

**THE NEW ENGLISH ACT.  
SOME FIRST IMPRESSIONS.**

(London "L.V. Gazette.")

It is a long, long time since any Parliamentary measure was launched upon such a bubbling, contrary, expectant sea of controversy, apprehension, and conjecture as that which awaited the splash when the good ship "Licensing Act, 1902," left the slips on January 1, and bobbed coquetically in the always uncertain tide-way of public opinion. Nor was the speculation that was rife as to the seaworthiness of the craft, in any degree incomprehensible or unwarranted. She is, to press the nautical metaphor a stage further, so unwieldy and awkward that nobody can predict with any confidence in what manner she will conduct herself. In parts she is good, but in those parts she is neither good enough nor sufficiently comprehensive to satisfy her critics. In parts she is uncertain, and in parts she is bad. Experiments are right enough in their way, but when the very first axioms of law building are violated to satisfy an amateur mania for experimental legislation, it is only natural that it should be regarded with suspicion and disfavour.

One of the three-fold objectives of the Act is to bring about a reduction of drunkenness by (1) limiting the facilities for obtaining intoxicating liquor, and (2)—to put it with exceeding bluntness—by making it hot for the drunkard. To the drunkard the Act says, "Get drunk at your peril. I will punish you for getting drunk and for attempting to obtain liquor when you are drunk: I will take your wife and family away from you for being drunk, and I will take particularly good care—so far as photography, topography, and the discernment of the police force permits—that you shall have no opportunity of getting drunk thereafter." So far, so good. The drunkard is his own worst enemy; a source of discomfort and worse to his family, and a red rag to the publican, and now that he is going to be an extra burden to the ratepayers, he will inevitably be even more unpopular.

To the publican the law says (in effect), "I look to you to assist me in making an avowed Ishmaelite of the drunkard. You must refuse to serve him with further liquor when you see he is drunk, or even allow him to be found on your premises in a state of intoxication, and, by the Lord Harry," continues the high-stomached Act, "if you cannot prove that you have obeyed all these behests to the letter I shall hold you responsible for the condition of every drunkard apprehended in your district, on the word of any officer who lays the charge at your door."

It is right here that the new law maintains its unchallenged title to be regarded as a Hass. To make a man, whether he be publican or primate, prove himself innocent of any charge that may be levelled against him, is to demonstrate that our vaunted superiority over the French system of administering law, is a delusion and a myth. The law holds, or rather it held, all men innocent until they were proved guilty, but under the new Act it makes an extraordinary exception. "What are you?" inquires the magistrate when the charge is read out. "A publican," is the reply. "Then," replies the representative of justice with a philosophic smile which would be worth another £10 a week to Dan Leno at pantomime time, "we must write you down guilty. If you had been a prime minister or a postman we would have accepted your plea of not guilty at this stage of the proceedings, but the law appears to eye you with dubiety. I am sorry for you, my good fellow, but you see what comes of being a publican."

All this may sound very good fooling, but unfortunately it is nothing of the sort. For whether it be good or bad, regarded as *facetiæ*, it is ridiculous and solemn reality. The publican, or any man who claims the protection of the English law, has a mortal grievance against the law when by it he is judged guilty by the mere fact that he is charged with an offence. The law holds no man guilty, and does not even suspect a man of guiltiness until the charge is proved "on his front teeth"—except in the case of the publican, and then only under the new Licensing Act. Much of the Act is drastic, but the Trade does not complain; many of its clauses are ludicrous, but the Trade is not devoid of a sense of humour. It is only when flagrant unfairness tramples, big-booted, through the traditions and the essence of British law and British justice that the Trade feels compelled to protest.

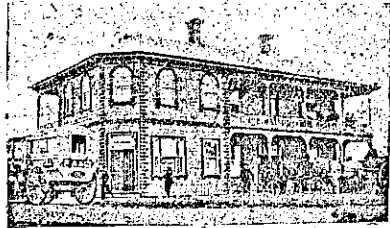
What, in the circumstances, ought the Trade to do? Mr. Edward Johnson, the chairman of the Central Board of the Licensed Victuallers' Protection Society, would appear to be in favour of playing a waiting game. "The Act," he is reported to have said, "can be worked if it is administered properly. Like all laws, it will prove to be good or bad, according to the way in which it is administered." Sir Alfred de Rutzen, the chief of the Metropolitan magistrates, is also of this way of thinking. Time will test the new Licensing Act, he confided to an interviewer, and there is no other possible way of determining its efficiency. The falsely-con-

victed license-holder may appeal to the King's Bench, and if he appeals often enough and with uniform success, "certain amendments or modifications" may result.

But that, we maintain, is not the point. The Trade, however they may come out of these appeals, are entitled to demand the right of entering the court innocent in the eyes of the law and of the magistrate. We have, at the moment, no quarrel with the magistrates, except from the fact that, as the law now reads, they are commanded to consider the accused publican guilty until his innocence is proved. King's Bench judgments, Sir Alfred pursued, would disclose the hardships and expose the weaknesses of the Act, and experience would mould it into a workable and permanent shape. Common sense would triumph in the end, and so far as the London magistrates were concerned, he felt confident that common sense would have a real good show. He even cited a case. "Take," he said, "the case of a man charged with being drunk." Such a remark merely brings us back to the point from which we started, but with less patience.

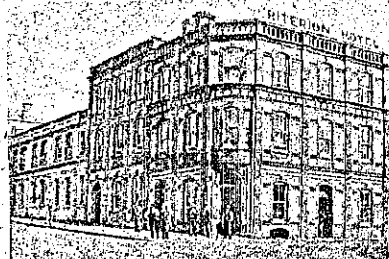
Why the everlasting case of the drunken man? We all know that he is intolerable and impossible, and so far as the new Act is concerned he is no worse off—that is to say, he is not more invidiously situated than he was before.

Lord Peel "would like some big English city to make the experiment of taking over all public-houses within its boundary and dealing with them as it pleased." Compensation is all that is desired, and we are glad to know that his lordship recognises this, for he is satisfied "that no temperance Bill will be passed in Parliament that does not recognise compensation."



**ST. HELIER'S BAY HOTEL.**

A BEAUTIFUL SEASIDE RESORT.  
P. MAHONEY.....PROPRIETOR  
BEST brands of wines, spirits and cordials. Hancock's Sparkling Ales and Lager Beer. Boating, bathing, fishing, stabling. Four busses and three steamers daily.



**CRITERION HOTEL**

LOWER ALBERT STREET, AUCKLAND.

MRS. J. McCULLOUGH (late of the Harbour View Hotel, Raglan) has taken over the above well-known Hotel. Country Visitors will find in it splendid accommodation and an excellent table. The bedrooms are large and airy, and the Hotel possesses one of the finest Billiard Rooms in Auckland. The Hotel has been completely renovated, and is fitted with all modern conveniences. Hot and cold baths, private bar, comfortable sitting-rooms, etc., etc.

Charges Moderate.

**"NO RENT."**

Box 460. Telephone, 929.  
DAIRY FARMS. DAIRY FARMS.

W. J. BIRCH AND CO.

**FOR SALE.**

50 to 600 ACRES (at option).—The finest land in Taranaki. A large estate is being cut up to suit purchasers. Terms 2 per cent cash, balance 5 per cent. Creameries are being erected on the estate.

50 ACRES—On Waimate Plains, open land. No buildings. Right at school and factory. £21 per acre.

320 ACRES—All in grass. Ten-roomed house; 20-bai cowshed, sheep yards and dip; 9 miles from Hawera. Carrying 100 cows and young stock. Lease 6 years. Rental £110 per acre. Right of purchase £8.

95 ACRES—House and cowshed 1 1/2 miles from town. Will carry 45 cows all the year. £19 per acre; £300 cash.

100 ACRES—Carrying 50 cows. House 4 rooms, sheds metal road. Lease 8 years at 12s. 6d per acre, £14 Goodwill £250.

**SHEEP RUNS.**

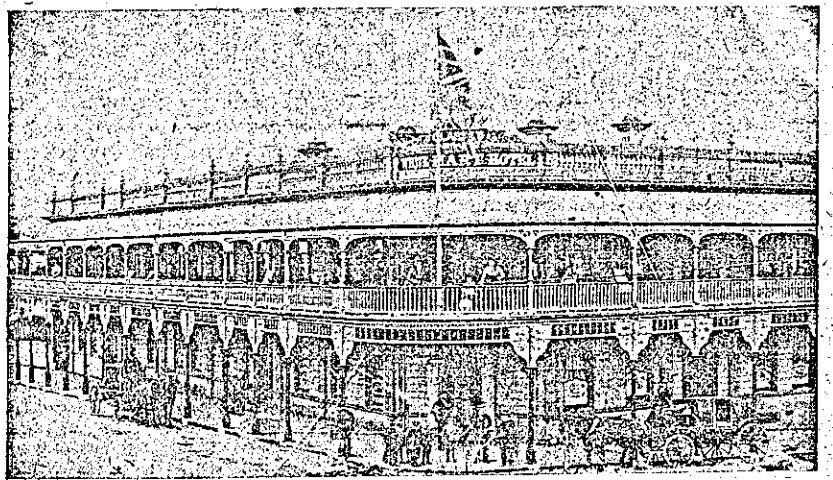
SHEEP RUNS and Grazing Farms—Carrying from 2 to 3 sheep per acre. Freehold; £4 10s to £6 10s per acre. Liberal terms can be arranged.

**BUSH LAND.**

3,000 ACRES—8s 6d per acre. All cash to remain on mortgage if reasonable improvement effected. Sheep and cattle country. Grand investment.

**HOTEL HOUSES, SECTIONS FOR SALE.**

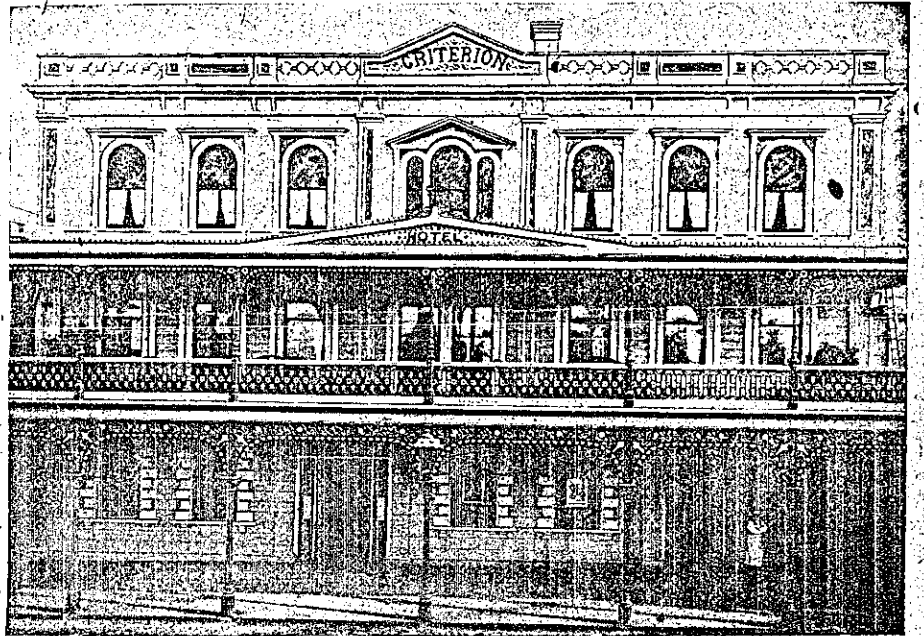
W. J. BIRCH & CO.,  
177, HIGH-STREET,  
CHRISTCHURCH.



[UNDER VICE-REGAL PATRONAGE.]

**THE WHITE HART HOTEL,  
NEW PLYMOUTH.**

RECOGNISED as the Leading Hotel of Taranaki, centrally and conveniently situated, immediately opposite Post and Telegraph and Government Buildings, and within two minutes' walk of the Railway-station. Re-furnished in the most up-to-date style, and plentifully provided with Fire-escapes. Billiard Table. Hot, Cold and Shower Baths. All the choicest Wines and Spirits kept in stock. Speight's XXXX Ales on Draught.  
CHARLES W. MARK (late of Gisborne and Auckland).....PROPRIETOR



**CRITERION HOTEL,  
NEW PLYMOUTH.**

DAN O'BRIEN (late of Canterbury).....Proprietor  
ANNOUNCES that he has assumed Proprietorship of this fine Commercial House, replete with every convenience. Hot and Cold Baths. Speight's Dunedin Beer on tap. Best of Wines and Spirits retailed. D.C.L. 20 years' old Whisky on Draught. Best Havana Cigars. Accommodation unrivalled. Cuisine unexcelled. A Night Porter always in attendance.



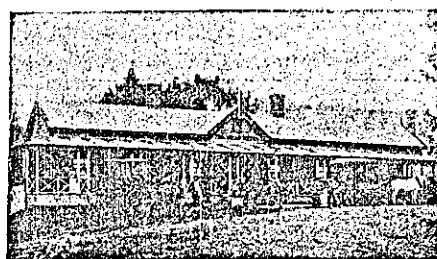
**IMPERIAL HOTEL.**

DEVON STREET, NEW PLYMOUTH.

F. W. WATTS

Proprietor

THIS Hotel has been completely rebuilt, and is replete throughout with every convenience. Electric Light; Baths, hot and cold; spacious Dining Room; Public and Private Bars; Billiard Room. Sitting Rooms and Bedrooms furnished in Latest Style. Electric Belle in every room. The Billiard Table is Messrs. Alcock & Co.'s No. 1 quality was specially manufactured for Exhibition purposes, and obtained First Prize in Melbourne. To suit the convenience of Country Visitors dinner is served from 12 to 2 daily. Tariff, 6s 6d per diem



**INVERCARGILL.**

**HIBERNIAN HOTEL**

DEE-STREET, INVERCARGILL.

MR THOS. KETT

(Late of the Loyal Hotel, Invercargill).

HAVING assumed Proprietorship of the above well-known House, is prepared to cater for the Public in first-class style. Only the best Brands of Wines, Spirits, Ales, etc., sold. Excellent Stabling. Loose Boxes.  
THOMAS KETT.....Proprietor

**TIMARU.**

**CLUB HOTEL,**

TIMARU.

This Hotel has been renovated throughout, and now offers excellent Accommodation to the Travelling Public. Local and XXXX Beer always on Tap. Walker's Special Whisky on Draught. Sample Rooms in connection with premises.  
JOHN DOBSON.....Proprietor

**TALISMAN HOTEL, KATIKATI.**

C. F. WIGLEY (late Steward on the s.s. Taniwha),

PROPRIETOR.

Good Shooting, Fishing and Boating, Thermal Springs, Hot Natural and Swimming Baths within twenty minutes' drive of the Hotel, and an Ostrich Farm within two minutes' walk of the Hotel.

Excellent Cuisine.  
This interesting Pleasure Resort is about two hours drive from Waikato, and three and a-half from Tauranga. Livery Bait Stables and in conjunction with the hotel