

SESSION II.
1906.
NEW ZEALAND.

F I R E S O N S H I P S

(INTERIM REPORT OF ROYAL COMMISSION ON).

Presented to both Houses of the General Assembly by Command of His Excellency.

INTERIM REPORT.

To His Excellency the Right Honourable William Lee, Baron Plunket, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Royal Victorian Order, Governor and Commander-in-Chief in and over His Majesty's Colony of New Zealand and its Dependencies.

MAY IT PLEASE YOUR EXCELLENCY.

We, your Commissioners, appointed on the second day of August, 1906, "to be a Commission, by all lawful ways and means to examine and inquire into every matter or thing in relation to the cause of fires on ships whose cargo is wholly or partly composed of wool, flax, tow, or other combustible material, and as to what such Commission considers necessary to insure the shipment of such cargo and its conveyance from New Zealand to its destination in such a condition that it will not be liable to fire from spontaneous combustion or any other cause, and also as to the necessity or expediency of amending the existing law with respect thereto," have the honour to submit this, our interim report.

Twenty-six meetings for taking evidence and making inspections have been held, 120 witnesses have been examined, and three meetings have been held in committee. Your Commissioners have, for the better enabling them to gather evidence bearing upon the matters in question, visited and heard evidence at Wellington, Christchurch, Timaru, and Dunedin, and every opportunity has been given to all parties in those centres to submit any evidence to your Commissioners. It is the intention of your Commissioners to ascertain the value of such evidence as may be available in other centres of the colony, in order that such evidence might be taken if it is considered likely to prove of value to your Commissioners in arriving at a final decision.

In view of the many technical points arising, and the necessity of your Commissioners having the advice and assistance of scientists who might be the better able to deal with the questions of the chemical and bacteriological actions arising and operating in wool, flax, and tow under certain and varying conditions, your Commissioners deemed it advisable that the services of the following gentlemen should be placed at the disposal of the Commission, viz., Dr. J. M. Mason, Chief Health Officer; Dr. J. S. Maclaurin, Government Analyst; Mr. B. C. Aston, Chief Agricultural Chemist; and Mr. J. A. Gilruth, Pathologist and Chief Veterinarian. This your Government has approved of, and your Commissioners will at a later stage, should time permit, have the benefit of the assistance and advice of these gentlemen.

Your Commissioners have also arranged to institute tests of various grades and qualities of wool, flax, and tow, in order to demonstrate to their satisfaction the possibilities of spontaneous combustion resulting under certain conditions and in respect of certain qualities of wool, or otherwise. These tests and experiments must of necessity occupy some time, and it will not, therefore, be possible to include in this interim report the results and conclusions arrived at.

Your Commissioners are of the opinion that material assistance might be rendered to them in their investigations by having before them the results of any inquiries which may have been held or made in England touching the causes of the fires which have occurred in the cargoes of vessels arriving there, together with the knowledge of the quality, condition, and description of the wool, flax, or tow which might have been the cause of such fires. Your Commissioners have caused inquiry to be made through the High Commissioner for the colony in London, and your Commissioners are now advised that all the information available has been collected by the High Commissioner for the colony in England, and it is now on its way to New Zealand.

From the evidence adduced before your Commissioners it would appear that for some years prior to the month of June, 1905, the underwriters doing business in insuring wool for shipment from the colony employed certain gentlemen of known ability as marine surveyors to inspect all or any bales of wool which might to them seem in such a condition as likely to result in a claim upon the insurers. These inspectors were stationed at the principal shipping-ports, and invariably kept a watchful eye upon all shipments, although no systematic individual inspection was made

of every bale, or those bales which did not by outward visible indications cause suspicion as to their being in sound shipping condition. It would appear that the officials of the Harbour Boards and shipping companies worked harmoniously with the inspectors, and brought to their notice such instances of apparent damage as came under their notice, and many instances have been cited of the inspectors ascertaining that wool so indicated was unfit for shipment, and the invariable practice was to return such wool for reconditioning or scouring, as the circumstances demanded. It would appear that up to the month of June, 1905, no serious consequences had resulted of any moment in wool cargoes, owing probably to the quality of the inspection.

In June, 1905, apparently through the inability of the Underwriters' Association of New Zealand to come to an amicable arrangement with Lloyd's as to the allocation of the cost of the inspection heretofore carried out, and which involved an expenditure of some £2,000 per annum by the Underwriters' Association of New Zealand, the services of the inspectors were dispensed with at all centres.

The value of wool of all descriptions was exceedingly high throughout last season, and there is no doubt the tendency has been to hasten the delivery of every available pound of wool in order to take advantage of the high prices ruling. It would appear, therefore, that sufficient care has not been taken to ascertain that wool for shipment was in such a state of dryness as would be desired not only to prevent any risk of damage to the wool itself, but to prevent the possibility of spontaneous combustion being brought about by the presence of moisture in the wool. The degree of moisture necessary to become a danger, or likely to cause spontaneous combustion, has not been definitely ascertained, but, so far as your Commissioners are able at this stage to express an opinion, they find that the fires on wool-ships were due to spontaneous combustion in the wool due to the presence of moisture therein.

In so far as your Commissioners have been able to investigate the causes of fires in cargoes of wool, flax, tow, or other combustible material, they have not arrived at a final decision, but in a later report your Commissioners will submit their findings as to the causes.

As to the necessity or expediency of amending the existing law with respect to the shipment of wool, flax, tow, or skins in such condition from dampness or otherwise as to be liable to spontaneous combustion, your Commissioners have considered the existing law, and have taken it into consideration in relation to the weight and character of the evidence which has been adduced.

Section 221 of "The Shipping and Seamen Act, 1903," reads—

"(1.) No person shall ship wool, flax, tow, or skins on board any ship for the purpose of being conveyed by such ship out of New Zealand in such a condition from dampness or otherwise as to be liable to spontaneous combustion.

"Every person who commits a breach of this section commits a crime, unless he proves that he took all reasonable means before shipping any wool, flax, tow, or skins to ascertain whether they were in such a condition as not to be liable to spontaneous combustion."

Your Commissioners are clearly of the opinion that the law as it exists is not sufficiently workable, and is defective, in so far as no one is appointed to carry out a prosecution for a breach of the law; and that it is necessary and expedient to amend the existing law.

RECOMMENDATIONS.

The recommendations of your Commissioners, then, are,—

1. That section 221 of "The Shipping and Seamen Act, 1903," be amended by the elimination of the words "out of New Zealand" appearing in the second and third lines of subsection (1).
2. That provision be made for the appointment of Inspectors whose duty it shall be to inspect wool before shipment.
3. That such Inspectors shall withhold from shipment all such wool as in their absolute discretion may be in such a condition as to be unfit for shipment.
4. That such Inspectors shall be empowered to decide how such wool shall be dealt with by way of reconditioning or otherwise.
5. That such Inspectors shall be empowered and directed to institute proceedings under the Act for breaches of the law.
6. That it be *prima facie* evidence of negligence in packing, or of false packing, if at any time wool is found in the possession of an owner—and the shipper for the time being shall be deemed to be the owner—in such a condition that it is not, in the opinion of such Inspector, in a fit condition for shipment when offered for shipment.
7. That where negligence in packing is proved, such offence shall be punishable by fine; and that where false packing is proved, such offence shall be punishable by imprisonment without the option of a fine.
8. That the cost of the inspection shall be borne and paid by the owners of the material, in the nature of a charge upon every bale of wool shipped from the colony.

We have, &c.,

A. McARTHUR, Chairman.

WALTER G. FOSTER, Commissioner.

H. S. BLACKBURN, Commissioner.

Wellington, New Zealand, 12th October, 1906.

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