

2068. When Mr. Bellis told you that he had no knowledge that Mataikuna was scabby, did he say he had no notice to that effect?—Yes; he told me he had had no notice.

2069. Did you take any notice of that?—I informed Mr. Sutton of it: Mr. Sutton was in charge of the whole of the run. When I rode up to inspect these sheep I saw some sheep and I did not like the look of them. I spoke to Mrs. Berris, and said I did not like the look of them. On examining these sheep I found they were scabby. Mr. Berris had gone to Wainui, just in the Hawke's Bay Province, to bring some more sheep down. I wired to him what had happened, and told him he had better not bring any more sheep down. If he brought fresh sheep on to his run they might have tried to get back to their own country and spread the scab.

2070. Mr. Bellis failed to clean his sheep, I think, within the prescribed time?—Yes.

2071. And you summoned him?—I did.

2072. He was not present, I think, at the hearing of the case, and he was fined 6d. a head?—Sixpence a head on a thousand sheep out of fifteen hundred. I may, perhaps, explain that I gave him an order to clean about a thousand sheep; it was at the time I found the scab among them. There were some fresh sheep that he had made an arrangement with Mr. Maunsell to exchange. They numbered about fifteen hundred, so Mr. Wardell only fined him on the thousand ordered to be cleaned.

2073. Did not Mr. Bellis telegraph saying he was absent in Hawke's Bay and could not return in time to attend the summons, and he did not, therefore, ask for an adjournment?—Yes; but Mr. Wardell did not receive this telegram till about 3 o'clock in the afternoon or half-past, and I did not see Mr. Bellis's letter until I returned home in the evening.

2074. Why was a fine of 6d. a head inflicted and not 3d.?—Because it was shown that he did not take the proper steps, and I insisted upon his being fined the full amount. I asked him to shear his sheep early in the year so as to get at them and clean them; but he did not shear them, I think, till the end of December or the beginning of January, although he had only about a thousand or eleven hundred to shear altogether. That is why, it being such a bad case, Mr. Wardell fined him 6d. a head.

2075. A rehearing was applied for?—Yes; he then applied for a rehearing. After a time he got it, and he defended the case himself; but the evidence, according to the opinion of the public, did not seem to strengthen his case in any way, but rather to weaken it. The judgment was upheld, and Mr. Wardell fined him 5d. a head. He reduced the fine 1d., but the expenses would, I believe, come to more than double the difference.

2076. Mr. Wardell came to the conclusion that he was right in inflicting the fine?—Yes.

2077. I think you have summoned Mr. Cross, have you not, for driving fourteen sheep?—Yes; fourteen merino rams.

2078. The case came to Court?—Yes.

2079. What was the result?—It was dismissed.

2080. But you appealed, I believe?—I have appealed.

2081. He complains that the appeal is vexatious: would you state why you appealed?—The case was taken under the 46th section. Before driving his sheep across infected ground he should have got permission from the Inspector. He never applied for permission, and drove them across the infected Maraenanga Run.

2082. You say it was necessary to apply for a driving order?—Yes.

2083. On what grounds?—Under the 46th section.

2084. He had to go through infected country?—Yes.

2085. And he did not apply for a permit?—No; he applied for one for the other end of the run, but not for this end of the run. He was thinking about getting rams from quite an opposite direction. We had some conversation about these sheep. He was to get some sheep from Glenburn Station. Meanwhile these sheep were sold. Then he went in the opposite direction, by the coach, and got rams from there.

2086. Was not this represented at the trial?—Yes.

2087. Was it tried by a Resident Magistrate?—Yes; by Mr. Wardell.

2088. You think that the Resident Magistrate was right in coming to this decision?—Yes, I do. In summing up he said that I assisted to drive the sheep across the run and across the creek. That is false, because I was not on the run; I was in the river-bed. I admit I did help him to put them across the water.

2089. Have you any fresh evidence to produce?—I produced evidence to the Court at the time.

2090. Exactly, but my object in asking is this: If the Resident Magistrate decided upon the case, having all the evidence before him, what are the grounds of appeal at the present time?—The Resident Magistrate says he thinks my action was as good as giving permission.

2091. Of course you must recognize that all these cases are a very great expense to the person against whom they are brought; therefore, unless there are some very good grounds for a new trial, the appeal ought not to be applied for?—Yes; but perhaps I had better tell the story from the beginning, and the Committee will then be in a position to judge for themselves. I may state that it was in the autumn—I think it was in March. I was very busy inspecting sheep at that time of the year at Mataikuna. When I arrived there early in the morning to inspect some sheep I found that there were none ready for me. I waited at the station; the manager and all the shepherds were out. During the day a pedlar came along, and he told me he had seen Mr. Cross and another man, and what had happened at Ohunga—what trouble he had had to cross the sheep, and how he had lost some of them. He also told me that Mr. Cross was coming down with them. I said, "Are you certain he is coming down? It is a strange thing he has never applied to me for a permit." I also said, "What a stupid man;" and that I should have to lay an information. The man said, "I hope I have not done him any harm." I said, "No; that I should have seen them in any case." I also asked him where Mr. Cross was; and he said, "He is between Ohunga and here." I replied, "It is too late now; the damage is done." I also said, that I expected the sheep in every