

188. It seems clear that section 46 of the Act of 1917 was intended to ensure that delivery should be made "at" the brewery and not "from" the brewery. Nevertheless, in reliance upon the legal interpretation of similar statutory enactments, brewers have competed with publicans by selling 2-gallon lots and delivering them through "agencies" in a town to purchasers who might otherwise have dealt with the local publican. Some of these agents, for the taking of orders and the delivery of the orders, have wholesale licenses and some have not. In one case, Dominion Breweries established an agency at Waiuku in order to enable residents to obtain delivery of its ale, which the hotel in the town, owned by New Zealand Breweries, did not stock. (R. 2837ff.) At a later stage in this report we deal with the question of agencies.

189. In 1917 the Sale of Liquor Restriction Act introduced 6 o'clock closing. The publicans thought they would lose trade, and provision was made for the reduction of rent and the adjustment of other charges between a lessor and lessee of licensed premises by reason of a reduction of hours. Hotels and clubs were permitted to serve liquor at the evening meal in a dining-room between 6 p.m. and 8 p.m. The consumption of liquor in restaurants while licensed premises were required to be closed was prohibited.

190. It was found in practice that the hotels suffered no loss of revenue by 6 o'clock closing.

191. Section 8 of the Act of 1917 permitted the holder of a wholesale license to sell or deliver liquor between 7 a.m. and 6 p.m. on any day on which licensed premises were not required to be closed, but not at any other time.

This provision seems also to have been a protection to an hotelkeeper against the operations of a wholesale licensee.

192. There had been no licensing poll in 1917, owing to the war of 1914-18, and the Licensing Amendment Act, 1918, made provision for a special national licensing poll on the questions of national continuance or national prohibition with compensation. A three-fifths majority was required. If national prohibition with compensation was not carried, the issue of district no-license was to be abolished, and the issue of State purchase and control was to be submitted at the next general election in addition to the issues of national continuance and national prohibition.

If at both the special poll and the next general licensing poll continuance was carried, thereafter the three issues of national continuance, State purchase and control, and national prohibition were to be submitted to the electors. The majority required to carry either State purchase and control or prohibition was a majority of more than one-half of all the valid votes recorded at the poll. To be carried, therefore, prohibition had to gain more votes than the total of the votes polled for both continuance and State purchase and control; and State purchase and control more votes than the total polled for both continuance and prohibition. The vote on national restoration was repealed. The only vote to be taken thereafter in a no-license district was on the question of restoration in the district, for which a three-fifths majority was required (paras. 92 and 93, *supra*).

193. The special poll at which prohibition with compensation was in issue was held in April, 1919. The vote for continuance was 264,189, or 51 per cent. of the total votes, and for prohibition with compensation 253,827, or 48.99 per cent. of the total votes.

At the general licensing poll in December, 1919, the vote for continuance was 241,251, or 44.36 per cent. of the total votes, for State purchase and control 32,261, or 5.93 per cent., and for prohibition 270,250, or 49.70 per cent.

As continuance had been carried both at the special poll in April, 1919, and the general poll in December, 1919, the provisions of the Act of 1918 relating to subsequent polls became operative and they are in force to-day.

194. In December, 1921, a Select Committee of the House of Representatives, under the Chairmanship of Mr. F. Hockly, M.P., was set up to consider, in the interests of the public, what amendments to the Licensing Act were required in order to ensure