

- (4) 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 a 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."
- (5) That whilst absent on leave she was served with the petition for divorce on the said 18th day of July, 1930.
- (6) That on the 5th day of August, 1930, a decree *nisi* in divorce was granted by the Court.
- (7) 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.
- (8) 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.
- (9) That a decree absolute in divorce was granted on the 26th day of November, 1930, unopposed.
- (10) That Mrs. Banks wished to defend the case and no steps were taken on her behalf to bring certain essential facts before the Court.
- (11) That within three weeks after the decree absolute was granted Mr. Banks married again.
- (12) 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.
- (13) 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.

26th August, 1936.

No. 95, 1935.—Petition of J. J. BAIRD and 122 Others.

PRAYING for restoration of the 10 per cent. cut in miners' phthisis and widows' pensions.

I am directed to report that, as a question of policy is involved, in the opinion of the Committee the petition should be referred to the Government for consideration.

2nd September, 1936.

No. 21.—Petition of J. P. FITZSIMMONS and 3 Others.

PRAYING for payment of wages allegedly due under a Public Works contract.

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

2nd September, 1936.

No. 170.—Petition of E. H. ANDREWS and 3,115 Others.

PRAYING that legislation be enacted providing for the taking of a referendum to be held in the Lyttelton Harbour Board District to decide between two schemes designed to give better access to the sea.

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

2nd September, 1936.

No. 70.—Petition of W. J. GARTHWAITE, of Dunedin.

PRAYING for compensation or other relief in respect of injuries allegedly sustained while 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 with a view to the petitioner being given employment in the Railways Department at the first available opportunity.

3rd September, 1936.

No. 130, 1935, and No. 211.—Petitions of F. ELLIS, of Palmerston North.

PRAYING for compensation for injuries allegedly received whilst travelling on New Zealand railways.

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

3rd September, 1936.