

887. Have you ever been in Flaxbourne?—Yes.

888. How are the fences put down there?—I have not been there for the last eighteen months, and I do not know.

889. You do not know that the rabbits are practically exterminated there?—I have heard that Mr. Vavasour has done excellent work there.

890. Is it not desirable that the Inspector should reside on the spot that he superintends?—Yes; the nearer to his work the better he could do it.

891. *Hon. the Chairman.*] It would be as well if you explained in what respect you found the Act insufficient for giving you power to take over the run that has been formerly mentioned at this Committee for the purpose of rabbit-killing?—The question I asked the Government was this: Whether the department being in possession of the run for the purpose of cleaning sheep constituted us occupiers of the land within the meaning of the Rabbit Act. The question was put to the Crown Law Officers, and it was decided that we were not occupiers of the land for that purpose; and, consequently, I then gave the requisite notices to all parties interested to at once kill the rabbits.

892. I was asking that question in reference to a complaint that the Government neglected to do anything for a whole month, and thus allowed the rabbits to increase to a greater extent than they would have done?—It is really not a fact. There was no delay. We at once began to make our arrangements, and could not possibly have acted more expeditiously if we had received our instructions immediately.

893. You say the Inspectors have no power to compel persons to poison simultaneously?—We can only give a person an order to take immediate steps to destroy rabbits.

894. Have you issued many notices in your district in reference to killing rabbits?—About eighty have been issued in the Kaikoura District; and every one who has rabbits in the Amuri District has been served within the last two months.

895. If you sent notices to certain owners to poison at a certain time, and not to those adjoining them who had no rabbits, you would take the latter off their guard, and would afford an opportunity for the rabbits to spread on to their land?—It would certainly be as well to put such owners on the alert; but we have no power under the Act to give them notice. I would like to suggest that a penalty of not less than £5 should be provided for not reporting the existence of rabbits on a property. That is a great difficulty we have to contend against in regard to back rough country in the vicinity of rabbit-infested country.

896. *Mr. Kerr.*] What would you do in cases where the owners themselves did not know there were rabbits?—We should have to adduce evidence in all cases that the owner does know.

897. You do not believe that rabbits are carried from one spot to another?—It is notorious in the Kaikoura District that such has been done; but these are cases in which you cannot trace the offenders. A man confessed to me that four or five years previously he had turned out rabbits.

898. *Hon. the Chairman.*] Have you anything to suggest to prevent that sort of thing?—I would suggest imprisonment instead of a fine. I would like to add that I am also in favour of the prevention of trapping. It has the effect of destroying a great many ferrets.

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FRIDAY, 11TH JUNE, 1886.

Mr. G. S. COOPER further examined.

*Mr. Cooper:* I should like to be able to explain that the Inspectors are instructed never to employ legal assistance without first applying for authority to do so. Secondly, they are never to apply for that authority unless they are aware that the other side is also employing legal assistance.

899. *Mr. Kerr.*] But, as a matter of fact, they do it?—Those are the instructions they have. I cannot say how they carry them out.

900. *Mr. Cowan.*] Is frequent application made to the department for leave to employ legal assistance?—Yes; it is frequently done.

901. *Mr. Kerr.*] You cannot tell what it has cost the other side?—No. I could ascertain what the Government expenses are, but not the defendants'. I may add that there has been a correspondence arising out of a complaint made by some people—I believe it was at Lawrence; and it was that which gave rise to the instructions I have mentioned. They complained that it was hard that the Inspector employed a solicitor even in undefended cases.

902. *Hon. the Chairman.*] If the Inspector wins the costs are paid by the defendant: therefore it may happen that you have no knowledge of what the cost actually is?—I have not the least idea. All I can tell is the cost to the colony. They are also instructed to send extracts of newspaper reports of all cases; and they do so.

903. *Hon. Mr. Acland.*] Then you have only a record of the expenses of the Government?—I could pick out the amount in cases where the Government had to pay costs.

904. *Hon. the Chairman.*] Do you not think it would be desirable for the department to draw up a circular, to be sent round, explaining matters regarding legal assistance?—Yes. They have had that circular; but we can remind them of it on the ground that there is reason to believe they had disregarded the previous one.

905. Would it not also be wise to let the outside world know that there is such a rule in force?—It might be so.

906. Do you not think an Inspector should entirely set aside any personal feeling, and act impartially?—Yes.