

9. *Hon. Mr. Duncan.*] You think that the mixture perhaps is not correct all through the quantity as a whole, and may not be accurate in a certain sample?—Yes; that is why I suggest a different sample.

10. When you come to take the samples in 10-per cent. lots, as you say, out of the shipment, you have to reduce that to a half-ounce analysis?—Yes. You take your samples over all the packages, or the heap if it is in bulk, and pass them through a riddle, and turn it over. You divide that into four, and mix two of the quarters together. You divide them again, and go on working the stuff down until you have got the quantity required for analysis to three or four pounds.

11. *Hon. the Chairman.*] Will you give the proportions of the whole?—I suggest not less than five sacks in small lots, and in large lots not less than 10 per cent. of the whole, to be the sample. With regard to clause 9, subsection (1) says, "The Inspector shall divide each such sample into three parts, and seal each part separately with an official seal." I think the vendor's seal should also be attached to each sample. It is the same as is provided in the Licensing Act. In clause 10 we have that objectionable expression coming in again, "materially differs."

12. Can you make any suggestion by which it can be altered throughout the Bill?—I suggest that it be amended in the manner set forth in clause 11 of the Act of 1892. I will take clauses 11, 12, and 13 of the Bill together. Clause 11 says, "In any proceedings under this Act the production of a certificate of the results of an analysis purporting to be signed by an analyst shall be evidence" as to identity, &c. I submit that without the production of the package in which the sample was received there could be no proof of identity. Clauses 12 and 13 of the Bill provide for proceedings being taken under the Bill. In the previous Act of 1892, after providing for dealing with samples, it says in clause 8, "The vendor or his agent may also send one of their portions of the sample as herein provided to any analyst, and should the analysis so obtained be different from that obtained by purchaser, as provided for by section six, then one or both remaining parts of samples shall be forwarded to the School of Agriculture Analyst at Lincoln, the mean of the three analyses to be accepted." This gives no chance of doing anything until the matter comes before the Court. I submit that the submission of independent analyses would very often obviate any proceedings at all, and I think in that respect the Act of 1892 is an improvement on the present Bill. Clause 15: "Every person who commits an offence against this Act for which no penalty is elsewhere prescribed is liable for the first offence to a fine not exceeding ten pounds, and for every subsequent offence to a fine not exceeding fifty pounds and not less than five pounds." I submit that that clause is a clause that should not be in any such Bill as this. If penalties are provided there should be defined offences. In every Court you find very great difficulty experienced in interpreting clauses which are much clearer than this. I submit this clause means either too much or too little.

13. *Mr. Lawry.*] What do you suggest?—I submit that it should be taken out. The Act of 1892 prescribes certain penalties, but it also prescribes the offences. Clause 16: "The Secretary for Agriculture may, from time to time, publish, in such manner as he thinks fit, the result of any analysis made under this Act." I should like that to be altered to read that the Secretary for Agriculture shall publish, in any such manner as he thinks fit, the results of all analyses. My reason for that is this: The goods I manufacture may be analysed all through the season, but if the Secretary for Agriculture only publishes what he chooses I may be judged on one analysis only, whereas if he publishes the results of all analyses—it might be found that I was giving satisfaction ninety-nine times out of a hundred—I should get a good reputation, but if only one analysis were published I might not get a good one.

14. *Hon. the Chairman.*] May he not object that, in the interests of the public, all the analyses should not be published?—There is something else to be considered besides the public.

15. *Hon. Mr. Duncan.*] The public have to rest entirely on what he represents it to be. The intention of this clause is to make the manufacturer more careful?—I am with you all the way in that desire. I am just as keen as you are to see that done.

16. The expense would be increased?—I submit that it would not add to the expense.

17. *Hon. Mr. Bowen.*] I do not see why all the analyses should not be given?—If the analyses were tabulated they would occupy but a little space.

WEDNESDAY, 30TH SEPTEMBER, 1903.

JAMES ALEXANDER POND, Colonial Analyst, examined. (No. 2.)

1. *The Chairman.*] The Committee has met, Mr. Pond, to hear your evidence on the Fertilisers Bill. I suppose the most convenient way would be for you to give such evidence as you wish on the different clauses as they come in the Bill?—Very good, Sir. The Bill I received at first is different from this one. Since I arrived here I find that considerable alterations have been made to it. As I received it at first from the Stock Department—

2. This is the Bill as it was introduced in Parliament. This is the Bill you have to give evidence on?—I would rather deal with the Bill as I received it.

3. We have no knowledge of that Bill?—Since I came down here the Stock Department have handed to me alterations they have made in the Bill. I thought I had to speak with reference to these alterations.

4. These alterations are what they are going to propose. I take it that on the evidence given the other day the Stock Department have made certain proposed alterations in this Bill, and they have let you know them in order that you may take them into consideration when you give your evidence?—In the Bill now before us there are two classes of people recognised—the vendor and the manufacturer. The Stock Department now proposes to leave out the manufacturer altogether, and leave it absolutely to the vendor. I think in that they are wise, because the manufacturers are generally at a distance, and no one out of the colony can be affected by any Act of the colony.

5. You mean that these alterations take the manufacturer out and leave the vendor only in the Bill?—Yes that is what is proposed.