

**Mr. Curtis.** is a great difference of opinion as to whether the thistle is noxious or not. One fatal objection to the Thistle Ordinance was the existence of thistles on the Crown lands. I do not think it fair that the Crown lands should be allowed to grow seed, and that private individuals should be compelled to keep their land clear. I am not aware of any individual cases of hardship, as the Ordinance was scarcely put in force at all.

Mr. Armstrong was examined, and stated—

**Mr. Armstrong.** I am Member for the District of Akaroa, in the Province of Canterbury. There is a Thistle Ordinance in that Province, and it has not been repealed so far as I am aware. I know several cases which I think had better not have occurred. The police had the power in the Akaroa District to act as Inspectors, and they gave notice to several persons to remove the thistles from their land; whereas the seed was blown upon it from the Crown lands adjoining. They not only issued notices, but threatened to summon the parties, which was quite as bad as if they had summoned them. I called the attention of the police to thistles which were growing upon Crown lands adjacent to mine. That happened three years ago. I think the law was rigorously enforced then. In the following year, 1868, the Superintendent sent persons round to destroy the thistles. Last year the Act became a dead-letter in my district, and was not enforced so far as I am aware. I heard a great many complaints two years ago. I have always considered it oppressive that Crown lands should be allowed to be nurseries for thistle seed, whilst private parties were compelled to keep them down on their lands. I am not aware of the Act having been put in force in other parts of Canterbury, except from the newspapers. I know four of the petitioners, and I think there can be no doubt as to the genuineness of the petition. I am certain that the gentleman (Mr. Fleming) whose name appears first on the list of signatures would not complain if he had not good cause for doing so. I think that the Ordinance ought to be repealed, as it is impossible to carry out its provisions without doing injustice; and besides, I do not think that thistles can be eradicated. I know one place, near Little Akaloa, where there is a block of at least 5,000 acres of Crown land which is nothing but a mass of thistles. I may say, that when the policeman came to my place to threaten me, he rode through thistles which were up to the horse's girths, all along the road. There is a stream between the road and my property, so that my land does not actually abut on that road. There were not more than about a dozen thistles on my land.

WEDNESDAY, 3RD AUGUST, 1870.

Mr. Cracroft Wilson, C.B., was examined, and stated—

**Mr. Wilson, C.B.** I am Member for the Electoral District of Coleridge, in the Province of Canterbury. A Thistle Ordinance was passed in 1862 by the Provincial Council, in the hopes of preventing the introduction of thistles into the Province. That Act was amended in 1866, and the amended Act is now in force. My estate at Cashmere is divided amongst four Road Districts. One of those districts is called the Spreydon District. Within the limits of that district I have several hundred acres of swamp, which I have drained at an immense expense. The result of burning the Maori-heads and the flax in the reclaimed swamp has been, that showers of thistle seed have come down from waste lands of the Crown on the hills above, and thistles have been sown broadcast over that land. It has never been objected to me that there are any thistles to be found in several hundreds of acres of meadow land; but in the swamp land above alluded to, which I cannot cultivate at all until I have dug up all the forest wood buried in it. I find it is impossible to keep down the thistles in this reclaimed but as yet uncultivated land. The Spreydon Road Board applied to the Superintendent, under the Ordinance of 1866, to appoint the Clerk of the Board Thistle Inspector for that district. The Superintendent did so, and published his name as Inspector in the Spreydon Road Board District only, but he did not publish any regulations for his guidance, as required by the Ordinance. Informations were laid against me from time to time by the Clerk of the Board, and between the 1st December, 1869, and April, 1870, I expended about £120 in attempting to destroy the thistles. Notwithstanding all this I was fined a sum which, with Court expenses, amounted to £8, although the Ordinance expressly says, that if a person informed against has done his best, it is in the power of the Resident Magistrate to refrain from inflicting the fine. The Clerk of the Road Board, in his capacity as Thistle Inspector, engaged a number of men at 6s. a day, and an overseer at 7s., and sent them upon my premises, and afterwards sued me for their wages. The case was dismissed, on my proving by competent witnesses that the work done by those men was perfectly useless, as far as the purport of the Act was concerned, for they did not eradicate the thistles where they worked. These men were hired in a very ostentatious way. The Clerk of the Board actually put an advertisement in the paper inviting labourers to apply to him for work on good wages, to eradicate the thistles on my estate. In justice to the Superintendent, I must say, that when he saw this advertisement he instantly withdrew the powers which he had conferred on certain Road Boards that their clerks should be Thistle Inspectors, and among them was the Spreydon Road Board. I may mention that so indifferent was the Clerk of the Board, who was also Surveyor to the Board, as to where he sent these labourers, that he actually sent a gang of four men to work, and they commenced work in that portion of my estate which is in the Halswell District, over which he had no authority whatever. I sued the Thistle Inspector for trespass for this act, and I was nonsuited, on the plea that under the Ordinance any Thistle Inspector could go from one end of the Province to the other—that is, from the Hurunui to the Waitangi—and lay an information against any person he pleased. Be it known that the *Gazette*, which was the only regulation that the Superintendent had issued, notified that the Clerk of the Spreydon Road Board was to be Inspector of Thistles in the Spreydon District only. Considerable time must elapse before I can get this dried swamp into cultivation and lay it down with grass, yet the limit allowed in the Ordinance for eradicating thistles is three days; and, with the expenditure of the sum above mentioned, the thistles in that swamp have perfectly beaten me. On the 11th of December I finished sowing with barley a field of twenty-two acres maiden land—ploughed up for the first time—part of this dried swamp. This land was ploughed up twice, and harrowed about ten times. Every weed was removed from the land. The crop was reaped in the