

2688. Did you lay information against those sheepowners?—Yes; I laid information against Mr. Ingles, against the Waipapa, and against Gordon Gibson.

2689. Were the informations sustained?—They were. I did not lay them for not “herding and yarding.” I laid them under that portion of the 23rd clause where sufficient steps towards cleaning are not taken to the satisfaction of the Inspector.

2690. That is not what I am referring to?—It is the same clause, I think.

2691. I am referring to the 27th clause: “If any infected sheep,” &c.?—There was no information laid under that.

2692. What was the reason of that?—The notices in connection with that were served on the owners for the purpose of meeting the word “negligently.”

2693. This 27th clause requires herding on unenclosed pastures?—That clause did not come into operation in the Province of Marlborough until the latest possible date.

2694. The object of its being postponed was to give the owners of runs an opportunity of fencing in their land: did you not think it was your duty to enforce that clause regardless of consequences?—I did not think it was my duty to do any more than enforce the 23rd section, for in practically dealing with the Act that has been looked upon as a saving clause to the word “negligently,” as in the case of a man allowing his sheep to stray. That word has kept scab longer in the colony than it otherwise would have been.

2695. It is imperative. Do you think it your duty to depart from the intention of the Act—the duty imposed upon you by the Legislature?—It is the duty of the Government to give reasons for departing from the intention of the Act, if they do not give effect to the Act. That clause has not been put in force.

2696. *Captain Russell.*] You told us that certain sheep had been branded on board ship between Waitara and Manukau?—So I was informed by the captain of a steamer.

2697. By the captain of a steamer?—Yes.

2698. Did it come in your official capacity before you?—I happened to be coming down the East Coast in a boat that had been trading on the West Coast. The captain of the steamer did not tell me in my official capacity, for he did not then know who I was.

2699. Who was the Inspector that allowed sheep to embark without being branded?—It was the Inspector whose duty was to have inspected them and branded them—Mr. Hautrie.

2700. Did you take any steps in the matter?—Yes; I called for an explanation, which he gave me. I cannot say fully what it was unless I had the papers before me. It was in the nature of a denial; there was no proof except the statement of the captain. I then caused the Inspector stationed at New Plymouth to remove to Waitara, so that there should be no excuse. I was informed that the steamers had brands.

2701. *Hon. the Chairman.*] That they had them themselves?—Yes.

2702. How did they get supplied?—I made inquiry into that matter subsequently.

2703. *Captain Russell.*] You say it was a known thing that the captain of this steamer kept brands?—That was the information he gave me.

2704. Was it not your duty to make immediate inquiry?—Yes; so I did at once, furnishing a list to Mr. Lewis, the Inspector of the Port of Manukau.

2705. Is there any correspondence on the subject?—I am sure there is a correspondence on the subject.

2706. Could that be produced?—Yes, I think it can be got if it is required.

2707. *Hon. the Chairman.*] Does the Committee wish me to make application for it?

2707. *Mr. Walker.*] It appears to me there is evidence of a forgery here. Under the 35th and following clauses of the Act there ought to be a prosecution. How did you get the information?—I got the information accidentally.

2708. *Captain Russell.*] Why did you not follow it up, in view of the fact that the Inspector had been grossly negligent, or that the captain had been deliberately infringing the Act?—I did go a good deal further in the matter, but I could not obtain any evidence.

2709. You have said that Taranaki has been kept an infected district for the purpose of shipping sheep?—It has never been declared a clean district.

2710. Why not?—The reason was that, if it had been, Auckland would have been deprived of its sheep-trade altogether; it would have completely prevented the trade going north.

2711. Is it not by localizing the disease as much as possible that you will have a chance of cleaning: is not this rather an opening for the spread of the disease?—No; I think, with the precautions taken there is not very much danger.

2712. Suppose there had been no export of sheep to Auckland, would not Taranaki have been a clean district?—It would be, but the Proclamation has never been applied for. As a rule, if the department deem it necessary, they declare clean districts for the purpose of cleaning the country. Where it is considered necessary, a recommendation is usually made by some of the owners.

2713. If you are thoroughly aware that a district is clean, should it not be your duty to declare it clean, so as to localize the disease?—I think there are many places where you must be guided by circumstances.

*Hon. Mr. Campbell.*] That can scarcely be considered an answer at all.

2714. *Captain Russell.*] You say that because flocks in Auckland are so easily shifted from one place to another, without the knowledge of the department, that is a reason for the continuance of the disease there. Has there been any regard to prosecutions in Auckland?—Yes; there were some at Whangarei.

2715. How long ago?—I think the last case was no great length of time since.

2716. *Hon. Mr. Waterhouse.*] Has there been any to enforce the 27th clause, by which they would be compelled to herd and yard their sheep?—I think so.

2717. *Captain Russell.*] Have you any idea how many prosecutions have taken place?—There is a return which will show.