

THE LICENSED VENTURERS' GAZETTE

THE PREMIER ON THE LICENSING QUESTION.

In the important address which Mr Seddon, somewhat unexpectedly, delivered at Newtown on the eve of the Session, reference is made to licensing affairs. Despite all that has been said about the determination of the Government to avoid the subject this year, and to hasten a dissolution on the land question so as to give the Trade an additional two years immunity from the assaults of the prohibitionists, it is clear that we are to have a Licensing Bill this Session. What form it will take can, of course, only be conjectured. The No-License party want nothing farther than provision for taking a second poll in cases where the first is upset through irregularities. But this, however important it may be in itself, will not satisfy either the Government or the country. Mr Seddon declares that the fullest provision must be made for enforcing "the will" of the people, but it is expedient, if not absolutely necessary that means should be taken to conserve "the liberties" of the people. The Premier's famous No. 9 clause, "no license no liquor" is a perfectly logical sequence to the prohibitionists' demands. For if it be conceded that one party has a right to say to the rest of the people that they shall not drink in a public-house, they have an equal right to say they shall not drink in a private house. But the fanatical party know how far they can go without endangering their sacred cause of robbery and spoliation. The Premier, however, apparently sticks to his clause 9, and on the whole we are inclined to think that it would be a good thing to make it the law. The only cure for prohibition, as has been so often urged, is prohibition. It has been abundantly proved that under the existing system, which allows liquor to be admitted into no-license districts, sly grog-selling with all its attendant horrors, is carried on freely, and those that thrive by it are at one with the prohibition party in striving for the continuance of no-license. The moderate party is split up, and being enabled to obtain liquor, is not moved to take an energetic part in the contest. Were the law altered in the direction implied by clause 9, a direct issue would be presented, and a poll would give something like an accurate and final indication of "the people's will." That the carrying of prohibition by this means would close the controversy, we do not for a moment believe. But it would hasten the crisis that must inevitably come where the majority attempts to interfere with the natural rights of the minority. Sumptuary laws have no chance of success save in countries ruled by autocracies or beaurocracies, and in those the success is only partial. In democracies they are impossible in the long run, because they are contrary to fairness and common sense. Whatever shape the coming Licensing legislation may assume, we hope the question of local option will be narrowed down to the proportions of Clause 9.

THE ROYAL HOTEL CASE.

The following letters have appeared in the "Herald" during the week:—
 "Sir,—Public opinion is considerably exercised over the recent Royal Hotel case, which resulted in the licensee (Mr Percy Isaac) having his license endorsed. A brief setting out of the salient points in the case may serve to direct the attention both of the public and of the powers that be to the obvious travesty of justice that has taken place. First, then, the licensee was charged with selling liquor to a drunken man. This man had previously been charged with drunkenness, and pleading 'Not guilty' before two J.P.'s in Court was found innocent of the charge, which was dismissed. Thus we have the Bench of justices agreed that the alleged drunken man was not drunk at all. It follows that he was therefore not drunk at all. The second point is that the police, in face of the justices' decision that the man was innocent, proceeded

without asking leave against the licensee in a higher Court, i.e., before a magistrate, and charging him with supplying liquor to a drunken man (who had been acquitted of drunkenness) obtaining a conviction. On what grounds? Now, on the other hand, when the licensee applies for permission to appeal against the magistrate's decision that permission is refused. Is that just, sir? The vast majority of the public, nay, all fair-minded people, will agree that an injustice has been done. It behoves M.H.R.'s, as the representatives of the people, to see to it during the coming session that the Act that allows of such a gross travesty occurring should be at once amended, and that magistrates should have discretionary powers in its administration. Further, I consider that a suitable alteration in the Licensing Act should be made retrospective in the present case, so that the endorsement on the license of the Royal Hotel may be speedily cancelled. Public sympathy will undoubtedly be with Mr Isaac, who stands to lose so much for serving drink to a man whom a properly-con-

stituted Court ruled was not a drunken man.—I am, etc.,
 "PUBLIC OPINION."
 June 20.
 "Sir,—Permit me to occupy a few lines of your valuable space with a matter of great importance to those who believe in justice being meted out to everyone, with a fair trial and no favour. It must appeal to every fair-minded citizen who holds the court of justice under British rule beyond reproach in all actions, be they civil or criminal, that a gross injustice has been done to the proprietor of the Royal Hotel by the endorsement of his license. The facts of the case are too glaring to need any reproduction, but possibly a little review of the arrest of the man McLendon, over whom all the trouble arose, will show this matter in its true light. On April 27 last McLendon was arrested for drunkenness, and on being brought before the Court was discharged, not guilty. The powers that be then took steps to revive this charge, and make the licensee of the Royal responsible for serving liquor to McLendon, whom they (the powers) swore

TRADE TOPICS

In this issue appears a portrait of Mr John Pyke, so long and favourably known in connection with the Imperial and Cambridge Hotels, Wellington. Mr Pyke has lately taken over the Grand National, at Petone, the leading hotel of that thriving suburb. The Grand National has good accommodation for the travelling public, the rooms all being large and airy. There is a fine balcony running round the house, a nice garden, and ample stabling and paddocking. Cyclists and others visiting Petone can assuage their thirst in "a glass of the best" at this hotel.

The Home Office has issued a "statement, showing for each county and county borough the number of publican's licenses and beerhouse licenses, and, approximately, the maximum sum leviable under the Licensing Bill in each area." It indicates that the number of publican's spirit licenses, including hotels, in England and Wales, is 52,292 in the counties and 14,753 in the county boroughs; while the number of beer-house licenses is 21,369 in the counties and 11,206 in the county boroughs. The "approximate total amounts leviable under the Bill" are given as £769,032 in the counties, and £410,840 in the county boroughs, giving a total for England and Wales of £1,206,872. In the County of London, where there are 5,486 publican's spirit licenses and 2118 beer-house licenses, the total amounts leviable are put at £251,212. For Liverpool the total amounts leviable are put at £36,557, Manchester £34,455, and Birmingham £29,324.

There has been some correspondence in the daily press relative to the alleged prevalence of drunkenness in the streets of Auckland. A correspondent signing himself "Plain Fact" lays the whole of the blame upon the hotels. To him replies "British Fair Play," as follows:—
 "If 'Plain Fact' would only make a thorough study of his Auckland, or, if he desires to save himself that trouble, if he would ask an intelligent, reasonable policeman, 'Plain Fact' would be told that the greater portion of the drunkenness happening in Auckland arises from places other than hotels. These places exist in a large number of our back streets, as is commonly known to every man about town, as well as to most of the police. Although the latter body may find it difficult to obtain convictions for sly-grog selling against many of the women guilty of this practice, the existence of these places still remains undisputed, and I venture to assert that from that source arises a very large proportion of our drunkenness. Of course the clubs are responsible for a certain amount, whilst excessive drinking in private houses must also bear its share of the blame. I merely remind the public of these matters, because 'Plain Fact' has seen fit to draw those ridiculous deductions contained in his remarkable letter referred to above. I have no interest, either directly or indirectly, in the Royal Hotel, neither am I a friend of the licensee."

At the Prohibition Convention at Palmerston North, the Rev. Cocker (Newtown) was the first speaker and quoted the following figures as shewing the progress of the movement during the past decade:—Number of votes polled for no-license in 1894, 49,000; 1896, 98,000; 1899, 120,000; 1902, 151,000. They were winning all along the line. No-license had been carried in 6 electorates, reduction in 9, and in half the electorates in the colony there had been a majority for prohibition. Throughout the whole colony there was a majority of 3000 for no-license. The increasing sympathy with the cause was referred to. People were becoming prepared to accept no-license. Public sentiment outside their own ranks was going with them. The election of their licensing committees was also referred to and the bringing in of closing at 10 o'clock. Public sentiment was growing in regard to barnyards. It would not be long before it would be said the bar was no place for young women.



MR JOHN PYKE, Proprietor Grand National Hotel, Petone.

say without fear of contradiction that this is one of the best-conducted hotels south of the line, and not in any way dependent on its bar trade—and yet the police procure the endorsement of the license. I think it is time some stand should be taken by our M.H.R.'s to prevent a repetition of such a glaring injustice. Remember, the police have the right to appeal against the decision of the J.P.'s, but the publican is granted no option in the matter by the magistrate when his license is endorsed, be he ever so innocent.—I am, etc.,
 "CECIL EMANUEL."

An old saying has it that a man who is his own lawyer has a fool for his client. An exception to the rule was proved at the Licensing Court (says the Hastings correspondent of the Napier "Telegraph"), when Mr John Higgins opposed the rebuilding of the Pacific Hotel. He made a speech on his own behalf, and although brief it included all the points necessary, finishing with: "Gentlemen, all I have to say in conclusion is do to me as you would be done by yourselves." He won the case.