

52. With reference to Danish methods, a witness stated here that there is no Government inspection in Denmark, the inspection being done by farmers' associations?—I have no knowledge of it.

53. In regard to the time for cleaning sheds and cans, do you not think the local conditions and the position of the farmer should make a difference?—A difference will be made. Different cases require different treatment. In the case of milk conveyed by train the Inspector would deal with it as he thought best, although it says it must be done within two hours. The discretion enables one to prevent harm coming from neglect. We had a case in Wellington where maggots were found in a railway can. If you visited twenty dairy farms on one morning and a good many were not complying with the regulations in question, it would not follow that the Inspector would take action, but in a case where things were bad and the milk was intended for city-supply action would be demanded. In one case the retailer and not the farmer was prosecuted. Cans had been picked up in the course of the afternoon from perhaps twelve different farmers and taken into the city, emptied, and put back on the wagon without being cleaned. There the vendor was prosecuted; the farmer was not at fault. The regulations would enable an officer to act when he sees the necessity for it.

53A. Have you heard of a man taking his milk home at 12 at night, and because his cans were not washed then he was fined for it?—I do not know of such a case.

54. Under these regulations you would not take action under such circumstances?—No.

55. But the man who is working under them cannot take into consideration the view of the Minister or the Administration. Who is the dairyman to look to?—I do not suppose any one thought of the matter; but the official administrators the regulations with common-sense.

56. Do you know a case of hardship?—No; I do not believe there has been one.

57. Under the present Noxious Weeds Act if a man is taken to Court the Magistrate has no option, no matter what trouble a man may have taken to clear his weeds?—A Magistrate often dismisses cases. We have repeatedly dismissals. They are dismissed on the grounds that a man is doing his best.

58. I have heard cases where it was not so. Under these regulations if any disputes were taken before a Magistrate would he not be compelled to decide whether the dairyman was complying with the regulation or not?—There are two points, one a matter of fact and the other a matter of judgment. A question of sanitation or cleanliness might go before a Magistrate, or the milk has been adulterated, or there has been failure to register. He has to convict on these. You go before him because a floor is not properly constructed, and here he would adjudicate according to the weight of evidence. A matter is open for decision on the evidence brought before him, and on that the appeal is unnecessary.

59. Some of these regulations deal with distance-apart of buildings, and you say the regulations should be administered with tact and discretion. Would not the Magistrate have to decide?—That is a question which appeal could not help. These are questions which the Inspector would deal with according to his discretion.

60. You could not take any question of discretion to appeal?—Reasonable compliance would rest with the Inspector. Where the officer takes a case to Court and there are conditions which are declared to be inimical to the production of a decent supply, that is certainly open for evidence. Or there is a case where there is an implement-shed. There is no harm in it, says the defendant: it is only an implement-shed attached to the byre. The Inspector may show there were manure and sheep-skins stored in the shed. Then it is open for the Magistrate to punish for a breach of the Act. If, on the other hand, the farmer showed he only used the shed for his buggy he would win.

61. *Hon. Mr. McNab.*] Judging by the question asked by Mr. Lang about the specific statement of everything to be done, would it be possible under those conditions to carry on the administration of the country for twenty-four hours?—I cannot conceive such a condition that it would be possible to carry on any administration.

62. As the executive officer of a large Department, are there not fifty things your officers are called upon to do which are not covered by any Act of the General Assembly, or regulations of Minister, or laid down in black and white?—The Acts are our guide, but the administration is according to discretion, and I see no other way of doing it. If we take the Noxious Weeds Act and if we act up to it the whole countryside would be in the precincts of the Courts.

63. And these are the Acts the Parliament of the country has passed?—Yes; and we are doing this against every meeting of farmers, every union and agricultural and pastoral association: we are holding a fair line in administration.

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THURSDAY, 1ST OCTOBER, 1908.

HAROLD BURGOTNE, Dairy-farmer, Clevedon, examined. (No. 34.)

*Witness:* I have been asked by several factory-managers and dairy-farmers in our district to give evidence on this matter. We thought the regulations impracticable, and after a lot of persuasion I decided to come down. Mr. Duncan, Inspector in Charge at Auckland, informed me that certain clauses which we considered objectionable have been deleted. As to the feeling in the district, in the first place we held a meeting of suppliers and factory-managers in our district, when the following resolution was unanimously carried at three or four different centres: "That, while we agree with the principle of reasonable inspection, free of charge, and registration of dairies, we consider that the Act, in its present form, would prove harassing and impracticable,