



NEW ZEALAND POLICE GAZETTE.

PUBLISHED BY AUTHORITY.

WELLINGTON, WEDNESDAY, AUGUST 2, 1905.

NOTICE.—For instructions as to the manner in which reports are required to be furnished for the compilation of the *Police Gazette* see *Gazette* No. 1 of this year.

The arrest of offenders described in the *Police Gazette*, or respecting whom crime reports have been forwarded for insertion in the *Gazette*, should be promptly notified by the member of the Force effecting the arrest.

When notifying the arrest of persons charged with theft, or suspected of theft, it should be stated whether the property stolen, or any portion of it, has been recovered.

A description of property supposed to be stolen, found in the possession of offenders, for which owners cannot be found, should be furnished for insertion in the *Gazette*.

All communications concerning this *Gazette* should be addressed to the Commissioner of Police, Wellington, and the envelope marked "For *Gazette*." Members of the Force in charge of out-stations will forward them *direct*.

PERSONS WANTED.

AUCKLAND.—8th June last, on **warrant** for failing to provide for the maintenance of his illegitimate child, **Arthur Tyler**, age about twenty-three, height about 5 ft. 5 in., tram-conductor, native of Sydney, medium build, fair complexion, blue eyes, clean-shaved; usually wears a dark suit and black hard hat, or a Dr. Jim grey-felt hat and long fawn-coloured overcoat. Complainant, Elizabeth Johnston, domestic, Auckland.

AUCKLAND.—4th ultimo, on **warrant** for disobeying an order of the Court to pay 5s. a week for the support of his child, **Alfred Charles Ward**, age thirty-eight, height 5 ft. 9½ in., storeman, native of England, fresh complexion, dark-brown hair, dark-grey eyes, small hole near right ear, ring tattooed on each middle finger. Was employed as bugler on the s.s. "Victoria," but left at Sydney. He was £2 5s. in arrears up to the 4th July last. (See *Police Gazette*, 1905, page 77.)

AUCKLAND.—15th ultimo, on **warrant** for theft of a ring, value £1 5s. (recovered), the property of Harold Martin, Victoria Street, **John Marshall**, age seventeen, height 5 ft. 2 in., native of New Zealand, slim build, fair complexion and hair, blue eyes; dressed in grey suit, hard black hat, and black button-up boots. He pledged the ring for 4s. under the name of — Thompson. Offender's father, John Marshall, resides at Worsler Bay, Wellington.

AUCKLAND.—23rd May last, on **warrant** of commitment to Mount Eden Gaol for seven days in default of paying £1 13s. fine and costs for a breach of the Auckland City By-laws, **Randolph Allen**, age twenty-seven, height 5 ft. 7 in. or 8 in., fruit-hawker, medium build, dark hair, clean-shaved, very full face.

NEWTON.—11th ultimo, for indecently exposing himself to Bertha Heath and Nora Kelly, school-girls, **Man**, name unknown, age forty, height 5 ft. 10 in., medium build, black hair and moustache, small dark blotches on face, loafer appearance; dressed in dark trousers, rusty-black coat, and hat.

PALMERSTON NORTH.—20th ultimo, on **warrant** for deserting his wife, Sarah Wright, at Palmerston North, **David Cumming Simpson Wright**, age about thirty, height about 5 ft. 2 in., a jockey, 9st. weight, native of New Zealand, dark complexion and hair, moustache only, may now be clean-shaved, scar on one cheek, supposed left; dressed in dark suit. He left for Auckland about the 1st June last with the intention of obtaining some money from his brother George Wright, a well-known horse-trainer in Auckland.

WELLINGTON.—On or about the 22nd ultimo, on **warrant** for forging and uttering a cheque for £5 5s. to Morris Harris, jeweller, Wellington, **James Desmond Cody**, age about twenty-four, height about 5 ft. 5 in., supposed sailor, supposed native of Auckland, medium build, clean-shaved, rather full face, fair complexion, brown hair, female figure tattooed on right wrist; dressed in black suit and cap. Stated he was employed by the Naval authorities to search for deserters. Offender is no doubt identical with **James Desmond Lowe**. (See *Police Gazette*, 1905, pages 205, 245, and 261.)

WELLINGTON.—6th June last, on **warrant** for obtaining £2 15s. 3d. from Sidney Kirkealdie by means of a valueless cheque, **John Johnston** (name probably fictitious), age about twenty-five, height about 5 ft. 7 in., labourer, thick set, ruddy complexion, dark-brown hair, clean-shaved.

WELLINGTON.—27th ultimo, with a view of compelling him to support his three children in the Receiving Home, Wellington, **Andrew Williams**, age forty-six, height 5 ft. 7½ in., French-polisher, supposed colonial, medium build, brown curly hair, full flushed face, full round eyes, supposed clean-shaved except moustache; fond of drink. (See *Police Gazette*, 1904, pages 250 and 308.)

WELLINGTON.—28th ultimo, on **warrant** for disobeying an order of Court to pay £1 5s. a week towards the maintenance of his wife and child, **William James Edwards**, age twenty-eight, height 5 ft. 9 in., bricklayer, native of New Zealand, medium build, fresh complexion, brown hair, blue eyes, clean-shaved except large sandy moustache. Supposed gone to Gisborne. He is now in arrears up to the 24th ultimo the sum of £16 6s.

CHRISTCHURCH.—24th ultimo, on **warrant** for failing to provide for the maintenance of his unborn illegitimate child, **John Beaton**, age twenty-two, height 5 ft. 4 in., labourer, native of New Zealand, medium build, very dark (almost swarthy) complexion, black hair, brown eyes, clean shaved; said to have a mole on each cheek; walks very upright, with a slight swing of shoulders; usually dressed in dark-tweed suit and dark-tweed cap. Complainant, Elizabeth Agnes Streeter, domestic, Halswell.

LITTLE RIVER.—1st June last, on warrant of commitment to Lyttelton Gaol for one month in default of paying £5 19s. 2d. for a breach of the Animals Protection Act, **Ernest Andrews**, age about twenty-three, height 5 ft. 6 in., labourer, native of New Zealand, stout build, fair hair, clean-shaved except fair moustache, fresh complexion, very talkative, fond of drink; generally wears a grey-tweed suit and a soft-felt hat. Was recently working at a threshing-machine in the Prebbleton district.

ASHBURTON.—14th ultimo, on warrant for false pretences on George Herbert Carson, bicycle agent, **John Walker** (name supposed fictitious), age twenty-three, height 5 ft. 8 in., medium build, quiet expression, pale, square pimply face, boyish appearance, brown hair, clean-shaved; dressed in dark-grey worsted suit, black hard hat, had a double-breasted vest with fountain pen visible in watch pocket, shirt collar turned down all round, writes a good business hand. He represented that he came from Gore, and was storeman for David Miller. He exchanged his bicycle, from which the maker's name was erased, for a new Swift Royal, and was to pay complainant a balance of £8.

GERALDINE.—14th ultimo, on warrant for theft of a dark-bay mare, value, £25, the property of William Andrews, bricklayer, **Thomas Watson**, age twenty-two, height 5 ft. 6 in., general labourer, supposed colonial, clean-shaved, except small fair moustache, fair complexion, light-brown hair, rather stoutish build; dressed in dark-tweed coat and vest, grey trousers and drab-coloured soft-felt hat. He sold the stolen mare on the 15th ultimo to William Burnham, of Belfield, near Geraldine, for £10.

OAMARU.—28th ultimo, on warrant for failing to provide for the maintenance of his illegitimate child, **James Blackmore**, age thirty-three, height 5 ft. 7 in., butcher, native of New Zealand, strong build, fresh complexion, dark hair, clean-shaved except heavy dark moustache, light blue eyes; generally wears brown suit and soft black-felt hat with large rim; fond of drink. He left his employment at Pareora about the 18th ultimo for Christchurch, where his parents keep a private boardinghouse.

INVERCARGILL.—22nd ultimo, for failing to obey the terms of his release under the First Offenders Probation Act, **William Henry Carter** *alias* **John Wilson**, age sixty-eight, height 5 ft. 3½ in., cook, native of Scotland, fair complexion, grey hair, grey eyes, large nose, clean-shaved except grey moustache, has two shot wounds above left wrist; dressed in grey-tweed suit. Is said to be well known in Southland. He was convicted of forgery at Dunedin, and admitted to twelve months' probation, and, as he has failed to report himself, the Probation Officer now desires his arrest.

APPREHENSIONS AND PERSONS FOUND.

AUCKLAND.—**Morris Murray**, default of fine, has been arrested by Constable J. McRae, Palmerston North police. Fine and costs paid. (See *Police Gazette*, 1904, page 335.)

AUCKLAND.—**Charles William Ninkey**, default of maintenance, has been arrested by Constable W. Worsley, Oamaru police. (See *Police Gazette*, 1905, page 211.) He was going under the name of "Charles Williams."

TE KUITI.—**Thomas Black**, obscene language, has been arrested by Constable N. Scott, Aratapu police, and fined £3 and costs. Amount paid. (See *Police Gazette*, 1904, page 299.)

WELLINGTON.—**Albert Matthew Slattery**, theft from Jesse Stonham, has been arrested by Detective J. D. Miller, Auckland police, and all the property recovered. (See *Police Gazette*, 1905, page 254.)

WELLINGTON.—**Joseph Griffiths**, default of fine, has been arrested by acting-Detective W. Lewis, Wellington police, and amount paid. (See *Police Gazette*, 1905, page 211.) He was going under the name of Jack Beston.

CHRISTCHURCH.—**Edward Topp**, assaulting police, has been arrested by Constable A. S. Bird, Culverden police, and

sentenced to fourteen days. (See *Police Gazette*, 1905, page 254.)

DUNEDIN.—**William Martin**, default of maintenance, has been arrested by Constable J. Boyd, Reef-ton police. (See *Police Gazette*, 1905, page 186.)

DUNEDIN.—**William Martin**, failing to provide for his children, has been found at Dunedin. (See *Police Gazette*, 1905, page 212.)

INVERCARGILL.—**Thomas Nicholls**, default of maintenance, has been arrested by Constable P. Gough, Winton police. See *Police Gazette*, 1905, page 196.)

VICTORIA.—**George Green**, inquired for by W. H. Thorne, is now living at Papawai, near Greytown. (See *Police Gazette*, 1905, page 245.)

JOHANNESBURG (South Africa).—**Daniel Armstrong Small**, charged with theft, has been arrested by the Warwick, Queensland, police. (See *New South Wales Police Gazette*, 1905, page 257; and *New Zealand Police Gazette*, 1905, page 22.)

PROPERTY STOLEN.

GISBORNE.—10th ultimo, from SAMUEL McMURRAY, plasterer, Ashburton, a gentlemen's gold lever hunting-watch, No. 020923, makers name on dial, glass broken, double gold chain, short links, old key set with blue stone attached; value, £13. Identifiable. Theft from the person.

NAPIER.—11th May last, from the Garrison Hall, the property of HAROLD FLETCHER, tailor, a dark-tweed rain-proof overcoat, indistinct white stripe running through it, inside ticket pocket, small tear near one of the side pockets, a dark-tweed cap with officer's star on it in one of the pockets; value, £2 10s. Identifiable.

NAPIER.—Between 20th and 22nd ultimo, from the bedroom of BEATRICE HORTON, at Mrs. Balfour's, Cobden Road, seven sovereigns, a cream flannel blouse with red spots, pearl buttons down the back, made with a large box-pleat and three smaller ones on either side, sleeves fastened with pearl buttons; value, 10s. 6d.

TE NUI.—Between 19th and 23rd ultimo, from the whare of WILLIAM BENNARD, labourer, a silver Waltham hunting-watch, No. 157432; value, £4 10s. Identifiable.

PETONE.—15th ultimo, from JOHN ROBERT COTTLE, farmer, Taita, a grey cycle overcoat, with guta-percha lining, patent snips instead of buttons; value, £2. Identifiable. Stolen from complainant's trap at Webley's stables.

PETONE.—23rd ultimo, from the Church porch, the property of WILLIAM JOHN SIMPSON, bootmaker, a dark Chesterfield overcoat, lined with pink sateen with white stripes, vertical pockets, left side pocket darned; value £2 10s. Identifiable.

WELLINGTON.—22nd ultimo, from the dwelling of WILLIAM SALT, Wadestown, a silver open-faced chronograph stop-watch, No. 56131; an old-fashioned silver open-faced watch with removable cases, about one hundred and fifty years old; about two hundred English and foreign silver coins, ancient and modern; about six gold foreign coins; an old-fashioned gold neck-chain, with round thick chased links; a gold seal set with a cornelian; a gold seal with "J. C." engraved on it; a gold seal set with a light-purple stone; three gold nibs, makers Mabie, Todd, and Bard; a pair of small English-made opera-glasses; a Turkish silk cigar-case, embroidered with gold thread; a book entitled "The Generative Organs in Health and Disease"; a dark-blue sac coat and trousers with pale stripe through it; value, £30. Identifiable. Entrance supposed effected by duplicate keys.

WELLINGTON.—1st May last, from the Opera House doorway, the property of ALFRED WALKER, No. 28, Marion Street, a gentlemen's Record bicycle, No. 419, Cook and Hawlison makers, free wheel, nickel rims, Dunlop tires, pump attached; value, £12 10s. Identifiable. (See *Police Gazette*, 1905, page 178.)

GREYMOUTH.—Between 15th and 17th ultimo, from the workshop of GEORGE RICHARD COTTLE, wheelwright, thirty iron-bark spokes, 2 ft. long by $2\frac{1}{4}$ in. broad at the shoulder; value, 15s. Identifiable.

CHRISTCHURCH.—Between 14th and 20th ultimo, from Cathedral Square, the property of SAMUEL HURST SEAGER, architect, a gentlemen's Matchless bicycle, maker "Allday and Onions," 24 in. frame, cork grips, rat-trap pedals, free-wheel, front and back brakes; value, £8. Identifiable.

CHRISTCHURCH.—About 25th June last, from FELIX O'CONNOR, labourer, a gentlemen's silver Rotherham hunting-watch, No. 58363; value, £4. Identifiable.

TEMUKA.—21st ultimo, from THOMAS PATRICK CORMAN, labourer, a gentlemen's silver lever Rotherham hunting-watch No. 282031; value, £5. Identifiable. Theft from the person.

DUNEDIN.—17th ultimo, from the dwelling of DAVID SIMON BEATH, painter, Carlton Terrace, a ladies' silver Geneva hunting-watch, No. 34348, "K.G." on outside, and "Katie Gray, N.E. Valley" on inside, value £2 10s.; a gold tie-pin with greenstone bell attached, value 7s. 6d.; a gentlemen's gold-mounted black silk ribbon-guard, value £1 17s. 6d.; a gold three-bar brooch, with cross-bar set with two diamonds, value £1 10s.; a ladies' engagement ring set with two diamonds and a sapphire, value £3 17s. 6d.; a nickel muff-chain, value 5s.; and two £1 notes and 6s. 3d. in silver. Jewellery identifiable. Entrance effected by forcing open the door.

DUNEDIN.—16th ultimo, from the dwelling of THOMAS MARTIN, No. 63, High Street, a ladies' gold open-faced watch, value £3; a ladies' silver hunting watch, value £1 10s.; a small chain-purse, a ring set with five diamonds, value £5; a plain band ring, value £1 10s., a small silver chain with two silver balls on end, value £1 5s.; a silver-mounted morocco purse containing two half-sovereigns and 2s. 6d., a gold wish-bone brooch set with a pearl, a ruby and a sapphire, value £2 10s.; a gold brooch "1899" on it, value 15s.; a pearl dagger-brooch, value £1 10s.; a gold band ring, "J. E. M." on it, value £1 10s.; a plain gold bangle set with a sapphire, value £2 10s. Identifiable. Breaking and entering by window.

DUNEDIN.—19th ultimo, from the dwelling of ADAM GLEN, printer, Queen's Drive, an old gold locket with raised flowers thereon, value 10s.; and eight gentlemen's cream-coloured silk handkerchiefs, value 10s. Breaking and entering. Suspicion attached to three young men who were seen in complainant's garden.

DUNEDIN.—21st ultimo, from the dwelling of ELIZABETH LOW, Mornington, a ladies' Waterbury watch and small silver chain, value £3; a gold amethyst brooch, value £1 10s.; a gold brooch with pearl in centre, value £1; a ladies' gold ring with sapphire in centre, pearl on each side, value £3; a greenstone heart on gold neck-chain, value 10s.; a flat gold bracelet, value £1; a gold pendant, value 5s.; a silver bangle with bell, value 5s.; a gold ring with pearl missing, small rubies on each side, value £1. Identifiable. Entrance effected by forcing open a window.

PROPERTY RECOVERED.

GISBORNE.—JAMES HENRY MARTIN'S overcoat has been recovered, and Hapi Tarana arrested for this and another offence by Detective T. Livingstone, and sentenced to six months in Napier Gaol. (See *Police Gazette*, 1905, page 262.)

ARAMOHO.—Mrs. JAMES WEST has recovered the cow reported stolen. (See *Police Gazette*, 1905, page 262.)

CHRISTCHURCH.—JOHN KENNEDY has recovered the tools stolen except two chisels, a level, and the 12 in. square. (See *Police Gazette*, 1905, page 163.)

ASHBURTON.—JOHN STRIBBLING'S gig has been recovered. (See *Police Gazette*, 1905, page 262.)

ABSCONDING FROM INDUSTRIAL SCHOOL.

AUCKLAND.—26th June last, from the licensed service of Mr. Rose, Remuera, **Elizabeth Smylie**, aged nineteen, height 5 ft. 1 in., servant, stoutish build, round face, pale complexion, grey or blue eyes, light-coloured hair, has the appearance of a German; dressed in black skirt, white-silk blouse, and black or blue overcoat. If found she is not now to be taken to Mount Albert Industrial School, but information concerning her immediately forwarded to the Education Department. (See *Police Gazette*, 1905, page 245.)

LINCOLN.—26th June last, from Burnham, **Albert Henry Palmer**, age sixteen, medium height, stout build, full round face, dark complexion, dark hair, walks with toes turned in; dressed in moleskin trousers, dungaree coat, and heavy lace up boots, clothes and boots numbered 105.

LINCOLN.—28th June last, from Burnham, **Cyril Barker**, age about eighteen, height 5 ft. 9 in., full face, blue eyes, thick lips, fair hair and complexion, pleasant-faced lad, very sensitive; dressed in blue dungaree suit and lace-up boots, clothes numbered 87. **Charles Henderson**, age nineteen, height about 5 ft. 7 in., blue eyes, fresh complexion, rather small head; dressed in dark-tweed suit, lace-up boots, clothes numbered 72.

LINCOLN.—10th ultimo, from the licensed service of W. Anderson, farmer, **Oscar Lorenzen**, age seventeen, height 5 ft., square heavy face, muddy complexion; probably dressed in tweed suit. Was committed from Auckland on a charge of breaking and entering. He was licensed from Burnham to Mr. Anderson in September, 1904.

MISCELLANEOUS INFORMATION.

District Constable appointed.

MACNAMARA, VICTOR THOMAS, 15th July, 1905, at Murchison, Nelson and West Coast District. (P.04/1577.)

Resignations.

No. 1040.—Constable Cooper, John William, 20th July, 1905.

No. 829.—Constable Joyce, Edmond Michael, 24th July, 1905.

Station closed.

CHATTO CREEK, Dunedin District, 25th July, 1905. (P.05/1335.)

Station formed.

MURCHISON, Nelson and West Coast District, 15th July, 1905. (P.04/1577.)

LAW REPORT.

The following decision is published for the general information of the Force:—

McROBE v. BOWDEN.

("New Zealand Law Reports," Vol. xxiv., page 10.)

Licensing—"The Licensing Act, 1881," Section 146—"Permitting Drunkenness on Licensed Premises."

APPEAL under section 236 of "The Justices of the Peace Act, 1882," from the decision of S. E. McCarthy, Esq., S.M., at Invercargill.

The appellant is the licensee of the Shamrock Hotel, Invercargill. On the 25th of June, 1904, one Carr, after drinking at other hotels, came to the Shamrock in the evening, where he had a drink. He then left, but returned later, between 6 and 7 p.m., at which time he was slightly under the influence of liquor. He played two games of euchre, being supplied with a drink after each game by one Wilkinson, who, though not a regular servant of the appellant, with the appellant's knowledge assisted in the management. From these facts the Magistrate found that Wilkinson had appellant's authority to serve Carr. Carr left the hotel at 8 p.m., and was then drunk. He returned at about 9 p.m., and was seen coming from the direction of the bar into the parlour with two bottles of beer, but there was no evidence that he got these on the appellant's premises. Carr asked for liquor, but was refused by the barmaid and Pasco (acting-barman). Carr used obscene language to the barmaid, who told him to leave the premises, but no effort was made by the men to eject him. Carr was found on the premises, quite drunk, by

the police at 9.20 p.m., and was arrested and subsequently convicted of drunkenness. The appellant was convicted of permitting drunkenness on his premises, and from this conviction the appellant now appealed.

¶ *Sim*, for the appellant:—

It is clear from the Magistrate's finding that he convicted the appellant because of the last visit of the drunken person, and that because the licensee allowed the drunken person to remain on the premises he was guilty of "permitting drunkenness." Edwards, J., decided the contrary in *Faber v. Dwyer*. The words of the section are "permits drunkenness to take place." The licensee did not do so here. *Hope v. Warburton* and *Edmunds v. James*, which may be quoted against the appellant, are distinguishable, as there the man was not only drunk but was found drinking. In *Worth v. Brown* the question decided was whether the knowledge of a barmaid could be considered the knowledge of a licensee. There the barmaid suffered the man to remain, but here the barmaid ordered him to get off the premises. She did not "permit drunkenness." In order to obtain a conviction it must be proved that there was knowledge or connivance on the part of the licensee or of some one with his authority: *Somerset v. Hart*; *Somerset v. Wade*; *Bond v. Evans*; *Commissioners of Police v. Cartman*; *Sherras v. De Rutzen*; *Emary v. Nolloth*. In the case of the second visit the Magistrate's findings are not correct. The evidence shows there was no person present to whom the licensee's authority was delegated, and so there is no liability. *Somerset v. Wade* has been followed in *Poole v. Cooper*. If necessary the case should be referred back to the Magistrate for amendment.

T. M. Macdonald, for the respondent:—

The two visits of the drunken person must be treated together.

[WILLIAMS, J.—Are they not severable?]

It is submitted they are not.

[WILLIAMS, J.—It seems from the case on appeal that the Magistrate's judgment is founded on the final visit.]

The finding of the Magistrate must be accepted: *Musther v. Musther*; *Stone's Justices' Manual*. There was evidence to justify the finding that the person who served the drinks on the second visit did so with the implied authority of the licensee. As to implied authority see *Henry v. Felton*. It is not necessary to prove that the person to whom such authority is delegated is a servant. With regard to the final visit, the English cases are conclusive that if a licensee allows a drunken person to remain on the premises he is liable for "permitting drunkenness": *Hope v. Warburton*; *Worth v. Brown*. In *Ex parte Ethelstane* very slight evidence of drunkenness was held sufficient on which to convict. The mere fact that the barmaid ordered the man off is not sufficient. She should have got assistance and had him ejected.

Sim in reply.

Cur. adv. vult.

WILLIAMS, J.:—

This is an appeal, under section 236 of "The Justices of the Peace Act, 1882," from a decision of the Stipendiary Magistrate at Invercargill, who convicted the appellant, a hotel-keeper, under section 146 of "The Licensing Act, 1881," of permitting drunkenness to take place on his premises. The question before the Court is therefore whether, from any view of the facts stated in the case, the conviction can be sustained.

Section 146 corresponds with section 13 of the English Licensing Act of 1872 (35 & 36 Vict., c. 94). Three English cases have been decided on that part of the latter section which relates to a licensee permitting drunkenness on his premises: *Edmunds v. James*, decided in 1891; *Hope v. Warburton*, decided in 1892; and *Worth v. Brown*, decided in 1896. All these cases show this at least: that in order to bring a licensee within this section it is not necessary that a drunken man should have become or have been made drunk on the premises, nor is it necessary that there should have been an actual sale of liquor to the drunken man.

It is suggested, however, that in order to bring the licensee within the section it must appear not only that the licensee or his representative knew the man was on the premises and was drunk and allowed him to remain there, but was also aware that while in that condition he was consuming drink on the premises, given him by some one or other, though not necessarily supplied by the licensee. I do not think the English cases bear out this suggestion. In *Edmunds v. James* a drunken man came into a publichouse, and whisky was sold to him by the licensee. The Justices convicted the licensee of permitting drunkenness to take place on the premises. It was contended that, though the licensee may have been liable under the latter part of the section for selling liquor to a drunken person, he could not be convicted of permitting drunkenness to take place on his premises. The contention was, of course, overruled. Mathew, J., says, "In the present case a man came into a publichouse being already drunk, and was sup-

plied with liquor and made more drunk, and under these circumstances drunkenness was permitted on the premises." A. L. Smith, J., says, "The first part of the section is intended to meet the case where there is no sale." The facts in the above case make it so clear that from any point of view the licensee had permitted drunkenness to take place that the case is of little value except for the opinion of A. L. Smith, J., that no sale of liquor to the drunken person is required to bring the licensee within the first part of the section. *Hope v. Warburton* was a case where the Justices had refused to convict a licensee of permitting drunkenness to take place. The Justices stated a case for the opinion of the Court, and the question was whether the respondent by reason of the facts proved did permit drunkenness to take place. The Court (Day and Charles, J.J.) decided that he did. The question was not whether upon the facts stated the respondent could have been convicted, but whether he ought as a matter of law to have been convicted. The decision of the Court in effect was that upon the facts he ought as a matter of law to have been convicted. It is important, therefore, to consider what exactly the facts stated in the case were. The reports in the *Law Journal* and in the *Justice of the Peace* are rather more full than in the *Law Reports*, and the facts are there stated as follows: "Robert Reid, an Inspector of Police, visited the 'Forge Hammer' Inn, Workington, kept by the defendant (the respondent). On entering the bar he saw three or four men, all sober, sitting round a stove at one end of the room, with three pints and a glass before them, and two other men, named respectively David Douglas and James Douglas, who were brothers, standing at the counter at the other end of the room, each drinking out of a pint. David Douglas was drunk, and the Inspector told him so, adding that he was not fit to be on licensed premises. The man replied, 'If you say I am drunk I will go; but I have not been served with any drink here.' He then left. The Inspector then went through the bar into the house, and saw Ernest Warburton (the defendant's son) in the cellar. This person appeared to be in charge of the premises, and Inspector Reid told him he should not have served Douglas; and the reply made was, 'I did not serve him with anything. I saw he was drunk when he came in, and I did not serve him.' The Inspector thereupon asked whose the pint was that Douglas was drinking out of, and the reply obtained was, 'I don't know. I did not serve him.' The Inspector then said, 'You should have turned him out'; and the defendant's son answered, 'I don't think I have any right to do so.' When the Inspector entered the house there was no one serving behind the bar." Now, from the above facts it would have been quite competent for the Magistrate to have inferred that Ernest Warburton, though he knew David Douglas had come in drunk, neither supplied him with drink nor permitted him to drink liquor given him by any one else, nor knew he was drinking. No one was serving in the bar, and Ernest Warburton was in the cellar. It was quite consistent with the facts that the liquor David Douglas was found drinking was given him by some irresponsible person during Ernest Warburton's absence. Yet the Court held that the licensee as a matter of law ought to be convicted. It was admitted by the counsel for the respondent in the above case that it could not be successfully contended that there must be an actual sale to a drunken man, but it was contended that the facts stated in the case, though they might justify, did not necessitate, a conviction. The Court overruled this contention, and held that serving the man with drink was not material to the offence at all. In the course of the argument, as set out in 56 *Justice of the Peace*, at Page 329, Day, J., says, "To permit drunkenness is, I suppose, merely to permit a drunken man to be on the premises." Charles, J., says, "The licensed person need not have kept the drunken man on the premises." The case of *Worth v. Brown*, commented on in 62 J.P., 658, decided in 1896, confirms this view. In that case also the Magistrate had refused to convict, and the case was remitted to him with a direction to convict. It follows, therefore, that upon the facts as stated the defendant ought, as a matter of law, to have been convicted. It appeared that a man was found by the police in the bar very drunk, and that he had come into the bar in that condition. There was no statement that he had been supplied with drink or had had any drink in the house. The defendant, the landlord, was absent, and the barmaid was in charge of the bar. The Court (Grantham and Collins, J.J.) held that the barmaid, by being placed in charge of the bar, was substituted for the licensee for the purposes of the Act; that she was not merely his agent for certain purposes only, but was his agent in the further sense of being his *alter ego*, and the licensee was liable for any misconduct of hers in the management of the business. It therefore became a mere question of fact whether or not she had knowingly allowed the man to remain on the premises. It was therefore assumed in that case that to permit a drunken man to remain on the premises was all that was necessary to constitute the offence of permitting drunkenness to take place—an

assumption, in my opinion, completely justified by the previous case of *Hope v. Warburton*. In the report in the *Solicitors' Journal* it is stated that in addition to the offence of permitting drunkenness to take place on the premises the licensee was also charged with having permitted a drunken man to remain on his premises. But there is no such offence under the English Acts as distinguished from the offence of permitting drunkenness to take place on the premises, and the comment on *Worth v. Brown* shows that the case was brought under section 13 of the English Licensing Act for permitting drunkenness to take place. The law as stated in *Paterson's Licensing Acts* is as follows: "Where a drunken person is found on licensed premises, and is known to be so by the licence-holder, the latter is liable, though no drink may have been supplied by such licence-holder." For this *Hope v. Warburton* is cited. *Worth v. Brown* shows that the knowledge of a person in charge in the absence of the licensee is the knowledge of the licensee.

I think the case of *Faber v. Dwyer*, decided by Edwards, J., if it means that in order to convict a licensee under this section it must appear either that he became drunk on the premises, or that, coming on to the premises drunk, he, to the knowledge of the licensee, consumed more liquor there, is directly contrary to the English cases. *Worth v. Brown* does not appear to have been referred to, and the statement in the judgment that in *Hope v. Warburton* the drunken person was allowed—that is, allowed by the landlord or his representative—to consume more drink on the premises is not a necessary inference from the facts of that case, nor was it the inference drawn by the Court, which directed a conviction. Drunkenness is a physical state or condition. Drunkenness takes place when the state of drunkenness exists. To permit a man in a state of drunkenness to remain on premises when he can reasonably be ejected from them is to permit drunkenness to take place on those premises. A drunken man on the premises is equally a nuisance to decent people who frequent a publichouse whether he has or has not been supplied with liquor there, and it is the licensee's duty, if he can, to abate the nuisance. I think, therefore, that for a licensed person to allow a drunken person to remain on the premises when he need not allow him to remain is to permit drunkenness to take place on the premises within the meaning of the statute. The case of a lodger coming home drunk is on a different footing. He has a right by contract to be on the premises. If he goes to bed he goes to his proper place. So, also, if a drunken man comes in seeking shelter from inclement

weather, and it would be inhuman to turn him out of doors, the landlord might well be excused for keeping him on the premises. It will be time enough to decide these questions when they arise. But where the landlord has no duty, contractual or moral, to allow a drunken man to remain on his premises, and does allow him to remain, I am satisfied upon the authorities that he is guilty of the offence of allowing drunkenness to take place on the premises.

In the present case the licensee was absent from the premises, but the barmaid had a general authority from the defendant, and one John Pasco a limited authority to serve liquor and control the bar on behalf of the defendant, and Pasco at the request of the defendant assumed this limited authority. A man, Carr, came into the bar drunk about 9 o'clock in the evening. The persons in charge refused to supply him with drink, and he used filthy language. Notwithstanding the use of such language no attempt was made to eject Carr, the barmaid alone interfering, and her interference was confined to ordering Carr to leave the premises or she would have him ejected on the return of the defendant, who was absent, and who remained absent until after 10 o'clock. Carr was found drunk on the premises by the police about twenty minutes past 9. If the defendant had been present it would have been his duty not to have allowed Carr to remain on the premises, but to have put him out, and if he failed in this duty he would have been properly convicted. In his absence this duty devolved upon the barmaid, who, as in *Worth v. Brown*, was the defendant's *alter ego* for this purpose. The question is whether there was evidence before the Magistrate from which he could conclude that she had failed in this duty. I think there was. She certainly told Carr to leave, but did nothing more, although he did not leave. Obviously, if it was her duty to have put him out, and there were reasonable means at hand for putting him out, merely telling him to leave is not a performance of that duty. But Pasco was there, and Wilkinson, the defendant's father-in-law, who assisted generally in the hotel, was also there. Further, by section 153 of the Act of 1881 all constables are required to assist in expelling drunken people. I think, therefore, that there was evidence from which the Magistrate could properly conclude that the barmaid could have had Carr put out, but failed to have him put out, and allowed him to remain on the premises, and that the conviction must be affirmed.

Solicitor for the appellant: *M. Giljedder* (Invercargill.)
Solicitors for the respondent: *T. M. Macdonald & Son* (Invercargill).

Return of Persons summarily convicted at Magistrates' Courts, but not sent to Gaol.

Name of Offender.	Where tried.	When.	Offence.	Sentence.	Native of	Trade.	Born.	Height.	Complexion.	Hair.	Eyes.	Nose.	Distinguishing Marks, &c.
Quinn, John ..	Bull's ..	24/6/05	theft ..	.. convicted and discharged	Ireland ..	labourer ..	1852 5 10	ft. in. 5 10	sallow ..	grey ..	grey ..	medium	Scar on right side of face; slim build.
Wilson, James ..	Bull's ..	24/6/05	obscene language ..	.. fined £1	Scotland ..	labourer ..	1857 5 5½	5½	fresh ..	sandy	blue ..	short	
Gordon, William ..	Bull's ..	18/7/05	drunk and disorderly .. committing indecent act	.. fined £1 convicted and discharged	N. Zealand ..	stableman ..	1885 5 9	9	fresh ..	dark	blue ..	medium	Has prominent mouth.
Robertson, Spencer ..	Wellington ..	6/7/05	illegally on premises ..	.. convicted and discharged	Scotland ..	..	1877 5 10	10	dark ..	brown	brown ..	medium	
Havelock, Richard ..	Wellington ..	10/7/05	..	.. convicted and discharged	England ..	commercial traveller	1862 5 7	7	fresh ..	brown	brown ..	medium	
Phillips, Thomas ..	Wellington ..	7/7/05	false pretences ..	.. dismissed	England ..	sailor ..	1873 5 8½	8½	fresh ..	fair	blue ..	medium	
Daly, Joseph ..	Wellington ..	17/7/05	theft ..	.. convicted and discharged	N. Zealand ..	labourer ..	1887 5 3	3	fresh ..	brown	blue ..	medium	See <i>Police Gazette</i> , 1905, page 103.
Sergent, Albert ..	Wellington ..	21/7/05	theft ..	.. ordered to pay £2	N. Zealand ..	carter ..	1889 4 11	11	fair ..	brown	hazel ..	medium	Ring on right middle finger; anchor and pierced heart on left arm; scar on left eyebrow. Two small scars on calf of right leg.
Smyth, Christopher Bernard ..	Wellington ..	21/7/05	theft ..	.. sent to Burnham sent to St. Mary's Industrial School convicted and discharged	N. Zealand ..	..	1890 4 11½	11½	fresh ..	brown	blue ..	medium	Scar on right knee-cap; freckled face and hands.
Curry, John James ..	Wellington ..	21/7/05	theft ..	.. convicted and discharged	N. Zealand ..	driver ..	1890 4 11½	11½	fresh ..	auburn	blue ..	medium	
Gournan, Harold, alias Roberts, William ..	Wellington ..	21/7/05	theft ..	.. to come up when called on	England ..	steward ..	1887 5 8½	8½	fair ..	fair	blue ..	medium	See <i>Police Gazette</i> , 1905, page 182.
Stevens, William ..	Wellington ..	17/7/05	rogue and vagabond ..	.. to come up when called on	Australia ..	packer ..	1883 5 8½	8½	fresh ..	brown	grey ..	..	See <i>Police Gazette</i> , 1899, page 181.
Surrell, Sarah, alias McGregor ..	Wellington ..	18/7/05	theft ..	.. to come up when called on	Scotland ..	charwoman ..	1851 5 3	3	fair ..	brown	grey ..	medium	
Slattery, Albert Matthew ..	Wellington ..	21/7/05	theft (2 charges) ..	.. to come up when called on	England ..	carpenter ..	1863 5 9½	9½	fresh ..	thick brown, turning grey	hazel ..	large, aquiline	
Taylor, Arthur ..	Christchurch ..	18/7/05	theft .. inciting to resist police	.. 6 mo's probation convicted and discharged	England ..	labourer ..	1877 5 6	6	fresh ..	brown	grey ..	medium	
Johnston, Edward ..	Christchurch ..	18/7/05	inciting to resist police ..	.. fined £5	N. Zealand ..	engineer ..	1875 5 5	5	dark ..	dark	grey ..	medium	
Morrow, Thomas ..	Christchurch ..	18/7/05	inciting to resist police ..	.. fined 40s.	N. Zealand ..	printer ..	1888 5 8	8	fair ..	fair	grey ..	medium	
O'Brien, John ..	Christchurch ..	18/7/05	inciting to resist police ..	.. fined £10	Ireland ..	labourer ..	1865 5 4	4	dark ..	dark	brown ..	medium	
Denham, Charles ..	Christchurch ..	18/7/05	obscene language .. assaulting police	.. fined £5	N. Zealand ..	labourer ..	1879 5 9	9	dark ..	brown	hazel ..	medium	
Hazelhurst, Thomas ..	Christchurch ..	18/7/05	assaulting police ..	.. fined 40s.	N. Zealand ..	labourer ..	1885 5 7	7	fair ..	fair	blue ..	medium	
McKellar, Archibald Campbell ..	Timaru ..	24/7/05	theft ..	.. to come up when called on	N. Zealand ..	errand-boy ..	1888 5 1	1	fresh ..	brown	brown ..	medium	Defective sight.
Shea, Peter ..	Dunedin ..	13/7/05	obscene language ..	.. fined £10	America ..	stevedore ..	1837 5 8	8	fresh ..	grey	blue ..	broad ..	See <i>Police Gazette</i> , 1895, page 117.
Brown, Elizabeth ..	Balclutha ..	20/7/05	theft ..	.. convicted and discharged	N. Zealand ..	servant ..	1888 5 6	6	very fresh	black	dk. blue	medium	Full, heavy face.

RETURN OF PRISONERS REPORTED AS DISCHARGED FROM GAOLS DURING THE WEEK ENDED 22ND JULY, 1905.

Gaol, and Name of Prisoner.	Where tried.	When.	Offence.	Sentence.	Native of	Trade.	Bo. in.	Height.	Complexion.	Hair.	Eyes.	Nose.	When discharged.	Remarks, and Previous Convictions. (F.P. indicates that finger-impresions have been taken.)
Auckland								ft. in.						
Clark, Charles, <i>alias</i> Frank Masters, <i>alias</i> Smith, <i>alias</i> Pearce, &c.	Auckland	24/9/04	indecentcy	12 months	England	painter	1864	5 5	swarthy	black	hazel	medium	17/7/05	8 p.c. F.P. Photographed at Wellington, 6/5/90. (See <i>Police Gazette</i> , 1900, page 285.)
Kirk, Alfred, <i>alias</i> Robert, <i>alias</i> "Duffy," &c.	Auckland	7/7/05	indecentcy	14 days	N. Zealand	labourer	1853	5 7	fresh	dark brown, turning grey	blue	medium	20/7/05	24 p.c. (See <i>Police Gazette</i> , 1899, page 138.)
Richards, Mary	Auckland	22/4/05	habitual drunkenness	3 months	England	prostitute	1855	5 2	florid	fair, turning grey	blue-grey	medium	21/7/05	76 p.c. F.P. (See <i>Police Gazette</i> , 1905, page 143.)
Thornton, Georgina, <i>alias</i> Annie	Auckland	22/6/05	drunkenness	1 month	N. Zealand	cook	1864	5 2	fresh	red	blue-grey	medium	21/7/05	6 p.c. F.P. (See <i>Police Gazette</i> , 1905, page 226.)
Annear, William	Auckland	22/6/05	vagrancy	1 month	England	bushman and cook	1839	5 3	swarthy	dark brown	blue	medium	21/7/05	30 p.c. F.P. (See <i>Police Gazette</i> , 1905, page 77.)
Read, Albert	Auckland	24/6/05	theft	fine, or 1 month	England	fireman	1874	5 6½	fresh	dark brown	hazel	medium	22/7/05	Scar on forehead. F.P. Photographed at Auckland, 30/6/05.
Haurangi Horam, <i>alias</i> Te Haurangi	Auckland	24/6/05	theft (3 charges)	1 mo. on each	N. Zealand	labourer	1871	5 6½	copper	black	dark br.	flat	22/7/05	3 p.c. Stout build; large head and mouth. F.P. Photographed at Auckland, 30/6/05.
Larsen, John	Auckland	10/7/05	drunk and disorderly	14 days	Sweden	fireman	1880	5 7	pale	fair	brown	thick	22/7/05	Yacht with sails on right forearm; dot between left finger and thumb.
Ford, Michael	Auckland	17/7/05	obscene language	fine, or 7 days	England	fireman	1880	5 5½	pale	brown	grey	medium	18/7/05	A.B.A. and clasped hands, &c., on left forearm. F.P. Fine paid.
Wood, George Henry	Papakura	18/7/05	false pretence	remanded	N. S. Wales	watchmaker	1853	5 3½	fresh	fair	blue	medium	21/7/05	Large scar on right forearm; left arm contracted. Bailed.
Napier														
Donovan, Thomas	Napier	4/7/05	threatening language	14 days	Ireland	fireman	1876	5 7½	fair	light brown	blue	broad	17/7/05	Hand holding a flower on left forearm; scar on nose.
McNeilly, Hugh, <i>alias</i> McNelly, <i>alias</i> McNeill	Napier	22/6/05	breach of Prisons Act	1 month	Ireland	labourer	1857	5 4½	dark	black	brown	thick	21/7/05	F.P. Photographed at Napier, 14/1/90. (See <i>Police Gazette</i> , 1905, page 239.)
Brown, John McConochie	Dannevirke	23/6/05	theft (7 charges)	1 mo. on each	Born at sea	clerk	1875	5 0½	fresh	brown	blue	medium	22/7/05	F.P. Photographed at Napier, 6/7/97. (See <i>Police Gazette</i> , 1899, page 28.)
New Plymouth														
Woodhead, William Miller	Wellington	4/4/03	theft of money (9 cbgs)	3 years	England	clerk	1852	5 8½	fair	grey	blue	medium	19/7/05	Scar on left forefinger; partly bald. F.P.
Adams, Frederick George	Hawera	14/4/05	default of maintenance	3 months	England	restaurant-keeper	1851	5 4	very fresh	white, bald	blue	pointed	17/7/05	1 p.c. Large discoloured scar on right shin; right ankle has been broken; blotched face.
Marshall, Edward	Inglewood	17/7/05	breach of the peace	7 days	N. Zealand	labourer	1863	6 0½	sallow	sandy	blue	long	22/7/05	12 p.c. Right elbow has been broken; fingers of right hand contracted. F.P. (See <i>Police Gazette</i> , 1904, page 139.)
Wanganui														
Wils on, James, <i>alias</i> Wallace, David	Marton	18/4/05	receiving	3 months	Scotland	labourer	1866	5 4	fresh	sandy	blue	large	17/7/05	1 p.c. F.P. (See <i>Police Gazette</i> , 1904, page 328.)
Eagle, James, <i>alias</i> Pom-fret	Marton	18/4/05	theft	3 months	England	gluemaker	1856	5 1	fresh	dark brown	brown	small	17/7/05	Previously convicted. (See <i>Police Gazette</i> , 1905, page 55, as "Pomfret," where he is erroneously described as 5 ft. 5½ in.)
Regan, Michael	Palmerston N.	20/4/05	obscene language	3 months	N. Zealand	shoemaker	1876	5 6½	dark	black, curly	brown	medium	19/7/05	4 p.c. Photographed at Auckland, 21/3/05. (See <i>Police Gazette</i> , 1905, page 129.)
Lewis, William Henry	Feilding	4/7/05	assault	1 month	N. Zealand	labourer	1862	5 6½	fresh	grey	grey	pointed	17/7/05	Little left finger crooked.

RETURN OF PRISONERS REPORTED AS DISCHARGED FROM GAOLS DURING THE WEEK ENDED 22ND JULY, 1905—continued.

Geol. and Name of Prisoner.	Where tried.	When.	Offence.	Sentence.	Native of	Trade.	Born	Height	Complexion.	Hair.	Eyes.	Nose.	When discharged.	Remarks and Previous Convictions. (F.P. indicates that finger-impresions have been taken.)
Wellington — Hare, Paul Peter	Wellington	11/7/05	wife-desertion	remanded	Ireland	currier	1867 5 6 $\frac{3}{4}$	5 6 $\frac{3}{4}$	fresh	grey	blue	medium	17/7/05	Scar under left eye.
Daly, Joseph	Wellington	15/7/05	theft	remanded	N. Zealand	labourer	1885 5 2 $\frac{3}{4}$	5 2 $\frac{3}{4}$	dark	dark brown	hazel	medium	17/7/05	N.V. on left hand; V. on left arm. F.P. (See <i>Police Gazette</i> , 1905, page 103.)
Aitken, James Barr	Westport	8/2/05	default of maintenance	6 months	Scotland	miner	1857 5 4 $\frac{3}{4}$	5 4 $\frac{3}{4}$	dark	dark brown	brown	medium	17/7/05	Right middle finger bent; bald. F.P.
Mulcahey, Thomas	Wellington	17/7/05	assault	7 days	Ireland	fireman	1869 5 10	5 10	dark	dark brown	brown	small	17/7/05	Two flags on left arm. F.P. Bailed. (See <i>Police Gazette</i> , 1904, page 186.)
Howard, Charles Alfred	Wellington	19/7/05	indecent assault	12 mo. probat'n	N. Zealand	message-boy	1889 5 4 $\frac{3}{4}$	5 4 $\frac{3}{4}$	fresh	dark brown	brown	medium	19/7/05	Scar on forehead.
Kee Hum	Palmerston N.	12/5/04	receiving	18 months	China	storekeeper	1862 5 7 $\frac{3}{4}$	5 7 $\frac{3}{4}$	olive	black	brown	flat	20/7/05	Scar left side of forehead; thick lips. F.P.
Frederickson, Alick	Wellington	22/4/05	obscene language	3 months	Denmark	fireman	1869 5 4	4	fair	brown	blue	medium	21/7/05	1 p.c. F.P. (See <i>Police Gazette</i> , 1904, page 340.)
Humphries, William Edward	Masterton	15/7/05	indecent exposure	7 days	England	labourer	1852 5 4 $\frac{3}{4}$	5 4 $\frac{3}{4}$	fresh	grey	grey	medium	21/7/05	Right little finger crooked. F.P.
Brimfield, Edward	Wellington	12/5/05	default of maintenance	1 month	England	labourer	1874 5 8	8	fresh	brown	blue	medium	22/7/05	2 p.c. F.P. Arrested 23rd June, 1905. (See <i>Police Gazette</i> , 1905, page 54.)
McDowell, Joseph	Wellington	24/4/05	theft	3 months	Scotland	fireman	1868 5 4	4	fair	brown	blue	medium	22/7/05	3 p.c. F.P. (See <i>Police Gazette</i> , 1904, page 127.)
Smith, Charles, <i>alias</i> William, <i>alias</i> Miller	Wellington	17/7/05	drunkenness .. resisting police	7 days .. 7 days	Germany	seaman	1878 5 4 $\frac{3}{4}$	4 $\frac{3}{4}$	fair	light brown	blue	medium	22/7/05	Clasped hands and two anchors on right arm; H.P. on left arm. F.P. (See <i>Police Gazette</i> , 1905, page 88.)
Hokitika — Taylor, Henry	Hokitika	22/4/05	idle and disorderly	3 months	England	labourer	1855 5 9 $\frac{1}{2}$	5 9 $\frac{1}{2}$	dark sallow	black, turning grey	brown	large	21/7/05	Several p.c. Scar across right cheek and under outer corner of left eye; crossed flags above heart on right arm. F.P. (See <i>Police Gazette</i> , 1904, page 341.)
Lytelton — Kirk, William	Christchurch	19/4/05	theft	3 months	N. Zealand	labourer	1872 5 6 $\frac{3}{4}$	6 $\frac{3}{4}$	dark	brown	brown	medium	18/7/05	Numerous p.c. F.P. (See <i>Police Gazette</i> , 1905, page 33.)
Newman, Jane	Christchurch	19/6/05	soliciting	1 month	England	prostitute	1874 5 0 $\frac{1}{2}$	0 $\frac{1}{2}$	dark	fair	blue	medium	18/7/05	Numerous p.c. F.P. (See <i>Police Gazette</i> , 1903, page 326.)
Moore, Kate, <i>alias</i> Wilkinson	Christchurch	20/6/05	obscene language	1 month	Ireland	prostitute	1863 5 6	6	fresh	black	grey	medium	19/7/05	Numerous p.c. F.P. (See <i>Police Gazette</i> , 1904, page 297.)
Burns, Edward	Lytelton	8/7/05	indecent ..	14 days	N. Zealand	fireman	1883 5 9 $\frac{3}{4}$	9 $\frac{3}{4}$	fresh	fair	hazel	medium	21/7/05	Woman's head on right arm; left hand crushed; mole on left cheek. F.P. (See <i>Police Gazette</i> , 1905, page 88.)
Joyce, Mary, <i>alias</i> Jones	Christchurch	23/6/03	obscene language	1 month	Ireland	prostitute	1867 5 3	3	dark	black	blue	medium	22/7/05	Numerous p.c. F.P. (See <i>Police Gazette</i> , 1905, page 88.)
Dunedin — McDonald, William, <i>alias</i> Connolly, <i>alias</i> Smith, Edward	Dunedin	23/6/05	theft	1 month	Ireland	fireman	1870 5 4 $\frac{3}{4}$	4 $\frac{3}{4}$	fresh	black	lt. grey	broad	9/8/05	Top off right forefinger. F.P. (See <i>Police Gazette</i> , 1905, page 103.)
Clyde — McGeorge, James	Dunedin	14/7/05	wife desertion	remanded	N. Zealand	miner	1869 5 6	6	fair	fair	blue	medium	19/7/05	Stoops slightly when walking. (See <i>Police Gazette</i> , 1905, page 251.)
Invercargill — Guinness, Arthur, <i>alias</i> Love, <i>alias</i> Hornsby, John	Riverton	14/7/05	drunkenness ..	fine, or 48 hours	Scotland	gardener	1837 5 5 $\frac{1}{4}$	5 $\frac{1}{4}$	pale	grey	light br.	medium	15/7/05	See <i>Police Gazette</i> , 1904, page 252.