

THE ENGLISH LICENSING LAW.

MR BALFOUR AND THE MAGISTRATES.

(London "L.V. Gazette," August 14.)

Mr Balfour has at length been induced to make his long-deferred announcement as to the intentions of the Government on the licensing question, and there is nothing for the Trade to do but to make the most of it. Considering what the statement amounts to, it might have been made six months ago. Its very vagueness constitutes a confession that the Premier has either not given any serious consideration to the subject, or that he is unable to make up his mind as to the course he intends to pursue. That the Government will, at the earliest moment after the reassembling of Parliament, bring in a Bill dealing with "the events which gave rise to a widespread feeling on the part of license-holders and caused such great consternation," is not exactly news, seeing that we had already received that intimation on the word of the Lord Chancellor. We were told by Mr Balfour half a year ago that the events referred to constituted a gross injustice to which His Majesty's Cabinet could not remain indifferent. Despite this reassuring admission, the Government have not stirred hand or foot to remedy the position; they have neither removed the danger towards which the Trade is hopelessly drifting, nor equipped it to withstand the effects of the buffet that is inevitable in February next. After the scandal of the Brewster buccaneering exploits of last year has been repeated and much irretrievable damage has been done, Mr Balfour will deal with the fragments of a Bill, the details of which he considers it would be inexpedient to attempt to foreshadow.

To pretend that the Trade is likely to be satisfied with this assurance would be to presume too much on the patience of a body inured to indifference and hardened by systematic injustice. The Government are supported by a majority that would have made the passing of a suspensory measure on the lines of Sir W. Hart-Dyke's Bill a matter of automatic pro-

cedure, and by declining to avail themselves of this means of proving the earnestness of their protestations they have deserved to forfeit the confidence of the licensed community. "Loud words and longings are so little worth," the poet sings, "and the end is hard to reach." Mr Balfour has dangled his loud words before our eyes, and we have followed him longingly across six months of Parliamentary procedure to find at the end he has led us to the verge of a rushing torrent which must be negotiated before the end of our endeavours can be attained. Nothing can now be done before the reassembling of the justices at the annual licensing sessions next spring when, as a matter of fact, the Trade will be in as helpless a condition as it was a year ago. Granted that the Government have been worked at very high pressure all through the season; granted, moreover, that they have been called upon to handle several difficult and delicate matters of the first importance—we still contend that they have done less than their duty in leaving license-holders, as they have left them, to face another St. Bartholomew without bestirring themselves on their behalf.

The only point in Mr Balfour's statement which is calculated to give a certain amount of confidence to the Trade is his attitude with regard to the licensing justices. It is not so long ago that the Premier was inviting us to put our trust in the sense of fairness with which he credited the magistrates, and was plaintively asking us to dismiss from our minds the idea that they would prove anything but reasonable and rational in their decisions. Perhaps the figures concerning the confiscations accomplished by the Home Office have convinced him that it is both hopeless and foolish to look for equitable treatment from Benches that are pledged to a policy of wholesale reduction, and it may be that the tone adopted by Mr Arthur Chamberlain has shattered his simple faith in the judicial equipment of the average licensing reformer. So instead of pleading with the Trade to display a renewed confidence in the impartiality of the magisterial mind Mr Balfour has thrown out a hint for the guidance of the various Benches. We trust it may not be lost upon them. In reply to Sir W. H. Dyke's pertinent in-

quiry whether the proposed Bill would provide safeguards against the remedies for any confiscation of property at the Brewster Fissions, the Premier reminded the member for Deptford—and indirectly cautioned the licensing tribunals—that no license can be withheld next February without an appeal to Quarter Sessions, and he added a hope that in the interval between these two events the House would be able to express its views on the subject.

Reading this reply between the lines, we feel justified in assuming that the Government will be emphatic against the refusal of renewals without compensation, on the "not required" grounds, and that the measure will be pushed forward, in order that it may be applied to the decisions of the next Brewster Sessions. If the Government are committed to these fundamental points—and no variation of these essentials will satisfy the Trade or the country's love of fair play—it is difficult to understand why Mr Balfour did not avow his conclusions in so many words. We know, and the Government knows, that their proposals will be combated by the professional reformers, whether they are foreshadowed now or reserved until next sessions. How far the Government feels tempted to go in the way of compromise with the Nonconformist conscience, and what they are prepared to concede to their convictions to placate the social purity party, we will not attempt to foreshadow. The Trade, supported by the constituencies, is united to obtain justice at the hands of the Government—either this Government or the next—and they will assuredly achieve their reasonable object, even if the next general election has to be fought out on the question of Compensation.

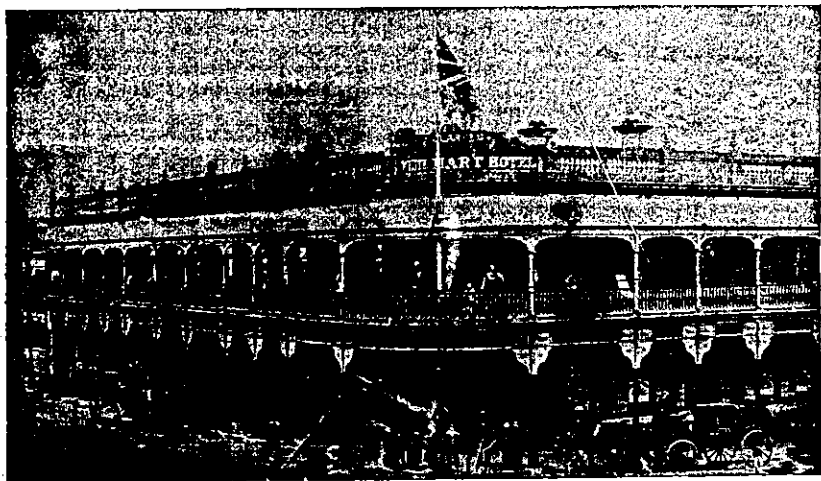
The Scottish Licensing Bill has now passed the House of Lords, and only awaits the Royal assent to become law. On the whole the Trade is well satisfied with its provisions, and the debates in both Houses of Parliament have served to clear up one or two points, which will make for a better understanding between the licensing magistrates and the licence holders. For instance, there need be no fear in the future about employing bar-

maids. Lord Balfour of Burleigh refused to accept Lord Kinnaid's amendment to the Bill, empowering the magistrates to make a bye-law for regulating or preventing the employment of barmaids, holding that it was a matter really outside the proper scope of legislation. The magistrates of Glasgow, he said, in endeavouring to place such regulation under the existing law, had landed themselves in an utterly impossible and illogical position. Further, he characterised their action as an undue and unwarrantable interference with the freedom of the people to manage their legitimate business in a legitimate way. Then, again, the "schooner" has been restored. If a man is not content with half a pint, why, asked the Lord Advocate, should he be compelled to buy a pint when two-thirds would satisfy him? Exactly so. The schooner has been a popular measure in Scotland from time immemorial almost, and its legalisation will be hailed with delight alike by the public and the publican. Altogether, the Scotch Licensing Bill bodes good for the Trade.

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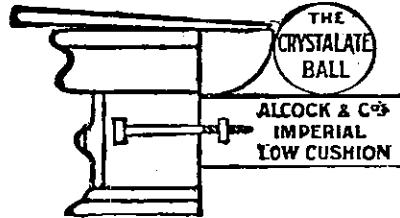
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