

REPORTS

OF

THE PUBLIC PETITIONS COMMITTEE

ON

THE PETITIONS OF CERTAIN INHABITANTS OF CANTERBURY,

RELATIVE TO THE THISTLE ORDINANCE OF THAT PROVINCE.

ORDERED BY THE HOUSE OF REPRESENTATIVES TO BE PRINTED, TOGETHER WITH THE
EVIDENCE TAKEN BEFORE THE COMMITTEE 2ND AND 3RD AUGUST, 1870.

WELLINGTON.

—
1870.

ORDER OF REFERENCE.

Extract from the Journals of the House of Representatives.

THURSDAY, THE 28TH DAY OF JULY, 1870.—*Ordered*, That the Report of the Public Petitions Committee on the Petition of thirteen Inhabitants of the Province of Canterbury be printed, having first been referred back to the Committee with an instruction to append any evidence on which the Report is based, whether such evidence was obtained from Members of the Committee or otherwise.

A true extract,

F. E. CAMPBELL, Clerk, House of Representatives.

THIRD REPORT.

I AM directed by the Committee to report that in compliance with the Order of the House, dated the 28th July, 1870, namely, "That the Report of the Public Petitions Committee on a Petition of thirteen Inhabitants of Canterbury be referred back to the Committee, with an instruction to append any evidence, whether such evidence was obtained from Members of the Committee or otherwise," they have now recorded the evidence; that they re-submit their former Report with that evidence; and that they adhere to the opinions expressed in their former Report.

16th August, 1870.

J. CRACROFT WILSON, C.B.,
Chairman, Public Petitions Committee

REPORTS OF THE PUBLIC PETITIONS COMMITTEE.

REPORTS of the PUBLIC PETITIONS COMMITTEE on the PETITION of certain INHABITANTS of CANTERBURY.

FIRST REPORT, 28TH JULY, 1870.

THE petitioners, thirteen in number, inhabitants of the Province of Canterbury, pray that the House will be pleased to repeal "The Canterbury Thistle Ordinance, 1866," on the grounds that it is inapplicable to the present state of the Province, and that it is repugnant to the law of England.

The Committee have taken some pains to ascertain the present state of the several Thistle Ordinances in the different Provinces of New Zealand, and the result of their inquiry is as follows:—

REMARKS.

Southland.—A Thistle Ordinance passed by the Provincial Council. Not yet repealed, but allowed to remain a dead letter.

Otago.—A Thistle Ordinance passed by the Provincial Council. Lately repealed in consequence of the impossibility to carry its provisions into effect.

Canterbury.—A Thistle Ordinance passed by the Provincial Council, for the most part in abeyance, but occasionally used as an engine of oppression.

Nelson.—A Thistle Ordinance passed by the Provincial Council, but repealed in consequence of the impossibility to carry its provisions into effect.

Marlborough.—A Thistle Ordinance passed by the Provincial Council, but repealed lately in consequence of the impossibility to carry its provisions into effect.

Wellington.—A Thistle Ordinance passed by the Provincial Council. Not yet repealed, but allowed to remain a dead letter, it having been found impossible to carry out its provisions, and the existence of the plant having been found, generally speaking, to be beneficial instead of noxious in its results.

Hawke's Bay.—A Thistle Ordinance passed by the Provincial Council was repealed, it being found impossible to carry out its provisions.

Taranaki.—A Thistle Ordinance passed by the Provincial Council. Not yet repealed, but allowed to remain a dead letter, it being found impossible to carry out its provisions.

Auckland.—A Thistle Ordinance passed by the Provincial Council. Not yet repealed. Occasionally used as an engine of extortion and oppression.

It appears from the above statement that all the Provinces have at different times passed Thistle Ordinances; that the Provinces of Otago, Nelson, Marlborough, and Hawke's Bay have repealed their Ordinances; that in the Provinces of Southland, Wellington, and Taranaki, the Ordinances have not been repealed, but that they are allowed to be a dead letter; and that in the Provinces of Canterbury and Auckland the Ordinances are still in force, and that they are occasionally used for purposes other than those for which the Ordinances were passed.

I am directed to report that the Committee are of opinion that a Bill should be introduced repealing the Thistle Ordinances of all the Provinces which have not as yet repealed them; that is to say, the Thistle Ordinances of Southland, Canterbury, Wellington, Taranaki, and Auckland.

SECOND REPORT, 5TH AUGUST, 1870.

THE petitioners, twelve in number, inhabitants of Canterbury, principally residing in the Leeston District, pray that "The Thistle Ordinance, 1866," of the Province of Canterbury may be repealed.

I am directed to report that the Committee hold the same opinion with reference to this petition as that contained in their report of the 28th ultimo, namely, that the Thistle Ordinances of the Provinces of Southland, Canterbury, Wellington, Taranaki, and Auckland, which are the only Provinces which have not as yet repealed their Thistle Ordinances, should be repealed.

EVIDENCE taken before the COMMITTEE, Tuesday, 2nd August, 1870.

Mr. Potts was examined, and stated—

I am Member for the District of Mount Herbert, in the Province of Canterbury. About two years ago the Provincial Government employed Thistle Inspectors. One of them came over to my house. I complained to him that thistles were on Crown lands in the neighbourhood, and when I pointed out the place he said "O lord! I can never get up there." He then went away, and I saw no more of him. Subsequently the Provincial Government employed another Inspector for the Banks' Peninsula District, and I was repeatedly compelled by him to clear the thistles off my land, at a very considerable expense. The adjacent Crown lands contained an abundant crop of thistles. A complaint was made to me by the Native owners of the Native reserve of Raupaki, that the Thistle Inspector had compelled them to clear off the thistles, whilst thistle seed was continually coming down upon their land from the Crown land on Mount Pleasant, close by. The result of my experience is, that instead of any benefit having been derived from the attempt to eradicate thistles, they are now worse than ever, because the seed has fructified in consequence of the ground being stirred up in the endeavour to chop up the thistles. I suppose that from £1,500 to £2,000 of public money has been wasted in this very foolish manner. It is not only foolish, but it is oppressive, to ask a man to keep his ground clear,

Mr. Potts.

2nd August, 1870.

Mr. Potts.
2nd August, 1870. when the thistles are allowed to blossom upon the Crown lands adjacent; and the strongest evidence of this is to be found in my district, where the people consider that it is an impossibility to keep the land free from them. I know most of the persons who signed the petition which I presented; I have not the slightest doubt that it is a *bona fide* petition, and that the signatures are those of persons resident in my neighbourhood. The Thistle Ordinance of Canterbury is still in force, and has not been repealed. A Bill to repeal it was brought in by the Provincial Solicitor at the last Session of the now defunct Council, but the Council compelled him to withdraw it, the Session being a very short one, and for a special purpose.

Mr. Farmer was examined, and stated—

Mr. Farmer.
2nd August, 1870. I am Member for the District of Raglan, in the Province of Auckland. There is a Thistle Ordinance in force in that Province. It has not been repealed, but is generally allowed to remain a dead-letter by tacit consent. In some districts there are a few individuals who insist upon their neighbours cutting down their thistles, although thistles are growing upon three sides of their land, which thistles are allowed to remain untouched. I possessed a piece of land myself, and a neighbour gave me no end of annoyance about the thistles upon it. I paid a family in the district a certain sum annually for keeping them down; but on three sides of my land they were growing wild, on Government land, Native land, and land belonging to private individuals, and as there was bush upon the land, it was impossible to eradicate them. I took great care and spent a considerable sum in trying to keep them down on land laid down to grass, and succeeded in doing so; but it is impossible to keep them down on land which is not under grass; and it is perfectly hopeless to attempt to do so while the Government lands, the Native lands, and the roads are overgrown with them. At the same time, in my opinion, it is impossible for the Government to keep them down on Crown lands and Native lands; and it is only throwing away money to attempt it. I know of a case at the North Shore, Auckland, where great hardship occurred; but I believe Mr. Creighton is better acquainted with the case than I am. To keep down the thistles and pay the road rates amounted to a sum greater than the annual value of the land, and in consequence of this I sold the land to which I referred just now. The Highway Districts in Auckland have the powers delegated to them under the Thistle Ordinance generally, and in point of fact the Highway Boards which levy the road rates also administer the Thistle Ordinance. The whole machinery is therefore, in nine cases out of ten, in the hands of the small resident settlers who are members of the Boards.

Mr. Creighton was examined, and stated—

Mr. Creighton.
2nd August, 1870. I am Member for the District of Newton, in the Province of Auckland. I know something of the case alluded to by Mr. Farmer as having occurred at the North Shore. I was informed by a resident of Auckland, whose name I am prepared to mention if necessary, that he obtained the use of a large estate, belonging to an Auckland firm, at the North Shore, as a cattle run, upon condition that he would keep down the thistles. This firm had been in the habit, for some years previously, of paying the district Inspector of Thistles a certain sum, I think £20 per annum, to eradicate the thistles. The Inspector was not aware of the private arrangement made for depasturing cattle, to which I have referred, and he sent in his bill as usual to the Auckland firm for payment. Of course the tenant was sent for by the firm, and asked how it was that the Thistle Inspector's bill was brought against them. He replied that he had a partner in respect to the cattle, and he would make inquiries as to whether the thistles had been eradicated. So satisfied was he that they had been altogether eradicated, that he offered to give the Inspector £5 for every thistle he could discover running to seed on that land. No thistle was produced; and the inference was, that the Inspector, never having been on the land, thought he would get his annual fee without trouble, although it was his duty as Thistle Inspector, and also as contractor, duly to see that the thistles were eradicated. I have purposely abstained from using names, but if any question is raised I am prepared to name the persons. I give that case as an illustration of the oppressive working of the Thistle Ordinance in the Province of Auckland. From what I know of the country districts in the Province of Auckland, and the quantity of uncultivated lands in each district, I think it is impossible to keep down the thistles on any land which is not in the immediate vicinity of the towns. I consider that it would be a case of oppression and hardship if proceedings were taken in any case against a settler to compel him to eradicate the thistles, while there are Native lands and Government lands, as well as roads all over the country, which are simply thistle nurseries.

Mr. Gillies was examined, and stated—

Mr. Gillies.
2nd August, 1870. I represent the District of Mongonui, in the Province of Auckland, and I am also Superintendent of the Province. A Thistle Ordinance has been passed by the Provincial Council, and it has not been repealed. I know something of the working of that Ordinance. I have heard no complaints in regard to its working, but, on the contrary, I have had various applications from the Highway Boards throughout the Province for authority to act under its provisions, even up to a very recent period. It is impossible to enforce the provisions of the Ordinance in regard to Native lands, but it is possible to enforce it generally within settled districts. It is not possible to keep the thistles down upon waste lands.

The Chairman.] Do you think it fair that proprietors and holders of freeholds should be exposed to the evils arising from the fact of the waste lands of the Crown and Native lands being nurseries for thistles, without any penalty being enforced against the Crown or the Native proprietors, and should be subjected to visitations from police and other officials for the purpose of enforcing penalties?—I am not aware that there is such a thing as visitation from police and others. The Thistle Inspectors are appointed only within settled districts, where as a rule there are no Maori lands or waste lands of the Crown. By settled districts I mean those in which the land is nearly all in private hands and in cultivation.

Do you consider the North Shore, Auckland, a settled district?—A considerable portion of it.

It seems that there is a firm that owns a block of land there, and that they paid a Thistle Inspector a certain sum annually for keeping the thistles down, so that they might not be troubled about them; that subsequently they got hold of a tenant, and all they required for the use of the land was to keep

down the thistles; that this arrangement on the part of the proprietors did not reach the ears of the Inspector, who sent in his usual bill for payment; that when inquiry was made it was discovered that the tenant had destroyed all the thistles—and that consequently the Thistle Inspector had never visited the spot that season. Do you think that a case of hardship?—I do not consider it a case of hardship, because there is no such provision in the Ordinance. I can state, as a proprietor of land at the North Shore, that I entered into a similar arrangement with the Inspector myself.

Mr. Gillies.

2nd August, 1870.

Surely it is an abuse that a person holding office as Inspector should enter into a contract to eradicate thistles for a certain sum annually?—I cannot see it.

Mr. Creighton.] Have the thistles in the Province of Auckland been eradicated?—I believe so, but I say at once that in my opinion a Thistle Ordinance is of no use.

Mr. Farmer.] Take the Native district of Oraki, where there are many thistles; do you not think that the Native proprietors should be liable to be fined for allowing thistles to seed on their lands?—I do not. Assuming that it is the opinion of the majority of the people that there should be a Thistle Act, there is no oppression in enforcing it. If it is said to be oppressive in respect to the Natives, you might as well say that it is oppressive to have a law in the North Island for the recovery of debts, because you cannot enforce it against the Natives. It is no oppression that a man should be made to pay a just debt while others do not or cannot be made to pay. I think the Act should be repealed because it is impossible to work it; but I do not think that is a matter upon which my private opinion should be the guide, but the opinion of the people of the Province, who are best able to judge.

Mr. Farmer.] At Remuera and Panmure, where there are thistles on the Government reserve, do you not think it oppressive that Mr. McLean should be compelled to keep down the thistles on his land?—I know an analogous case. The Mount Eden Highway Board asked for powers under the Thistle Ordinance, and obtained them. They eradicated the thistles there, and so ought all the Highway Boards to do.

But I am talking of a hardship in a case where Government land adjoins a man's property?—It is a hardship; but it is not a hardship arising from the law. It would have been very easy in the reserve referred to, to have cut down the thistles before they went to seed. The Thistle Act is not in force throughout the Province, but only in districts where the Highway Trustees ask that it may be brought into operation.

The Chairman.] Do you think it advisable that, in a matter in which all participate, such as thistles, one Province should have a Thistle Ordinance in force, while an adjacent Province has repealed its Ordinance because it found it impossible to carry it out?—I do not see that those who are more enlightened, and wish to let the thistles grow, can be injured by the others; the injury would be the other way.

Mr. Carrington was examined, and stated—

I am Member for Omata, in the Province of Taranaki. I am also Superintendent of the Province. There is a Thistle Ordinance in Taranaki. It has not been repealed, but is in force, and it has been acted on to my sorrow. It is stringently enforced against the Europeans, but not against the Natives. I have spoken against the Thistle Ordinance for many years—long before I had anything to do with politics. The working of the Ordinance is very oppressive. I will give a case in point. I had a small section of about fifty acres of land on the Egmont Road, ten acres of which were cleared of bush. The Thistle Ordinance was then under the management of the police. Sergeant Dunn came to me, and told me that there were thistles upon the ten acres, and that I must clear them. I said it had better be done, and asked him what it would cost. He replied that the expense would be £5. I expressed my astonishment at so large a sum being required to clear ten acres, and he said that if I did not have it done at once it would cost me £10. I told him it was disgusting, but he might make the best bargain he could for me, and I would sell the land as soon as possible. I sold it, in consequence, for a quarter of its value. I have remonstrated with various authorities against the Ordinance for many years, urging that I had read in the Royal Agricultural Society's works that the thistle was a great advantage to the land, and would exhaust itself in a few years. On the banks of the River Waitara a block of land, a mile in length by nearly a quarter of a mile in depth, was so covered with a waving mass of thistles at one time, that a man could not ride through them. Precisely as I told them, that land is now covered with a beautiful sward, the thistles having effected their own cure. In my opinion, the Thistle Ordinances ought to be repealed.

Mr. Carrington.

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Mr. Macandrew was examined, and stated—

I am Member for the Clutha, in the Province of Otago, and also Superintendent of the Province. There was a Thistle Ordinance in that Province, but it is now repealed. I believe that the principal reason why it was repealed was that it was found to be inoperative, and that it was impossible to keep the thistles down under it. We found that it was very unfair, unless we could keep the thistles down upon the Crown Land. That was my great reason for the repeal. I was a party to its repeal, in consequence of my deeming it unfair that parties possessing land should be compelled to eradicate their thistles, when there was no means of keeping them down on adjacent lands. The Province of Otago has probably expended thousands in trying to eradicate them from the Crown lands, but it was found to be utterly impossible to do so, and therefore the Ordinance was repealed. The hardship I have referred to was almost universal. During the latter part of the time when the Ordinance was in force, the police were constantly supplied with notices under the Ordinance, by which action might have been taken, and in several cases was taken. The result was that people in one or two instances were fined. Such an Ordinance must, from its nature, be oppressive. I may say that besides the Crown lands, a great many of the roads are covered with thistles.

Mr. Macandrew.

2nd August, 1870.

Mr. Curtis was examined, and stated—

I am Member for the City of Nelson, and Superintendent of the Province. We have no Thistle Ordinance now. There was an Ordinance passed in 1859, which was amended in 1861, and repealed altogether in 1865. It was repealed because it was found impossible to carry out its provisions. There

Mr. Curtis.

2nd August, 1870.

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

month of March, and I found in the stubble of the barley millions of thistles about an inch high, *Mr. Wilson, C.B.*
that had been self-sown between the 11th of December and the time of reaping, and of the existence of which I was altogether ignorant. Under the Ordinance, any neighbour of mine who was aware of the existence of these small thistles might have laid an information against me, and, under the plea of having the thistles eradicated, might have destroyed the whole of my barley crop. In my opinion, the provisions of the Ordinance are oppressive, inasmuch as no penalty is inflicted on the Government for having nurseries of thistle seed on Crown land; and although there are thousands of thistles in my neighbourhood on other men's land, no information was laid against them—I alone was the victim. The Ordinance in question authorizes a duly constituted Inspector of Thistles, on the plea that thistles have not been eradicated, to invade any man's freehold with any number of men he thinks fit, and to send in any amount of charges for the payment of those men. The above provision is in repugnance to the law of England, and the common law of the land affords sufficient remedy to any person; I therefore think that the Thistle Ordinance should be repealed.

3rd August, 1870.

Mr. Eyes was examined, and stated—

I am Member for Wairau, in the Province of Marlborough. A Thistle Ordinance was passed by the Provincial Council, but it was never brought into operation and has since been repealed. Between the time of its passing and the time of its repeal it remained a dead letter, because it would have been an act of injustice to have put it in force when the Crown lands and the public roads in the Province were covered with thistles, and the Government was altogether unable to clear off the thistles.

Mr. Eyes.

3rd August, 1870.

Mr. R. G. Wood was examined, and stated—

I am Member for the District of Parnell, in the Province of Auckland. I am the confidential agent of a gentleman who possessed a freehold property in the neighbourhood of the City of Auckland. He was a good deal troubled about the thistles growing on his land, and he made an arrangement in the first instance with a neighbour to give him so much a year for keeping his land clear of thistles. As long as that arrangement was carried out, the Thistle Inspector used to give the gentleman regular certificates that the land was clean; but the demands from the neighbour became greater every year, until I advised my principal to cease paying this stipend, and he did so. He had no sooner stopped payment than another neighbour turned up and brought an action against my principal for damages, because he had allowed, as he stated, the thistle-down to get on his land and so propagate the thistles there. The action was first brought in the Resident Magistrate's Court, for ordinary damages, under the Common Law, and was dismissed. He then appealed to the Supreme Court, and lost his case there. My principal, a very quiet and inoffensive man, who has no desire to quarrel with his neighbours or go to law, was so disgusted with the whole affair that he requested me to sell the property, and I disposed of it accordingly by exchanging it for land in another part of the Province.

Mr. Wood.

3rd August, 1870.

Mr. Stafford was examined, and stated—

I am Member for the District of Timaru, in the Province of Canterbury. I am at present residing at Nelson. A Thistle Ordinance was passed by the Provincial Council of Nelson. I believe it has been repealed, but I have no personal knowledge of the fact. The provisions of the Ordinance utterly failed to prevent the spread of thistles. I do not consider that thistles are noxious on inferior lands; on the contrary, I think they are beneficial when those lands are first fenced in and not ploughed.

Mr. Stafford.

3rd August, 1870.

The Chairman.] It has been deposed before the Committee that there is land on the Waitara River about a mile in length by about a quarter of a mile in depth, which was so covered with thistles that a horse could not go through them, and that now, without any human agency, it is as fine a grass meadow as can possibly be: Is such a thing likely to occur?—Yes, I know many similar cases. Two or three acres of land at the mouth of the Ngaitai, in Nelson, were overrun with thistles; I have no reason to suppose that they were even stubbed off, certainly it was not ploughed nor dug, and now there is not a single thistle to be seen there, nor has there been for years. I rented a paddock in this town which was so covered with thistles that I could scarcely get through it. I got it cleared with a scythe, and now it is perfectly free from thistles. Within two or three years it became covered with grass and clover, and it is really a beautiful paddock. When I first saw the paddocks of Mr. Nixon, at Wanganui, in 1862 or 1863, they were one mass of thistles 6 or 7 feet high, and stock could not move through them. When I was there in 1868 there was not a thistle to be seen, and Mr. Nixon told me he had never broken up the ground but had merely cut tracks through it for the stock. My opinion is that thistles, if left alone, will die out, and in many cases speedily.

J. CRACROFT WILSON.

REPORT

NOT TO

WASILD LANDS COMMITTEE

NOT TO

RELATION OF EVIDENCE ON THIS CASE AND FINDINGS

OFFICE OF THE ATTORNEY GENERAL

WASHINGTON

1910