

discharging of vessels on Sundays. I also enclose statement [not printed] showing the dates on which the Vancouver steamers reached here on Sunday during the present year, and their time of departure for Sydney.

I have to point out that the delays in question prevented the steamers reaching Sydney before Friday or Saturday, which, from the fact that the outward San Francisco mail leaves Sydney the following Monday, is a matter of considerable moment to the business-people of New South Wales, as the detention here minimises the interval for replies.

It is observed that your Board has already had the matter under consideration, and agreed that the steamers should be allowed to discharge into a hulk moored in the stream. The manager here for the New Zealand Shipping Company points out, however, that, apart from the inconvenience of the proposal, there is no hulk here suitable for the purpose, and that it would be undesirable to transfer perishable cargo, such as fruit, to a hulk used as a collier. Under these circumstances the Postmaster-General would be glad if the Board could see its way to reconsider the matter, so as to allow the landing of cargo at one or other of the wharves, and otherwise facilitate the discharging and the prompt departure of the Vancouver steamers arriving here on Sunday.

I have to add that such facilities are granted by the Auckland Harbour Board whenever the San Francisco mail-steamers arrive there on Sunday.

The Chairman, Wellington Harbour Board, Wellington.

I have, &c.,

W. GRAY, Secretary.

No. 299.

The SECRETARY, Wellington Harbour Board, Wellington, to the SECRETARY, General Post Office, Wellington.

SIR,—

Wellington, 6th January, 1899.

I have to acknowledge your letter of the 31st ultimo, addressed to the Chairman of the Wellington Harbour Board, drawing attention to serious delays to the Vancouver mail-steamers when they arrive here on Sundays, because of an alleged regulation of the Board prohibiting the discharge of vessels on Sundays. I shall have pleasure in placing the matter before the Board at its next meeting, but in the meantime desire to obtain some further information from you for the Board's consideration.

You are in error in thinking that the primary obstacle to the working of cargo on Sundays lies with the regulation of the Board. It is true that the Board have a by-law fixing the hours of business (which excludes Sundays), but they have not yet had under their consideration the advisableness of altering this regulation with the view to enable mail-steamers to work cargo on Sundays, because they are advised that such action would be illegal, and that until the law of the colony is altered to enable Sunday work to be carried out they are unable to authorise work to be executed on that day.

The Board are advised that Sunday work is prohibited under the provisions of "The Police Offences Act, 1884," clause 16 of which provides a penalty for working on Sundays. I enclose you a copy thereof [not printed], whereon I have underlined in red ink the words which appear to bear on this subject, and which then read as follows: "Any person who on Sunday, in view of any public place, works at his calling shall be liable to a penalty not exceeding one pound; but nothing herein contained shall apply to works of necessity, or to persons employed on steamers, vessels, or boats."

When the New Zealand Shipping Company, on behalf of the Vancouver mail-service, approached the Board recently on this subject, asking that they might be permitted to work cargo on Sundays out of vessels arriving from Vancouver, the Board directed that a reply should be sent to them stating that Sunday work on the wharves was an offence under "The Police Offences Act, 1884," and that the Board had therefore no discretion in the matter, and to point out to them that the cargo could be landed into a lighter or hulk, and suggesting that this course should be adopted.

The Board are advised that work on the wharf, even in the receipt of cargo from a mail-steamer, cannot be considered a "work of necessity," and they are also advised that the exemption in "The Police Offences Act, 1884," to persons employed on steamers, vessels, or boats would not extend to persons employed upon a wharf. The Board therefore suggested a practical method out of the difficulty by proposing that on those few occasions where it became desirable to work cargo on a Sunday the cargo should be placed overside into a lighter or hulk. I think that the difficulty raised by the local manager of the New Zealand Shipping Company (Limited)—that there is no hulk here suitable for the purpose—is scarcely as solid an argument as I should have expected. Even admitting that it is undesirable to transfer perishable goods to coal-hulks, there at present is in the harbour the hulk "Rowena," specially fitted for the handling of cargo; and also the store-ships "Arawata" and "William Manson," which could be fitted at a small cost, as well as the barque "Coromandel." No doubt certain expenditure would be involved in fitting these vessels for this special trade, and if the use for a store-ship was a rare occurrence the company might not be justified in the expenditure.

I note in your letter that you state that facilities for handling cargo are granted by the Auckland Harbour Board whenever the San Francisco mail-steamers arrive in Auckland on a Sunday. I shall be obliged to you if you will furnish me with a return showing whether this facility has been granted since the passing of the Police Offences Act of 1884; and, if so, how often and to what extent.

I would also be obliged to you if you could furnish me, for the information of the Board, with the times and dates of arrival of the "Aorangi," "Warrimoo," and "Miowera" at Sydney on the three trips in April, May, and October respectively, when they did not sail from Wellington