



## LICENSING LEGISLATION.

### ITS EFFECT ON THE TRADE.

#### HANCOCK AND CO.'S DIMINISHED PROFITS.

The disturbing effect licensing legislation has had upon the Trade in the Dominion, was referred to by Mr. A. M. Marks, chairman of Hancock and Co., at the annual general meeting held in London last month. In moving the adoption of the report Mr. Marks said: "There are various causes to account for a diminution in our profits during the year under review. A drought, a most uncommon occurrence in New Zealand, had the effect of largely increasing the price of raw materials, our requirements in barley alone costing the company £4895 in excess of the price paid in the previous year upon the same quantity. The price of hops also rose considerably. Again, there was financial stringency throughout the Dominion, which necessarily restricted the spending power of the people. This was largely occasioned by a falling off in exports and lower price for the staple products exported, and then there has been a general election, which always tends to disorganise business to some extent.

"In our particular enterprise we have during the past year fallen the victims of that portion of the community who support the abolition of licenses, and in one district where we have interests 'no-license' has been carried, while in Auckland proper there has been voted a reduction of licenses. But this does not mean that less liquor will be consumed. It only means that instead of being sold and consumed under the strict supervision the Licensing Act provides, it is obtained by consumers in large quantities, and as a certain result drunk in larger quantities. I am credibly informed that hitherto there has been a larger, rather than a lesser, consumption in the districts previously restricted.

"The wisdom of the policy now being pursued has yet to be proved to the satisfaction of many people who are anxious for the welfare of the people of New Zealand, and in this direction, on behalf of myself and my colleagues on this board, I wish to state that while we desire to see our business prosper and our results commercially satisfactory, we have always been adverse to anything that could tend to the injury of the people of New Zealand. It is a fine country, with a fine people, such as the Motherland can rightly be proud of, and I trust that the adverse vote that was recorded in some districts last year will not create the impression in this country that the New Zealander is such a drunkard that it is necessary to restrain him by legislation from getting drunk. He is not so, but as I remarked just now, a type that everyone here would be pleased to own.

"Restrictions upon the trade that will tend to create a quality of the highest standard in the liquor supplied, the provision for the requirements of the people in other directions besides in spirituous liquors, the strict control to ensure all licensed premises being perfectly clean morally, are all objects that every member of this board is in direct sympathy with.

"New Zealand is a land of great fertility. It is a country that presents excellent openings for the settler, and the increase of population that will undoubtedly take place, if it is not ruled by extremists, will certainly provide all the extension of the trade that is required to ensure our success, without looking to an increase in the consumption per head. I know New Zealand well, and have done so since my boyhood, and I am sure that it is beyond the range of probability, much less possibility, that there can ever be total abstinence in the country. Indeed, if such were the case, it is quite possible that it might be quickly denuded of a very considerable portion of its labouring population; a new one would be diffi-

cult to find; the burdens of taxation upon those that remained would be too heavy to contemplate, and prosperity would be banished, because the British investor, who has been willing to advance the money that has been, and is being, constantly required for the development of this new country, would wisely close up his pocket and ask how the revenue is to be raised to meet the service of the various loans.

"I hesitate to believe for a moment that a people who have so nobly and generously rallied round their Mother Country and who have so frequently in time of need shown themselves so to the front in their assistance, as is evidenced by their recent magnificent gift of a Dreadnought, will allow themselves to be stigmatised as a nation not sufficiently self-restrained to be allowed the freedom that is enjoyed in most countries, or that they will allow a section to dominate them in such a way as to cause them to herald and cultivate their own downfall."

## TRADE TOPICS.

The New South Wales Licensed Victuallers Association is issuing sets of Picture Postcards, a striking example of which is reproduced by our Sydney contemporary "Fair Play." It tells its own story very effectively. Headed "Vote Continuance" it shows two pictures, one of a closed country hotel, outside of which a little family group of pedestrians—wayfarers evidently in search of accommodation—are looking up at the sign, over which is printed the word "Closed," while the other picture represents the reception room of a lordly hotel in a fashionable neighbourhood in which a gentleman is taking his ease in a padded arm chair while an obsequious lackey waits upon him with the liquid refreshment which he has ordered.

Mr. Frank Holder, late of the Railway Hotel, Waipawa, has, we understand, purchased Mr. J. Berryman's interest in the lease, furniture and stock in trade of the Provincial Hotel, Napier.

The Christchurch Licensing Committee have placed the license of Cohen's Hotel in a very curious position, by rescinding its decision granting Mr. H. Thompson, (the licensee) permission to transfer his public bar from Manchester Street to George Street. The Committee was asked by certain residents of George and other streets, to reconsider its decision, and, at a special meeting convened to deal with the case, the chairman informed the licensee that after careful consideration of the petition, and after having heard evidence and inspected the locality and the premises, the committee was of opinion that a public bar should not be placed in George street, and the permission granted to place one there would be withdrawn. The licensee asked what his position would be. He had sublet a portion of his premises in Manchester Street, containing the public bar on that street. The Chairman replied that this was the first the committee had heard of any such contract, and had been clearly given to understand by Mr. Kesteven at its last meeting that nothing had been done which would prejudice the licensee if the case were heard de novo.

The practice of "touching glasses" in drinking healths is said to have originated when Prince Charles passed over into France after the failure of the expedition of 1715 and his supporters were beset on every hand with spies. It so happened that in society they were necessitated to drink the king's health, but it was tacitly understood among them that "the king" was not King George but "the king over the water." To express this symbolically one glass was passed over another and later on the foot of one glass was touched to the rim of another.

A number of kegs of beer containing from two to five gallons each, in all approximately 25 or 30 gallons, which were consigned to Waihi residents, have been seized by the police, and it is understood that prosecutions will follow, on the ground that they were not labelled or branded according to the requirements of the law.

For the second time within about twelve months the Cheltenham Hotel, Feilding, has been destroyed by fire, the second catastrophe taking place on Thursday night. In the middle of last year the building was completely gutted at midnight one night, the occupants narrowly escaping, and the lessee, Mr. S. W. R. Evans, losing heavily. The new building, containing twenty-five rooms, was finished in April of this year, and had been leased to Mr. R. W. Beadnall. About 8.30 on Thursday, the new premises were discovered to be on fire upstairs, and the strongest efforts on the part of the proprietor and others failed to check it. The whole building was completely destroyed, and very little of the contents were saved. Mr. Beadnall's two little children were asleep upstairs, and were with difficulty taken out, and other boarders upstairs clambered down the fire escape. A small part of the stock was saved, but none of the furniture. Mrs. Beadnall rescued the till from the bar, and willing helpers got the safe out. The hotel furniture was insured for £500, but Mr. Beadnall did not have his personal effects covered. The building was the property of Mr. E. J. Riddiford.

Mr. J. T. Gray, late of the Anchor Hotel, takes over the license of the Globe Hotel, Papakura, and Mrs. Smith's interest in the house this week. As a Committeeman and leading member of the A.L.V.A., Mr. Gray has come to be recognised as one of the best business men in the Trade, and has obtained a reputation which is certainly second to that of no other hotelkeeper in the Province. He has scores of friends who will wish him success in his new venture, and, with ourselves, we are sure they will be pleased to hear of his success.

It is stated that, at Wellington, particulars have been obtained of the amount of liquor sent into the Wellington South and Wellington Suburbs "No-License" districts, but no detailed information is available for publication. If Parliament requires it, however, Mr. Holmes, Clerk of Courts, says registers have been so well kept up to date recently by means of a new system introduced by the Justice Department, that precise details of every order sent into any or all of the no-license districts in the Dominion could be furnished on a few hours' notice. But what a nice state of affairs we have here! Supposing Mr. T. E. Taylor, or some equally rabid "Prohibitionist" was to move for and obtain such a return, and the names of every resident who obeys the pauline doctrine to "take a little wine for thy stomach's sake," with the quantities of liquor he has ordered were to appear on a Parliamentary paper, what a howl of astonished indignation would go forth to the world. Yet such a thing may quite concernably happen under our beautiful "No-License" law.

Mr. Alexander Johnston has disposed of his interest in the Empire Hotel to Mr. W. G. Rae, who has for some time past been on the West Coast. Mr. Rae has already taken possession and we understand that Mr. Johnston is shortly leaving for Sydney on a holiday trip. His many friends will join with us in wishing him a pleasant time.

According to Mr. Holmes, clerk of the Licensing Committee, No-License in Wellington South and Wellington Suburbs, is working out satisfactorily, so far as strict observance of the law is concerned. That statement is, however, hardly borne out by the facts as raids upon sly grog sellers,

and prosecutions for breaches of the law, follow upon one another in Wellington in quick succession, one man being fined £30 on two charges of unlawfully selling liquor, while six others for unlawfully dealing in liquor on unlicensed premises" were fined, one man £2, and the five others £1 each, costs being given against each defendant. The convictions were obtained on the evidence of two probationary constables, who themselves broke the law by asking and paying for the liquor supplied. But theirs of course is a virtuous action in the eyes of those who administer the law.

Commonsense is visibly stamped upon the opinion given by Mr. Justice Chapman at Wellington, on Monday, when, in a declaratory judgment, His Honor ruled that section 17 of the Beer Duty Act, 1908, did not prohibit publicans who buy beer in casks from brewers, with stamp duty stamps duly affixed and cancelled, from selling thereafter such beer in jars or casks in quantities from two gallons upwards. His Honor said he thought the whole statute might be referred to as a revenue Act, and not as a regulative Act. Its purpose was to ensure the collection once, and only once, and to ensure the collection of that duty from brewers only. It was not intended to impose a restrictive obligation on publicans beyond those imposed by the Licensing Act, 1908. The judgment was rendered necessary by the action of certain Customs and Excise officers, who thought otherwise and were instructing proceedings against hotelkeepers for alleged breaches of the law as interpreted by themselves.

There was to have been "a sound of revelry by night" at Waihi, in connection with certain marriage festivities, for which an 18 gallon keg of beer had been ordered. But, alack and alas, an unsympathetic limb of the law spied the keg and impounded it by virtue of the "No-License" law, and somebody is to be proceeded against for a breach of the Alcoholic Liquors Sale Control Act. Quite a number of other charges are also to be preferred against other residents of Ohinemuri at the next Court sitting. Such are the joys of "No-License."

Dr. Findlay sees no reason to interfere with the wholesale liquor licenses, granted by the Taumarunui Licensing Committee in the King Country. At the time the licenses were granted, there was a certain amount of outcry on the question, and comment made upon the fact that the licenses had been granted as a result of the chairman (who belongs to the magistracy) having given his deliberate and casting vote in favour of the proposal. Numerous requests were forwarded to the Government, with a view to having the matter brought before the Supreme Court, so that the license might, if possible, be quashed. Upon investigating the validity of the grant of the licenses, the Attorney-General the Hon. (Dr. Findlay) announced that he was satisfied that the whole question turned upon whether the area affected was native land at the time of the issue of the proclamation. The point should, he thought, be referred at once to the Surveyor-General for settlement. If they were not native lands at the time, then it was quite clear that no Court could disturb the grant of the license. If, however, the land embraced by the proclamation was native land at the date of its issue, then the licenses were granted illegally, even if portions of the land had since ceased to be native land. Dr. Findlay now states that, it was found, after careful investigation by the Survey Office, that at the time of the issue of the proclamation the lands wherein the licenses were granted were not native lands. In view of that fact proceedings could not be taken (as otherwise would certainly have been the case) to attack the grant of the licenses.