

1946
NEW ZEALAND

PUBLIC PETITIONS A TO L COMMITTEE

(REPORTS OF THE)

(MR. A. S. RICHARDS, CHAIRMAN)

Laid on the Table of the House of Representatives

ORDERS OF REFERENCE

Extracts from the Journals of the House of Representatives

THURSDAY, THE 27TH DAY OF JUNE, 1946

Ordered, "That a Select Committee be appointed, consisting of ten members, to consider all petitions from A to L which 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 the Hon. Mr. Speaker, Mr. Algie, Mr. Connolly, Mr. Gerard, Mr. Hackett, Mr. Morton, Mr. Richards, Mr. Sheat, Mr. Walls, and the Mover."—(Hon. Mr. PARRY.)

Ordered, "That all petitions not finally dealt with during the session of 1945 be again referred to the same Committees as they were referred to during the said session."—(Right Hon. Mr. FRASER.)

REPORTS

No. 50/1945.—Petition of D. E. BRADNEY, of Auckland, Mariner

PRAYING for additional compensation in respect of the acquisition of a ship by the Crown.

I have the honour to report that the Committee is of the opinion that this petition should be referred to the Government for favourable consideration.

11th September, 1946.

No. 9.—Petition of R. A. HALL, of 53 Miller Street, Auckland

PRAYING that time served in the Post and Telegraph Department and time served with His Majesty's Forces be credited to him continuously with his service in the Railways Department for purposes of superannuation.

I have the honour to report that the Committee regrets that it has no recommendation to make.

11th September, 1946.

No. 34.—Petition of G. W. DELL and Others, of Christchurch

PRAYING for an amendment to the present system of rating in Christchurch for drainage purposes.

I have the honour to report that the Committee is of the opinion that as the petition affects a local body it should be referred to the Local Bills Committee.

11th September, 1946.

No. 94/1945.—Petition of C. D. Cox and Others, of Napier

PRAYING for the framing of a master charter which will serve as a spiritual guide to all nations and as a basis of world peace.

I have the honour to report that the Committee recommends that the petition be referred to the Government for favourable consideration.

18th September, 1946.

No. 2.—Petition of C. J. W. LOCKIE, of Hastings

PRAYING for the full application of the provisions of section 56 of the Finance Act (No. 2), 1945, regarding superannuation payments.

I have the honour to report that the Committee regrets it has no recommendation to make.

18th September, 1946.

No. 35.—Petition of W. S. HAMMOND, of Liverpool Street, Trentham

PRAYING for reinstatement on the Police Force of New Zealand.

I have the honour to report that the Committee has carefully considered the petition and has no recommendation to make.

2nd October, 1946.

No. 52.—Petition of MARGARET O. R. L. L. DOUGLAS, of Christchurch

PRAYING for full investigation into circumstances connected with the execution of a deed, and subsequent proceedings, and for relief from further payments under the deed.

I have the honour to report that the Committee has carefully considered the petition, and recommends that it be referred to the Government for most favourable and urgent consideration.

This is a petition in which a Mrs. Douglas, of Christchurch, prays for certain relief in respect of a deed executed by her jointly and severally with her husband a number of years ago.

The facts—although somewhat involved—were not disputed.

The difficulties which confronted the Committee were of a twofold nature.

In the first place, the Committee found it extremely hard to arrive at a final conclusion as to the facts, for the reason that such a decision would necessitate an examination of numerous documents and Court files and this was a task which could not be performed by members of the Committee.

Secondly, the Committee was not clear as to the precise nature of the remedy which would prove adequate and effective in such a case as this.

The Committee was fortunate in being able to secure the authoritative legal opinion of an eminent member of the legal profession, and after careful consideration of it the Committee reached the conclusion which forms the basis of its present recommendation.

The Committee are strongly of opinion that the petitioner makes out a valid case for investigation and for relief, and the Committee urges the Government to give this matter immediate and sympathetic consideration.

7th October, 1946.

No. 54.—Petition of J. H. EDWARDS, of Auckland

PRAYING for compensation for alleged wrongful dismissal.

I have the honour to report that the Committee has carefully considered the petition, and has no recommendation to make.

7th October, 1946.

No. 31.—Petition of W. L. JACKSON, of Wellington

PRAYING for a compassionate grant on account of an accident sustained in the course of his employment.

I have the honour to report that the Committee has carefully considered the petition, and has no recommendation to make.

The Committee regrets that because of the special facts of this case, and the view taken of them by the Courts, there are no grounds known to the Committee upon which it could ask the Crown to assist the petitioner, but we feel bound to add an expression of our sympathy for him.

7th October, 1946.

No. 1.—Petition of ANNIE HAWKINS and E. P. HAWKINS, of Taradale

PRAYING for remission of gift and death duties in respect of the estate of Thomas Hawkins, deceased.

I have the honour to report that the Committee has carefully considered the petition, and recommends that it be referred to the Government for most favourable consideration.

In support of its recommendation the Committee desires to submit the following opinion :—

- (1) We feel that gift duty of £150 was properly due and payable in respect of a gift of £3,000 alleged to have been made by the late Thomas Hawkins towards the end of 1920 or early 1921.
- (2) It seems to be beyond doubt that the said duty would be payable whether the gift was made to the son, Michael, alone or to the three children, Michael, Annie, and Edmund, in equal shares.
- (3) We are strongly of opinion, from the evidence placed before us, that the gift was made to the children in equal shares and that, by arrangement between the parties, the administration of their gift was entrusted to the eldest son, Michael, as a common fund to be dealt with by him in the interest of all.
- (4) For these reasons, we feel that in the administration of the estate of the son, Michael, now deceased, regard should be had to the fact that a capital sum of £2,000 belongs in equal shares to his sister and brother, and that such sum forms no part of the dutiable estate of the said son, Michael.

10th October, 1946.

No. 6.—Petition of F. G. BASKETT and Another, of Auckland

PRAYING for a reassessment and a refund of succession duty.

I have the honour to report that the Committee has carefully considered the petition, and recommends that it be referred to the Government for most favourable consideration.

10th October, 1946.

No. 25.—Petition of MARTHA M. LYMBURN, of Kingsland, Auckland

PRAYING for adequate provision from the estate of the late Edwin Mander.

I have the honour to report that the Committee has carefully considered the petition, and recommends that it be referred to the Government for most favourable consideration.

The Committee, after giving full consideration to the evidence given in support of this petition, is of the opinion that legislation should be introduced to give effect to the prayer of the petition or that some other suitable provision be made for the petitioner.

The Committee therefore recommends that this petition be referred to the Government for most favourable consideration.

10th October, 1946.

No. 64.—Petition of E. K. HUGHES and Others, of Auckland

PRAYING for the re-establishment of adequate delivery services of foodstuffs.

I have the honour to report that the Committee has carefully considered the petition, and has no recommendation to make.

10th October, 1946.

No. 66.—Petition of R. M. JOHNSTONE, of Waikuku Beach, North Canterbury
PRAYING for compensation for the loss of his arm.

I have the honour to report that the Committee has carefully considered the petition, and regrets it has no recommendation to make.

10th October, 1946.

A. S. RICHARDS, Chairman

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