

No. 192.—Petition of THOMAS SCRIVENER and Others of Taranaki.

THE petitioners pray that the duty which has been imposed upon colonial beer be either abolished or greatly reduced.

I am directed to report that, as the subject-matter of this petition is now before the House, the Committee do not consider it necessary to make any recommendation.

20th July, 1880.

No. 194.—Petition of WILLIAM CARPENTER and Others, of the Thames.

THE petitioners state that they view with alarm and regret the course pursued by the House last session in adopting the report of the Committee on the Christchurch Election. They pray that the House will cause to be erased from the Journals the record of the proceedings of the said Committee.

I am directed to report that, the House being the sole judge in questions of this character, and having finally dealt with the subject, the Committee do not consider it necessary to offer any opinion.

20th July, 1880.

Nos. 197, 186, 168, 164, 163, and 198.—Petitions of JOHN GIBBON and Others; S. S. MYERS and Others, of Otago; PATERSON and McLEOD and Others, of Otago; W. A. MOSLEY and Others, of Otago; JOHN MACDONALD and Others, of Otago; WILLIAM YOUNG and Others, of Otago.

THE petitioners pray that a clause be inserted in the Licensing Bill now before the House providing for the continuance of the bottle license.

I am directed to report that, as the subject-matter of these petitions is now before the House, the Committee do not consider it necessary to make any recommendation.

20th July, 1880.

No. 199.—Petition of R. T. WATERS and Others, of Otago.

THE petitioners pray that in the Licensing Bill now before Parliament the House will not allow any clause to be inserted providing for the continuance of the bottle license.

I am directed to report that, as the subject-matter of this petition is now before the House, the Committee do not consider it necessary to make any recommendation.

20th July, 1880.

No. 183.—Petition of LOUIS EHRENFRIED.

THE petitioner is a brewer and the owner in fee-simple, or lessee, of five hotels in the Thames Licensing District which have been closed in consequence of the Licensing Court refusing to issue a renewal of the license certificate; and, in consequence of such refusal, he states that he has sustained loss to the amount of £2,750. He prays that the matter be taken into consideration.

No. 181.—Petition of THOMAS GRAHAM and 5 other Hotelkeepers of the Thames Licensing District.

Five of these petitioners were the licensees of the hotels referred to in the above petition, and they state that, owing to the action of the Licensing Court in refusing to issue a renewal of their license certificates, they have been ruined. They pray that inquiry be made, and relief afforded them.

The Committee have made careful inquiry into these cases, and find that the Licensing Court gave notice at the quarterly meeting in September, 1879, and at subsequent sittings, that the number of licensed houses would be reduced in June, 1880, as they were far in excess of the requirements of the population. On the sitting of the Court in June, 1880, the issue of renewal certificates was accordingly refused. The Court appears to have acted under the authority of the 22nd section of "The Licensing Act, 1873," which is as follows:—

"The Licensing Court shall exercise its discretion in granting or refusing any certificate for any description of license, and shall not be obliged to grant the same merely because the requirements of the law as to accommodation or personal fitness of the applicant are fulfilled, unless in its opinion there is a necessity for the publichouse or other establishment for the sale of spirituous liquors for which application is made."

The question arises whether the Court was justified by this provision in refusing to issue renewal certificates on the ground that the public convenience did not require so many publichouses in the district. On the matter being referred to the Law Officers of the Crown, the Committee were advised "that the 22nd section of 'The Licensing Act, 1873,' is very specific in granting a discretionary power of granting or refusing any certificate for any description of license, and, in fact, requires the Court to be of opinion that there is a necessity for the publichouse for which application is made." The Court is therefore constituted the sole judge as to whether a publichouse is required, and is also, as a matter of duty, directed to satisfy itself of its necessity before issuing a certificate; and, as it appears the Commissioners acted in good faith and in the public interests in refusing to issue certificates, the Committee cannot recommend the House to override the decision of the Licensing Court in the case of these petitions.

29th July, 1880.

No. 226.—Petition of SAMUEL BROOKS and 8 Others.

THE petitioners state they are owners of land fronting upon Leach Street, in New Plymouth; that the New Plymouth Railway passes down the centre of Leach Street, causing great damage to their property. They pray the matter be investigated, and compensation awarded.

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