

minute, and that I could not get away or do anything. Mr. Cross did not turn up that day, having changed his mind and stayed at the accommodation-house. Next day he came along and arrived about the forenoon. I was busy inspecting sheep in the Mataikuna yards. It seemed he had learned by some means I was there, but I do not know how. I saw him coming close to the river while I was in the yard. He drove his sheep down in the river-bed, and then sang out to inform me at the yards. We were within speaking distance; but, to get across to where he was, I had to go some little distance round. I called out to him, "I will be down in a few minutes; I cannot leave just at present." Mr. Sheath told me that Mr. Cross wanted me. I said, "What does he want with me? I cannot help now in the matter; it is too late." Mr. Sheath said, "I do not know; he wants you to come down to see his sheep." I said, "I will come down; but I don't see what good I can do." After a few minutes I went across the river to him and spoke to him. I told him that he had done wrong. He said, "I don't see what harm I have done." I replied, "I can show you in the Act what you have done." He took the thing more as a joke than anything else. We stayed at Mataikuna Station that evening, and I mentioned the matter two or three times to him; but he treated the whole thing as a joke. Next morning early I was going to assist the Mataikuna people to muster the sheep. I spoke to him and said, "When you pass Te Nui ask the constable to let you know when the information arrives, so as to save the expense of serving it." That is a common thing for me to do, to save expense so far as I can. He said, "Do you mean to lay an information against me?" and I said, "Certainly; I cannot help it." "Well," he said, "I think it is very hard on me; what harm have I done?" I replied, "I don't say you have done so very much harm, but you have no right to drive through an infected run without the permission of the Inspector, and 'go for you' I must." He replied, "If that is the case, I will fight you." What he meant by "fighting" was that he would obtain the best advice and defend the case. It was proved in Court that I was not in the Mataikuna Run, but I admitted I was in the river-bed. The tide was out, so that it was quite low. When the tide was in the place where the sheep stood would have been covered with water. I said to him, after looking at the sheep, "What have you been doing: have you been taking them across?" He tried to drive the sheep, and I helped him in a friendly sort of way in trying to push them into the river. The Mataikuna is rather wide there. I said, "There is a narrower place about a chain lower down." He took the rams there; and I gave one ram a push to help him. The Resident Magistrate held that my action was as good as giving permission to allow him to drive the sheep through the run. That is the whole thing. This was on the 6th June last, and the appeal has only just gone in. We had some trouble to get the Magistrate to allow it to pass. I think if you were to see the evidence and the Magistrate's remarks it would alter your minds in regard to the case. I stuck out he had done wrong; but, because I happened to give a ram a push into the creek, the Resident Magistrate said I helped to drive the sheep into the river. I admitted that I did so in a friendly way. I was not on the run, and had not been for days before; nor was I on it for days after. That is the whole case. I think I have very good ground for appeal.

2092. Before whom did that appeal come?—Of course it has to be referred back to the Resident Magistrate for his remarks, and then it goes to the Supreme Court or to the Court of Appeal, and it is now resting there. I think the Magistrate will not alter his decision; I think it will have to be sent back to him again to insist upon his doing so.

2093. Understand my remarks are not made at all on your action against Mr. Cross. In the first instance, I think you were perfectly right in summoning him. It seems to me, however, that probably considerable hardship may fall upon settlers through being put to considerable expense through cases being taken to the Court of Appeal?—I quite understand you in the matter, and I do not do so in every case.

2094. I have nothing more to say about that; I think probably you have explained it to the Committee to their satisfaction?—I assure you that in every case that I have had I have told people what I have had to do, and that, in order to save expense, they had better accept service of the summons, because in some cases the constable has to travel many miles to serve the summons, and I have told them they had better arrange with the constable to meet them at a certain time to save the expense of the service. I must say I will stick to the Act; if they break it, I will go for them. There are some cases in which I should like to take proceedings, but I know they are weak, and I feel sure it is no good to take them before the Resident Magistrate.

2095. *Hon. Mr. Williamson.*] Had you legal advice at the Court?—I had.

2096. And was it on the legal adviser's advice that you appealed?—Certainly. He asked me at the time if he should appeal, and I said, "Decidedly." I thought I had a very strong case. We gave notice at the time, and went back to the solicitor's office and talked it over.

2097. He advised you to appeal?—Certainly, very strongly. I would not go against his advice. Mr. Bunny was the solicitor, and it was at his advice that the appeal was taken.

2098. *Hon. the Chairman.*] Have you seen a petition which was forwarded by Mr. Edwin Meredith to the Governor?—No; I have not. Is it Mr. Meredith junior or senior?

2099. I think it is the junior. The petition says that on the 2nd June, 1884, he was summoned under section 29 of the Sheep Act for removing sheep through the run without permission?—I thought you said it was to the Governor; I suppose it is to the Government. No; I have not seen that.

2100. It is to the Governor, and it is from Edwin Meredith the younger. I was going to ask you a question about that, as the case has been referred to and we have heard one side of the case, and as it is considered you should have an opportunity to reply to it. He says he was summoned under section 29 on the 2nd June, 1884, for moving sheep without a permit?—Yes.

2101. He says at that time he held a clean certificate?—Yes, he did.

2102. And that he was requested by you to dip the whole of his flock, I suppose previously to that?—Messrs. Meredith were very anxious that all the neighbours round should join them in dipping. Knowing it was a very good thing, I put myself to some trouble and arranged that they should dip altogether. It was at their request and at the request of the neighbours that I did so.