

1898.
NEW ZEALAND.

PUBLIC PETITIONS A TO L COMMITTEE.

REPORT ON THE PETITION, No. 192, OF WILLIAM C. FITZGERALD, TOGETHER WITH
MINUTES OF EVIDENCE.

Brought up on 28th September, and ordered to be printed.

REPORT.

No. 192.—Petition of WILLIAM C. FITZGERALD, of Wellington.

THE petitioner prays that the Government may reimburse him the moneys expended in defending an action in the Supreme Court brought against him as a Public Vaccinator.

I am directed to report that the Committee finds,—

1. That the petitioner has had to defend an unwarranted civil action in the Supreme Court, in which his ability as a Public Vaccinator was assailed, and that judgment was given for the petitioner with costs.

2. That from the evidence given before the Committee there was not a shadow of proof to show that the petitioner was incompetent, or wanting in ability to discharge the duties of a Public Vaccinator.

3. That in the civil action in the Supreme Court the plaintiff was a man without money and without good reputation, and the petitioner cannot obtain from him the costs awarded by the Supreme Court.

4. That, in the interests of the public generally, and of its public officials, the petitioner should be paid out of the public exchequer all moneys properly expended by him in defending the action in the Supreme Court.

5. That the Crown Solicitor should tax the costs and moneys out of pocket payable by the petitioner. And the Committee recommends that when so taxed the Government should pay the same.

27th September, 1898.

JOHN JOYCE, Chairman.

To the Honourable the Speaker and the Members of the House of Representatives in Parliament assembled.

THE humble PETITION of WILLIAM CROTHERS FITZGERALD, of Wellington, Public Vaccinator, sheweth:

1. Your petitioner was in the year 1884, after due examination by the proper certifying officer, appointed under "The Public Health Act, 1876," and the amendments thereof, to be a Public Vaccinator.

2. That as such Vaccinator your petitioner has from time to time vaccinated a great number of children, and has received from the Government of New Zealand a fee of 2s. 6d. for each child vaccinated.

3. That on the 4th day of October, 1897, your petitioner, in his official capacity of Public Vaccinator, duly vaccinated, with lymph supplied by the Government, Olive, the infant child of Walter and Lizzie Roberts.

4. That on the 11th day of October, 1897, the said child Olive was brought to your petitioner for the customary inspection, and your petitioner was then able to report satisfactorily upon the effect of the vaccination.