

company was given to the riff-raff of the streets and to the newspapers for publication before we ourselves knew it"; and he alleges that Mr. Thornton was responsible for the publicity; but the information was not given out by that officer.

12. Mr. Spragg takes exception to a prosecution being instituted against his company "on such an unquestionably accidental incident, and to such a small quantity (one box of a season's make of nearly 80,000 boxes)." The facts of the case are as follows:—

The New Zealand Dairy Association ship butter under two principal brands—viz., "Dairy" and "Anchor"—and the moisture content of this butter has always been found well within the legal limit. The butter on which the prosecution was based was not packed under the company's brand, but marked "No. 109." Of the total of some 80,000 boxes shipped during the season, 3,501 were shipped under "No. 109." Mr. Spragg has explained that the quality shipped under "No. 109" is inferior to that of the principal brands, and that this special lot was primarily intended for the local market. The major portion of the quantity shipped under this brand was consigned to South Africa, a surplus being exported to London. Of these boxes exported under "No. 109" within a period of two months a total of three samples was taken, the analysis of each showing a moisture content beyond the legal limit. It was only on the third case that a prosecution was instituted.

To summarise:—The complaint made by Mr. Spragg against Mr. Thornton in letter A, and confirmed in the editorial of the *Auckland Star* (A 1), is in fact against (1) the action of the engineer (at the time) of the s.s. "Ruapehu," and (2) the Secretary for Agriculture for an expression of dissatisfaction with the carrying-out of the freezing and coastal shipping of butter from Auckland. It is submitted that Mr. Thornton's name should not have been imported into this controversy, and that in doing so Mr. Spragg has done an injustice to Mr. Thornton.

The complaints included in B, B 1, are in fact directed against the policy of the Department in grading tinned butter. It is submitted that Mr. Thornton's duty was to carry out his instructions, and that he cannot reasonably be blamed for any portion of the Department's policy meeting with Mr. Spragg's disapproval.

The complaint of letter C, regarding Mr. Thornton's judgment of the New Zealand Dairy Association's butter, is couched in language which misrepresents the facts. Instead of the Ngauruahia butter being, as Mr. Spragg says, "practically condemned," our records show that the average quality of this brand for the season referred to was judged by the Grader, and pointed by him, a good first-class grade, with 90.41 points.

The complaints of letters D, E, E 1, E 2, are against the policy of the Department and regulations of the Dairy Industry Act. These are evidences of the disposition of Mr. Spragg to demand treatment more favoured than that meted out to other shippers, or than provided for by the regulations of the Dairy Industry Act.

The subject of the charge made in letters F, F 1, F 2, F 3 has evidently been the result of a misunderstanding, and, after considering all the evidence obtainable bearing on this, it is extremely doubtful whether there is any justification for this complaint.

The charge dealt with in G, G 1, and G 2 magnifies any ground for complaint (if there were any) in this connection. It is submitted that Messrs. Thornton and Shirley are exonerated by statements contained in Mr. Miller's letter, and it is further submitted that the then Minister of Agriculture, after making inquiry, was satisfied that the major portion of the charge was without foundation. Subsequent events show that the amalgamation of the Onewhero Dairy Company with the New Zealand Dairy Association was effected.

The complaint *re* the prosecution of the New Zealand Dairy Association for "excessive moisture" is surely unjustified. Within two months, three samples of the company's butter were found to contain an excessive amount of moisture, and only on the third offence were proceedings taken.

D. CUDDIE,

Director of Dairy-produce.

The Secretary of Agriculture, Commerce, and Tourists.

The New Zealand Dairy Association, Head Office,

Wellesley Street, Auckland, N.Z., 13th November, 1909.

DEAR SIR,—

I am thus far without reply to mine addressed to you on the 29th September, excepting for a brief acknowledgment of its receipt. Will you favour me with your reply to my representations and the applications which I made.

Trusting for an immediate and favourable response,

I am, &c.,

WESLEY SPRAGG,

Managing Director.

Hon. Thomas Mackenzie, Minister of Agriculture, Wellington.

DEAR SIR,—

Auckland, 29th September, 1909.

I respectfully submit for your consideration some facts in connection with our business and its contact with your Department, and I further respectfully request that you will seek to give my company's business such redress as will prevent a repetition of the disadvantages complained of.

In setting out my complaints, I shall take the opportunity of briefly advising you that in itself and in its incorporate (Reynolds and Co., Limited), the New Zealand Dairy Association