

of the award. Mr. Kettle said that according to the award, when a hotel-keeper wishes to employ servants, he must first apply through the union. Only after seeing all the men the union send can he, if these do not suit him, look elsewhere. A fine of 20s in each case was imposed.

RAISING A LOAN.

In the Wellington Magistrate's Court last Thursday Dr. McArthur delivered a further reserved decision in the case of A. C. Pearce and Co. (Mr. Blair) v. Patrick Dwyer (Mr. W. H. D. Bell), a claim for £37 18s for work and attendance of the plaintiff's performed for the defendant at his request as commission agents and valuers and estate agents, in taking an inventory of stock at the Club Hotel, Woodville, and valuing stock, and for procuracy fee for obtaining a mortgage of £2370 on the defendant's behalf at his request. Details of the claim were:—Taking inventory of stock, £3 3s; valuing stock, £11; procuracy fee at 1 per cent. for raising loan of £2370, £23 15s.

The main item in dispute, his Worship said, was about the procuracy fee. The plaintiff asserted distinctly that he told the defendant his charge would be 1 per cent. for procuracy. The defendant denied this, and said the plaintiff never mentioned a procuracy fee until he sent in his bill.

In his Worship's opinion, the plaintiff was entitled to his procuracy fee. He evidently went to considerable trouble, and unless the Court were to disbelieve him altogether he was promised payment by the defendant.

HOTEL'S LOST GLORIES.

VICISSITUDES OF THE RICHMOND STAR AND GARTER.

For the second time within two years the Star and Garter Hotel, Richmond, was offered for sale by auction on Tuesday afternoon at the Mart, London, following the sale of the furniture of the hotel three months ago. There was no bid, however.

It is just one hundred years since the Star and Garter, was reopened, after being for five years left to decay. Perhaps some clever hotel-keeper may find a good augury in that circumstance. In 1809 Christopher Crean, who had been the Duke of York's cook, became proprietor of the hotel, even then seventy years old, and he succeeded in making it a favourite resort of the period—the period of bucks and dandies, of heavy gambling and quick quarrels, of four-hour dinners and wonderful feats in the consumption of port.

The popularity of the hotel continued throughout the century. Queen Victoria and the Prince Consort, Louis Philippe, Napoleon III., and the Emperor Maximilian were among its many royal patrons.

In the sixties and seventies the Star and Garter attained the zenith of its fame. Thackeray mentioned it more than once in his novels; Meredith made Richard Feverel talk to Bellona there; and Mr. W. E. Norris makes it the scene of some of his cleverest chapters. But the real revealer of the charms of the Star and Garter was "Ouida."

Who can forget that page in "Under Two Flags" in which the water party at Richmond, who pay seven guineas apiece for their dinner, are pelted with brandy cherries by Zu-Zu, have their best cigars "thrown" away half smoked by pretty pillagers, and listen to Laura Lelas singing a barcarolle? And who does not remember that even more dramatic scene at the Star and Garter in which Beauty meets Lady Guenivere?—Daily Mail.

VOTING AT LICENSING ELECTIONS.

ALLEGED INTERFERENCE BY A PUBLICAN.

AN IMPORTANT DECISION.

Mr. D. Thomson, S.M., delivered an important and interesting judgment at Palmerston North last week in the

case in which Michael Moynihan was charged with breaches of the Licensing Act by issuing directions how to vote to electors at Shannon, on the day of the Licensing Committee election, March 9, 1909. Mr. Cooper appeared for defendant, and Mr. C. A. Loughnan for the police.

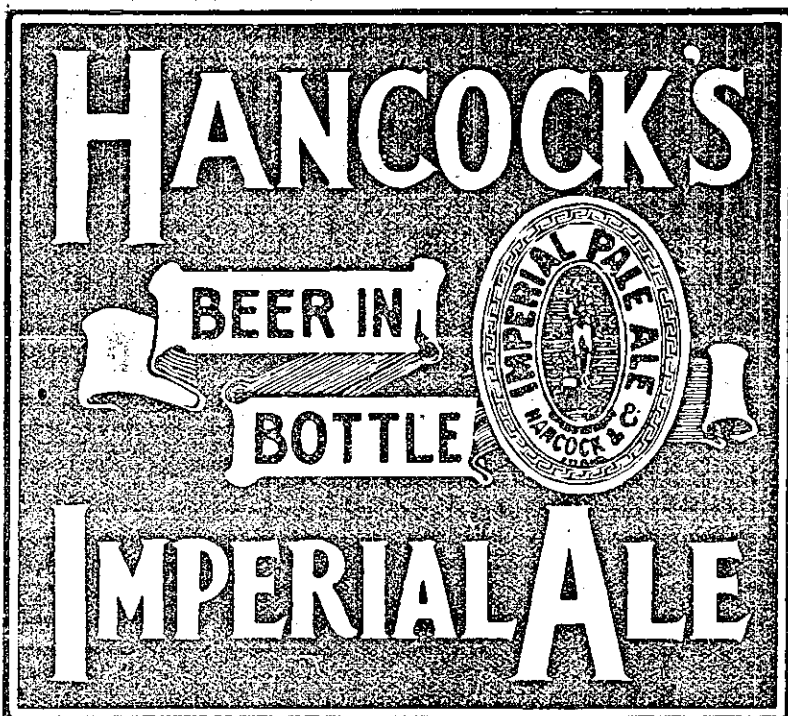
The following facts were admitted:—That an election for a Licensing Committee took place on March 9, at Shannon; that the polling booth was properly constituted; that Frederick Thomson was an elector; that defendant handed him a card with directions how to vote, when he was on his way to the polling booth; that candidates for election were the same as printed on the card, and the voting paper was an ordinary form as specified in the Legislature Act, 1908; that Thomson voted at the election immediately after receiving the card.

The informations were laid under Section 157 of the Legislature Act, and the first question raised was as to whether that section could be invoked at all. It dealt primarily with offences at elections of members of Parliament while the election at which the alleged offence was committed, was for a Licensing Committee, under the Licensing Act, 1908. The last Act, however, by Section 44, provided that "Every such elector shall be conducted in the same manner as elections of members of Parliament." It was contended by the prosecution that these words incorporated the whole of Part III. of the Legislature Act, headed: "Regulations of Elections," except such sections as were manifestly excluded by reason of other provision having been made by the Licensing Act, as, for example, the provision for fixing the day of the election. The procedure in cases of disputed elections, etc., sections dealing with offences, and the maintenance of order at elections, were in Part III., and it was submitted that, if they did not apply to elections of Licensing Committees, it would be no offence to interfere with electors in a polling booth, or even to commit personation.

On the other hand it was contended that the Licensing Act showed plainly that it was not intended to incorporate Part III. of the Legislature Act generally for, if it had been so intended, Sections 45 and 46, providing for the notification of the result of an election in like manner to an election of a member for Parliament, and providing for a public half holiday, would not have been necessary, as they were already provided in Part III. Also, it was asked: Must there be a second ballot in certain circumstances? Had every candidate a right to free use of public schoolrooms as provided in the Legislature Act? Must every candidate furnish a return of expenses? These questions, it was submitted, showed the improbability of the words in Section 44 having the meaning sought to be put to them. It was further submitted that Courts would not hold an act to be a criminal offence unless the Statute, in clear and unequivocal language, stated it to be so.

His Worship held that the words of Section 44 of the Licensing Act were not sufficient to incorporate Section 157 of the Legislature Act. He agreed with defendant's counsel that, even where it was possible to interpret an ambiguous section so as to involve a criminal offence, yet if the section would bear a reasonable interpretation without doing so, the latter interpretation would be adopted by the Courts. His Worship could conceive of no reason why the Act complained of in the present instance should be forbidden in a Parliamentary election, and allowed in a Licensing Committee election, but the only question for him to consider was what the Legislature had said on the subject. It seemed that the words in Section 44: "Every election shall be conducted in the same manner as elections of members of Parliament" only

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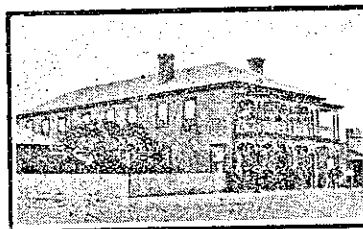
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