

510. Are you not aware of the 66th clause of the Act, which states that it shall be the duty of the Inspector to lay a fresh information [reads]?—I take it there is a dispensing power; they need not do certain things unless they like.

511. Have you considered the 66th clause: that there is no option to the Inspector. He is bound to lay an information, and, if he does not, he is violating his duty?—The Resident Magistrate comes from another district; but it is quite uncertain when he comes. My last conviction was on the 10th December. I think the information was laid on the 14th August, but I cannot be certain as to the day.

512. How many informations were laid against you?—Three.

513. Are you of opinion that they lay the informations regularly, according to the provisions of the Act?—Yes; as near to six months as they can.

*Mr. Dodson*: There have been two amendments: one, I think, for twelve, and the other for nine months.

514. *Hon. Mr. Waterhouse.*] Are penalties remitted as a matter of course?—No; the second was inflicted on me.

515. Are there many cases in the Province of Marlborough of the penalties being enforced?—No; I think in Gibson's and in two or three other cases the fines were not enforced.

516. *Hon. the Chairman.*] Have you any other remarks as to the working of the Act?—I think generally the Sheep Act is against justice. In English law a penal Act is to be construed in favour of the defendant; here it is in favour of the plaintiff. I cannot see why, when it is shown that a man is doing his best, that you should take money from him, and put it into the consolidated revenue. I think the least you might do is to leave it in the district.

517. *Hon. Mr. Waterhouse.*] You stated in the letter you read that there were two water-gates crossing the river?—These are two of the difficulties.

518. *Hon. the Chairman.*] Could not something be done by fencing off?—No.

519. What is the objection?—A cliff.

520. Could you not carry your fence to the top?—No.

521. You were saying, with regard to the 23rd section, that you thought it hard to inflict a fine when a person was doing his best: do you not think that a great many persons profess to be doing their best when they are not doing so?—The Inspector ought to know. He should have the knowledge of persons who do their best. My experience of them is that they have seldom any knowledge on the subject.

TUESDAY, 16TH SEPTEMBER, 1884.

*Mr. R. CORBETT, examined.*

522. *Hon. the Chairman.*] You are managing Highfield Station?—Yes.

523. That is in the Amuri District?—Yes.

524. Which is an infected district—that is, under the Act?—Yes.

525. Is your run infected?—No; we have been clean for five years; that is, in 1879 we got a clean certificate.

526. What is your experience of the working of the Scab Act?—It worked well, with the exception of a few holders who neglected to clean their land. Tarndale, St. James's, Hopefield, and all Mr. Lowe's country is clean. But when you get to the Kaikouras the Act seems to stop. Nothing was done to force Gibson to clean his run. He has been going on in the same way for years, not fencing; and the country cannot be cleaned without fencing. He has been convicted under the Act, but he has never been fined; consequently he has done nothing.

527. If I understand you rightly, your complaint is that it is put in force in one district, and has not been carried out in others?—Yes; there are 27,000 acres of land which we might have used if it had not been for the fear of scab. We might have used the whole of it, but were obliged to keep it idle altogether for fear of being infected by Gibson.

528. What was the position of the Highfields Run in April, 1878—that was the year the Act came in force?—We were clean in 1880.

529. Was the Act put into force immediately?—Yes; in our district it was.

530. It is stated that in one district it was not put in force: you are aware that there was an extension of three years granted to the Province of Marlborough?—Yes, I am aware that they had extension of time, but we went on cleaning. It was put in force among us, for Mr. McArthur alone paid £600 or £800 in fines.

531. What date was that?—I do not know the date.

531A. Can you state any reason why the Act has not been enforced in that particular district?—No.

532. Is there any reason why that country could not be cleaned?—I think it can be cleaned. It ought to be cleaned. It is as easy to clean it as it was to clean the other runs—St. James's and Hopefield for instance. I have not been over the whole of the country, but I have been over some of it. Gibson has a boundary-man employed on the fence between us, and we have one also.

533. Do you think that every effort possible has been made to clean Gibson's land?—I do not think it, for his sheep are becoming scabbier than ever they were.

534. How would you account for it?—Bad mustering, bad dipping, and want of fencing.

535. Is it the fault of the Act that the country there is not clean?—I think the Act is a good Act, and might be used with success to clean the country.

536. Then, you find fault with the administration of the Act?—Yes.

537. Are the Inspectors that are appointed capable of carrying it out?—When Mr. Foster was appointed it was thought there would be an end of scab in the Kaikouras. We thought he would put the Act fully in force: he said he would. We thought there would be no remission of fines.

538. Was there a remission?—Yes; they entered into a bond with Gibson, giving him eighteen months to clean his run. They allowed him to spend the fine in fencing.