

THE SECTIONS IN CONFLICT.

"When doctors, lawyers and magistrates disagree," Mr. Palmer continued, "their patients, clients, and the public generally suffer. One magistrate may hold that Section 37 safeguards the man in the no-license district; another, reading Section 38 with it, may find that a breach of the law has been committed. I am not prepared to say whether it would be competent for the Police to proceed against a person under both sections of the Act for the one offence, although it is beyond question that dual charges might be laid against him of

(1) Keeping, or using, his premises as a place of resort for the consumption of intoxicating liquor. This charge would of course be laid under section 37, and

(2) Of storing or keeping liquor for other persons, this charge being made under section 38.

"You may have noticed that breaches of section 37 are punishable by a fine not exceeding twenty pounds for every day on which the premises are so kept or used, but, breaches of section 38, involve, in the case of a first offence, a fine not exceeding fifty pounds, and for a second or subsequent offence . . . imprisonment for any term not exceeding three months. Section 38 is decidedly more drastic in its effect than section 37, and introduces a new and altogether unlooked for danger to owners of property, because it makes them responsible for the actions of their tenants, and renders them liable to penalties of a precisely similar extent to those that may be incurred by such tenants through voluntary, or involuntary, breaches of the law. Say the man who has been entertaining his friends, is held to have stored or kept liquor for other persons' on his premises. What happens? The man who has leased, let, hired, or permitted or suffered' such premises to be so used, is also liable to be proceeded against, and, in the long run, to be penalised to an even greater extent than his tenant. Say a man owns half-a-dozen houses, or more, and that first one, then, another of his tenants is convicted under section 38. The property owner would be charged in each instance with leasing, letting, hiring or permitting, or suffering, the premises to be used for the purpose of storing liquor for other persons. But, while the tenants would escape with a fine, because in each instance it would be a first offence, the unfortunate property owner, having already been convicted, would be arbitrarily sentenced to 'imprisonment for any term not exceeding three months,' when brought to Court to answer for the laches of the second or further tenants. I am quite prepared to be told that I take an extreme and far-fetched view of the new law; but then it must be remembered that, in New Zealand, unfortunately, we are largely ruled, in licensing matters, by extremists, and there is, moreover, a very considerable section of the public that is always insisting upon the maintenance of the law in its entirety, as witness the requests preferred by the many deputations from no-license districts that have waited upon Ministers during the last three years. The views I am placing before you are, however, by no means singular to myself. They are held by gentlemen who have greater experience and ability in legal matters than I can claim to possess, and they are therefore entitled to the serious consideration of your readers."

A CONCLUDING WORD.

"In conclusion," Mr. Palmer said, "I think it is clear that the new law throws an altogether novel, and decidedly onerous responsibility upon the owners of property in no-license districts; and one that is fraught with very harassing possibilities. It materially curtails, if it does not altogether destroy, the personal liberty of action possessed by residents of such districts, and, even in their legitimate use of alcoholic liquors, places them so largely at the mercy of the Police, that it is almost impossible to predict, with any sort of accuracy, what may, or may not, happen in no-license areas under the new regime. We, who favour license, may, however, congratulate ourselves upon the fact that the law now goes far in the direction of enforcing the 'No-license, no liquor' principle, that the late Mr. Seddon used to insist, ought to be brought into operation in districts voting no-license. In that respect it is at least logical, in that it brings home to the public mind, the true object of the No-license movement, or propaganda. I think we

may well say of the new law, what a Wanganui solicitor said in 1904: 'The Licensing laws embarrass the hotel-keepers, who have got to obey them; they puzzle the police who are supposed to administer them, they bewilder the magistrates who have to construe them, and they enrich the pockets of the lawyers whose business it is to interpret them.'

TRADE TOPICS.

It is understood that the City Hotel, Auckland, will shortly change hands, Mrs Lynch, late of the Clarendon, replacing Mr Stimpson, who is taking a prolonged spell.

It is reported that young men of Wellington, between the ages of twenty-one and twenty-three, who wish to obtain liquid refreshments from the hotels, now carry their certificates with them.

A Masterton man has solved the problem of the new Licensing Act. He is living at a local boarding house, and was seeing a friend away by a cab. He could not ask the friend to have a drink on the premises, and so he took the whisky and glass on to the public thoroughfare, where the friend partook liberally, and apparently legally, of his hospitality.

There is no longer any excuse for extravagant language on either side, and the Prohibitionists certainly will not help their cause by assuming that everyone who does not see eye to eye with them on the liquor question has no sense of fair play, and no concern for the welfare of the community.—"Lyttelton Times."

Mr S. T. Anderson, Government vine and wine instructor, expresses the opinion that under the existing conditions in New Zealand the industry is practically doomed.

We learn that Mrs Lucena has disposed of her interest in the Waimate Hotel to Mr W. Bellve, formerly proprietor of the Federal Hotel, Wanganui.

The effect of the Licensing Act of this session upon the entry of liquor into the King Country was explained to a "New Zealand Times" representative by Mr A. H. Holmes, clerk of the Magistrate's Court, Wellington. "A very important amendment has been made to the Licensing Act of 1908 by the amending Act passed this session," said Mr Holmes, "whereby section 147 of the Act of 1908 has been made to apply to areas proclaimed in section 272. The effect of this amendment is that the Rohe Potae (or King Country) is now on a similar footing to the No-License areas, and notice must be given of all liquor passing in, in the same way as in the No-License areas. The clerk of the Court at Ohakune has been appointed for that portion known as the Upper Wanganui district, and the clerk of the Court at Te Kuiti for Kawhia."

The clause in the new Licensing Act prohibiting the consumption of liquor on hotel premises by youths and young men under the age of 21 years, is already being enforced in the Wellington hotels. On Saturday last the clause was put to the test, and barmaids refused to serve in cases where they thought the applicant was under the prohibited age. It is, however, not altogether easy to distinguish ages between 21 and 23, and some of the refusals on Saturday night, it is said, caused not a little friction on the part of those who experienced the operation of the new law.

The quarterly sitting of the Thames Licensing Bench was held on Friday, Mr F. J. Burgess, S.M., presiding. The police report was favourable as regards the conduct of the licensed hotels throughout the district, some small repairs only being asked for in several of the Coromandel houses, which the owners agreed to have carried out as soon as possible. The following transfers were granted:—Ballarat Hotel, Coromandel, from A. G. Stewart to J. W. Hopper; Coromandel Hotel, from D. Robinson to M. Breen; Kuaotunu Hotel (Kuaotunu), from L. Woodcock to R. G. Munroe; Shortland Hotel (Thames), from S. Kahn to J. Yankovich; Lady Bowen Hotel (Thames), from E. L. Bradley to F. W. Robinson.

"IMPERIAL" ALE

Excels all. It is not the praise it receives that makes "Imperial" good, 'tis the material used and splendid methods employed in brewing, that give the renown it holds.

A Lasting Benefit comes with a Bottle of

"Imperial."

ASK FOR IT BY NAME.

WHEN VISITING TE KUITI Please Remember that THE HOTEL GRAND,



WM. S. KING, Proprietor, possesses three recommendations—First-class Table, Comfortable and Spacious Bedrooms, Good Sitting-rooms. Attention and Civility gratis.

MAIN TRUNK BREWERY,

KUKU STREET, TAIHAPE.

W. J. KUHTZE Proprietor. (Late of Palmerston North.)

ALE AND STOUT BREWER AND BOTTLER.

First Prizes awarded at the Palmerston North A. and P. Show for Beer in Cases and Bottles. Conducted on the Latest Hygienic Principles. Its Quality and Excellence Unsurpassed. Sold in quantities of 2 gals. and upwards. Small Kegs a Speciality. All Orders receive prompt attention.

Note.—Our Beer is brewed from the very best Malt and Hops only.

FOR SALE.

MILITARY SETTLEMENT, two miles from township; 1144 acres, all in best English grasses; winters two sheep and cattle. Six-roomed house, every convenience, also good woolshed, stables, men's whare, etc. Right on main road; connected by phone. Fences in real good order. Price £9 per acre. £5500 can be left, and balance cash. A real good thing. No. 39.

HOTEL—Town; trade last six months £90 per week. Long lease. Rent £7. Goodwill £4550. No. 43.

HOTEL—Country; trade £100; lease 5½ years to run. Rent £9. Free house. Goodwill and furniture, £3600. No. 47.

HOTEL—Town, close to Railway Station. Trade £80. Lease two years to run. Rent £6 10s. Price for lease, £1400. Cash £1000. A real good house. No. 19.

HOTEL—Country, four miles from Railway Station; trade £30; Rent £12 10s a month. Free house; lease 1½ years to run. Lease and furniture £700. No. 47.

HOTEL—Town; trade £180; lease 7½ years. Full particulars on application. No. 47.

JAMES SPIERS FREEMAN,

HOTEL BROKER AND LAND AGENT, DANNEVIRKE, H.B.

KAITIAA HOTEL, KAITIAA.

HENRY JOHNSTON, Proprietor.

Good Accommodation. First-class Table Billiard Table, etc.

BEST OF WINES, BEERS, & SPIRITS ALWAYS IN STOCK.

WAITOTARA HOTEL,

WAITOTARA.

BRUERS BROS. - - Proprietors.

TARIFF, 4s. 6d. PER DAY.

FIRST-CLASS ACCOMMODATION. Good Stabling. Horses and Traps on Hire.

TOURIST HOTEL, SPRINGFIELD,

1263 Feet above Sea Level.

GOOD WEEK-END RESORT, 44 Miles from Christchurch.

Has no equal in Canterbury for Scenery, Mountaineering, or Fishing.

VEHICLES FOR HIRE.

IDEAL ROADS FOR MOTORING.

PRIVATE ENTRANCE TO HOTEL. Luncheon Provided for Motor Parties on receipt of Wire or Letter.

AFTERNOON TEA A SPECIALTY.

A BEARDSLEY Proprietor.

ALBERT HOTEL, HASTINGS.

C. O'DONOGHUE Proprietor.

FIRST-CLASS ACCOMMODATION FOR TRAVELLING PUBLIC AT A MODERATE TARIFF.

ONLY THE BEST OF ALES, WINES, AND SPIRITS KEPT IN STOCK.



DOGERS' CLUB HOTEL, GREYTOWN NORTH.

PERCY ROGERS Proprietor.

Up-to-date Sample Rooms, appointed by Commercial Travellers' Association. BEST WINES AND SPIRITS ONLY KEPT IN STOCK.

COSMOPOLITAN HOTEL,

PALMERSTON ST, WESTPORT.

J. E. TAYLOR .. PROPRIETOR.

WINES AND SPIRITS OF THE BEST.

GOOD ACCOMMODATION.

PUTARURU HOTEL,

(ROTORUA LINE.)

Travellers by the Rotorua line will please note that this is the first House after leaving Frankton Junction where Refreshments are obtainable.

NOTE—ALL TRAINS STOP 10 MINUTES.

GEORGE B. MAIN Proprietor