommends that the provisions of section 140 of the Companies Act, 1933, be amended so as to make provision therein whereby *bona fide* auditors in actual practice at the time of the passing of the Act, and not within the provisions of the said section, be allowed to continue the practice of their profession, and be not debarred from receiving additional company audits.

27th September, 1934.

No. 161.—Petition of THE ACCOUNTANTS' PROTECTION SOCIETY (INCORPORATED) and 53 Others.

PRAYING for an investigation into the operations of 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; and the Committee further recommends that the provisions of section 140 of the Companies Act, 1933, be amended so as to make provision therein whereby *bona fide* auditors in actual practice at the time of the passing of the Act, and not within the provisions of the said section, be allowed to continue the practice of their profession, and be not debarred from receiving additional company audits.

27th September, 1934.

No. 130.—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 favourable consideration, it being desirable that a position be found for the petitioner in the Public Service.

27th September, 1934.

No. 150.—Petition of J. CHULAV, of Auckland.

PRAYING that the reports and recommendations of the Public Petitions A to L Committee on his petitions of 1930 and 1932-33 be given effect to.

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 a weekly allowance be made to the petitioner for the further period of his disability.

27th September, 1934.

No. 90.—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.

27th September, 1934.

No. 151.—Petition of G. W. DREW, of Auckland.

PRAYING for additional compensation for death of son 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, in view of the financial position of the parents, who are receiving charitable aid, and of the fact that a lump sum of £572 was offered by the Department and subsequently reduced by the Arbitration Court to £100.

2nd October, 1934.

No. 159.—Petition of G. KIRKBRIDE, of Auckland.

PRAYING that he be reimbursed from unemployment funds in respect of a sum of money twice paid for work carried out under Unemployment No. 4B Scheme.

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.

2nd October, 1934.

No. 160.—Petition of R. A. ALEXANDER, of Porirua.

PRAYING for discharge from Porirua Mental Hospital.

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 considers that a change of environment during the next twelve months would be in the petitioner's interest.

2nd October, 1934.

No. 16, 1932-33.—Petition of C. R. LLOYD and 1,456 Others.

PRAYING that Asiatics in New Zealand be repatriated.

I am directed to report that the Committee has no recommendation to make, and is of the opinion that the allegations set out in the petition as presented have not been proved.

3rd October, 1934.

No. 124.—Petition of A. G. HUGHES, of Auckland.

PRAYING for additional compensation for injuries received whilst 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.

4th October, 1934.

No. 168.—Petition of F. W. HILGENDORF, of Christchurch.

PRAYING for a refund of death duties twice paid out of the estate of the late Frances Elizabeth Hilgendorf in respect of assets held outside New Zealand.

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

4th October, 1934.

No. 129.—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 the Committee has no recommendation to make.

4th October, 1934.

No. 255, 1932-33.—Petition of A. A. BOON and 1,869 Others, and 6 Similar Petitions as per Schedule attached.

PRAYING for authority to construct a port in the estuary of the Avon and Heathcote Rivers.

I am directed to report that, in view of the reasons enumerated in the report of the Access to the Sea Investigation Committee, which was set up at a conference of local bodies and prominent citizens of Christchurch in 1933, the Committee has no recommendation to make.

SCHEDULE.

No. 256, 1932-33.—Monica A. Thacker and 1,958 others.

No. 257, 1932-33.—W. Gracie and 1,962 others.

No. 258, 1932-33.—J. H. Pratt and 1,967 others.

No. 259, 1932-33.—H. Roxburgh and 1,953 others.

No. 260, 1932-33.—C. W. Rudkin and 2,007 others.

No. 261, 1932-33.—J. Sands and 1,968 others.

17th October, 1934.

No. 199.—Petition of W. J. GARTHWAITE, of Dunedin.

PRAYING for compensation for injuries allegedly sustained while employed in the Railways Department, or reinstatement, or other relief.

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 either reinstated or paid reasonable compensation.

18th October, 1934.

No. 224.—Petition of CYGNET LTD., of Christchurch.

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

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

18th October, 1934.

No. 163.—Petition of J. A. HART, of Greymouth.

PRAYING for compensation for loss allegedly sustained in connection with the construction of the Milford Hostel.

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

In view of the exceptional difficulties, due to the unprecedented severity of the season, under which the contract was satisfactorily completed, and of the fact that additional necessary work was carried out by the petitioner, the Committee recommends that he be paid a compassionate allowance sufficient to compensate him for his loss.

18th October, 1934.

No. 172.—Petition of C. H. HOGG, of Wellington.

PRAYING for compensation for injuries allegedly sustained while employed by the Post and Telegraph Department, and for reinstatement.

I am directed to report that the Committee has no recommendation to make.
18th October, 1934.

No. 219.—Petition of A. C. FODDY, of Palmerston North.

PRAYING for reconsideration of his petition of 1933 for compensation for alleged business losses sustained during the Hawke's Bay earthquake.

I am directed to report that the Committee has no recommendation to make.
18th October, 1934.

E. F. HEALY, Chairman.

No. 137.—Petition of F. J. BINNIE and Another.

PRAYING that the beneficiaries under the will of the late Archie Hartmann Ellicott be granted an additional sum sufficient to cover outstanding rates due on the sale of deceased's property by the State Advances 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; and the Committee recommends that a grant of £50 be made to the petitioners towards meeting the liability for outstanding rates.

25th October, 1934.

Nos. 94 and 131.—Petitions of E. T. COX and 963 Others, and ORPAH JONES-NEILSON and 95 Others.

PRAYING for amendment of the Pensions Act, 1926.

I am directed to report that in the opinion of the Committee the petitions should be referred to the Government for favourable consideration; and the Committee recommends that the Government make full investigation and inquiry into the whole question of Empire reciprocity of old-age and widows' pensions.

A. E. ANSELL, for Chairman.

25th October, 1934.

No. 231.—Petition of ALICE P. FARAM, of Wellington.

PRAYING for reinstatement in the Public Service.

I am directed to report that the Committee has no recommendation to make.
1st November, 1934.

No. 143.—Petition of J. A. CRUICKSHANK, of Palmerston North.

PRAYING for an annual allowance or compensation in consideration of his services as a member of the Police Force.

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 a compassionate allowance of £300 be granted.

1st November, 1934.

No. 284: Petition of AMALGAMATED SOCIETY OF RAILWAY SERVANTS; and No. 286: Petition of F. E. HUNT, of Wellington.

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 the Public Petitions A to L Committee has carefully considered these petitions and the evidence submitted thereon.

The evidence indicates that the petitions affect some 135 ex Railway Servants, and that the cost to the Government if the prayer of the petitioners be acceded to would be approximately £6,000 per annum, reducible by deaths.

The Committee recommends that the petitions be referred to the Government for favourable consideration.

2nd November, 1934.

Nos. 63 and 228.—Petitions of H. BARNES, of Auckland.

PRAYING for compensation for alleged wrongful dismissal from the Public Service.

I am directed to report that the Committee has no recommendation to make.
2nd November, 1934.

E. F. HEALY, Chairman.

No. 307.—Petition of A. J. CLEMENTS and 299 Others.

PRAYING that legislation be enacted to empower the Akaroa Borough Council to take an immediate poll on the question of changing the statutory half-holiday.

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; and the Committee recommends that provision be made in the present Local Legislation Bill to give effect to the prayer of the petitioners.

6th November, 1934.

No. 297.—Petition of J. DEE, of Dunedin.

PRAYING for a compassionate allowance or other relief on account of injuries sustained while employed by the Railways Department.

I am directed to report that the Committee recommends that the petition be referred to the Government for consideration; and the Committee is of the opinion that further medical evidence should be obtained.

6th November, 1934.

A. E. ANSELL, for Chairman.

No. 321.—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.

28th February, 1935.

No. 302.—Petition of KATHERINE HOLMES, of Auckland.

PRAYING for refund 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.

28th February, 1935.

No. 330.—Petition of N. B. FRYDAY, of Ngaere.

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

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

28th February, 1935.

No. 280.—Petition of A. H. CHAPPLE, of Swanson.

PRAYING for amendment of the Crimes Act, 1908.

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

28th February, 1935.

No. 327.—Petition of H. BARNES, of Auckland.

PRAYING that he be granted compensation for alleged wrongful dismissal from the Public Service.

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

20th March, 1935.

No. 345.—Petition of MAUD E. FARR, of Christchurch.

PRAYING that the Public Trustee be directed to surrender the control of her estate.

I am directed to report that the Committee recommends that the petition be referred to the Government for consideration. The Committee is of the opinion that, as the petitioner has not exhausted her legal remedies, and states that she is prevented from doing so by lack of funds, the Public Trustee should pay out of the petitioner's estate the costs of an appeal by her to the Supreme Court.

22nd March, 1935.

No. 357.—Petition of D. E. DUSTIN, of Wanganui.

PRAYING for amendment of the National Expenditure Adjustment Act, 1932.

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

27th March, 1935.

No. 338.—Petition of A. BLACKMAN, of Auckland.

PRAYING for refund of stamp duty.

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.

27th March, 1935.

E. F. HEALY, Chairman.

SPECIAL REPORT.

THE Committee desires to record its high appreciation of the tact and consideration shown to members and petitioners by its Chairman, Mr. E. F. Healy, and of the capable and impartial manner in which he has presided over its deliberations during the session; the Committee further desires that this resolution shall be recorded in the minutes and be reported to the House.

J. A. MACPHERSON, Member of the Committee.

30th March, 1935.

SPECIAL REPORT.

THE Committee desires to express its appreciation of the efficient and courteous manner in which the Clerk, Mr. R. L. Cross, has carried out his duties throughout the session; it is the wish of the Committee that this resolution shall be recorded in the minutes and be reported to the House.

30th March, 1935.

FINAL REPORT.

I HAVE the honour to report that the Public Petitions A to L Committee has carefully considered the petitions that have been referred to it, and has had the greatest number of meetings held by a Public Petitions Committee set up by the House during the past thirty-one years—namely, twenty-nine—with an average attendance of seven members at each meeting.

The disposal of the business which came before the Committee is tabulated as follows:—

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The Committee wishes to place on record its appreciation of the efficient service given by the staffs of the Government Departments upon which it has called for information and reports relative to petitions.

E. F. HEALY, Chairman.

30th March, 1935.

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