

F. Green: I was at Jollie's Pass. I heard Knyvett say Fowler could not remove the sheep. Afterwards, next day, Knyvett was present when Fowler read telegrams. Knyvett called Fowler to send telegrams.

A.

MEMORANDUM from W. H. KNYVETT, Inspector of Sheep, Amuri.

SIR,—

12th June, 1882.

Before you can obtain a clean certificate it will be necessary that you call at my office and make a declaration, see section 15 of "The Sheep Act, 1878," Schedule B. I received your last (Tophouse) telegram some three days after it was sent, to which I did not reply as it would only be running you to unnecessary expense. You will not be able to obtain a clean certificate until Messrs. McArthur Brothers obtain theirs, which, in all probability, will not be until the 4th day of August, 1882; but at any time you like to call at Waiau, if I am at home, you can make the declaration before me. I shall not visit Stanley Vale again before spring.

W. L. Fowler, Esq., Stanley Vale, Amuri.

W. H. KNYVETT, Inspector of Sheep.

B.

MEMORANDUM from W. H. KNYVETT, Inspector of Sheep, Amuri.

SIR,—

27th June, 1882.

I shall be at Jollie's Pass Hotel on Wednesday, the 28th instant, and it is absolutely necessary that you meet me there.

W. H. KNYVETT, Inspector.

W. L. Fowler, Esq., passenger per coach to Upper Ferry.

C.

A. K. Blundell, Blenheim.

Hurunui, 29th June, 1882.

I shall be Tophouse with sheep from Stanley Vale, 1,500, 7th July.

W. L. FOWLER.

REGINA v. FOWLER.—For crossing Tarndale—convicted, and fined 3d. per sheep on 1,184 sheep, £14 16s.; costs of Court, information, summons, and service, 5s.; extra mileage for service of same, £2 8s.; eight witnesses, summons at 2s., 16s.; extra mileage for service of same, £9 8s.; conviction, 2s.; solicitor's fee, £1 1s., one witness, Mr. Blundell, £11 10s.: total, £40 6s. For crossing Clarence—convicted, and fined 3d. per sheep on 1,184 sheep, £14 16s.; costs of Court, summons, &c., 5s.; extra mileage for service of same, £2 8s.; conviction, 2s.; solicitor's fee, £1 1s.: total, £18 12s. For driving without permit—convicted, and fined 3d. per sheep on 1,184 sheep, £14 16s.; costs of Court, information, summons, and service, 5s.; extra mileage for service of same beyond two miles, £2 8s.; conviction, 2s.; solicitor's fee, £1 1s.: total, £18 12s. Grand total, £77 10s. as follows: Costs of Court, £18 9s.; witness, £11 10s.; fines, £44 8s.; solicitor's fee, £3 3s.

WE, the undersigned runholders and sheep-farmers in the districts set opposite our respective names, do hereby respectfully represent as follows:—

That we were present on the 26th day of October, 1882, at the Resident Magistrate's Court, Waiau, at the trial of certain informations against William Longney Fowler, of Stanley Vale, in the Amuri Subdivision of the Marlborough Sheep District, for breaches of "The Sheep Act, 1878," and heard the evidence adduced upon such trial, and the judgment of the Resident Magistrate upon such informations; that in our opinion the fines imposed upon the said William Longney Fowler in respect of the said informations should be remitted.

1. As to the information under section 46, for having driven 1,184 sheep through Tarndale Run without the permission of an Inspector, on the following grounds: (a.) That the Inspector (W. H. Knyvett) by his conduct towards and correspondence with the said William Longney Fowler led the said William Longney Fowler to believe that he (Fowler) would be able to obtain the necessary permission to drive the said sheep as soon as he (Fowler) obtained a clean certificate for the Stanley Vale Run, from which run it was proposed to drive such sheep. (b.) That the said William Longney Fowler obtained a clean certificate for his said run on the 28th day of June, 1882; and the said Inspector, by his conduct towards and conversation with the said William Longney Fowler, after the latter had obtained a clean certificate, led the said William Longney Fowler to believe that he (Fowler) had permission to drive the said sheep.

2. As to the information under section 49 of the said Act for having driven the said sheep through the Tarndale Run without having given the notice in that behalf required by the last-mentioned section on the following grounds—namely: (a.) That the said William Longney Fowler gave to the manager of the said Tarndale Run (Mr. Sim) an actual verbal notice of his intention to drive the said sheep through the said run, and the said manager was satisfied with such notice. (b.) That, although the said William Longney Fowler committed a technical breach of the said Act in not giving the "personal notice" required by the last-mentioned section of the said Act (and which personal notice is defined by the interpretation clause of the said Act to mean a "notice in writing"), he conformed to the spirit of the said Act by informing the manager of the said Tarndale Run that he was about to drive the said sheep as aforesaid.

3. As to the information, also under section 49 of the said Act, for driving the said sheep through the Clarence Station without having given the necessary notice on that behalf, on the following grounds—namely: (a.) That the said Tarndale and Clarence Runs adjoin. (b.) That a