

16. Power should be given to magistrates to extend hours on any special occasion, such as public dinners or entertainments.

17. No wages should be paid at any public-house.

I have, &c.,

JOHN BATHGATE,
Resident Magistrate.

The Hon. the Minister of Justice, Wellington.

No. 8.

The RESIDENT MAGISTRATE, Auckland, to the Hon. the MINISTER of JUSTICE.

SIR,—

Resident Magistrate's Office, Auckland, 10th June, 1874.

With reference to your letter of 22nd ultimo, No. 273, requesting me to give my opinion as to the working of the present Licensing Act, I have the honor to inform you that the "Licensing Act, 1873," in conjunction with the Provincial Act, 1871, works sufficiently well with the following exceptions:—I think the Licensing Court should have power to grant certificates for wholesale licenses and to transfer licenses at any period of the year, subject to the restrictions contained in the 28th clause of the Provincial Act with respect to notices, &c.

I have, &c.,

THOMAS BECKHAM,
Resident Magistrate.

The Hon. the Minister of Justice, Wellington.

No. 9.

The RESIDENT MAGISTRATE, Auckland, to the Hon. the MINISTER of JUSTICE.

SIR,—

Resident Magistrate's Office, Auckland, 22nd June, 1874.

Adverting to your letter of 22nd ultimo, No. 273, and to my reply thereto, I have now the honor to draw your attention to the clauses of "The Imperial Licensing Act, 1872," 35 and 36 Victoria, c. 94, noted in margin,* and to state that they would be a most admirable adjunct to "The Licensing Act, 1873," passed by the Legislature of New Zealand. I also beg to call your attention to the 38th clause of "The Auckland Provincial Licensing Act, 1871," and the 4th subsection of clause 51 of the Imperial Act, and to state the latter was so worded to meet the difficulties presented by the judgment in the case of *Taylor v. Humfries*, 17 C.B. (N.S.), 539; and to suggest that our Licensing Act should be so altered, to relieve the complainant or prosecutor of the onus now cast upon him, in accordance with the judgment I have cited.

I have, &c.,

THOS. BECKHAM,
Resident Magistrate.

The Hon. the Minister of Justice, Wellington.

* Sections 1, 9, 12, 14, 15, 18, 25, 30, 33, 34, 44, subsection 4 of 51, 55, 56, 57, 58.

No. 10.

The RESIDENT MAGISTRATE, Napier, to the Hon. WILLIAM FOX, M.H.R.

SIR,—

Resident Magistrate's Court, Napier, 11th May, 1874.

I have the honor to acknowledge the receipt of your letter of 6th April, addressed to me as Chairman of the Licensing Courts, and conveying a complaint against three licensed houses in this province. One of these houses was in the district assigned to the Taupo Court. I forwarded a copy of your letter; and I learn that the license of Hart and McKinlay, of Tarawera, has been refused. I brought your letter also before the Courts of the Petane and Waipawa Districts, of which I am Chairman. The Pohui house was refused its license, and that applied for by Elmbranch was postponed until the 9th June. In this latter case, the house is situated in the bush, some twenty miles from any other licensed house, and on a line of road which it is the policy of the Government to open up by coaches. Your representation was supported by other complaints in the case of Elmbranch; but it was also pointed out that a new house had been lately built (opened since your visit), and that great inconvenience would result to travellers on this new line of road if there should be no house between Ruataniwha and the Manawatu Gorge. As no fresh application could now be received, the Court was adjourned, and at its next meeting will consider whether the license shall be granted on condition of an immediate transfer to a more fit man, the present building being reported to the Court as unobjectionable.

I have to thank you for the assistance you have rendered the Courts by furnishing them with the information contained in your letter. I pointed out to the Good Templars at Ngaruroro and Waipawa that their efforts would have had a more practical result had they pursued the same course, and complained of ill-conducted houses, rather than included all in one general denunciation. Houses were licensed which perhaps should not have been licensed, because the Courts had no evidence before them of mismanagement, except in a few cases, in most of which the license was refused.

I observe that you object strongly to the divisions of the districts. These were fixed on my recommendation, and if there be any blame attributable it must rest on my shoulders. I confess that, reading the Act as I understand you wish it to be read, it seems to me that it would be impracticable, and would give rise to the most furious discords, and hardships innumerable. I pointed out at Waipawa that if that little township had been made a separate district, every village with a public-house must have been awarded that questionable privilege. We all know the animosities that in very small communities grow out of even trivial causes; how much more, then, where every one might feel his power to influence the livelihood of some and the comfort and convenience of others of his neighbours. I