

LEGAL DECISIONS DURING THE YEAR 1905-6.

APRIL, 1905.

Ashburton.—(Shops and Offices Act): F. B. Robinson was fined 10s., without costs, for failing to close shop on the half-holiday. (Factories Act): R. Bell was convicted, without penalty, for failing to provide fire-escape.

Christchurch.—(Shops and Offices Act): A. Schlesenger was fined 5s., with £1 8s. costs, for failing to close shop on half-holiday. W. E. Chudley was also fined 5s., with £1 8s. costs, for failing to close. Defendant is a fruiterer, but sells also seeds, wreaths, &c. G. R. Fail (restaurant-keeper and fish-monger) was fined on five charges as follows: (1.) Employing Ethel Sincox for more than fifty-two hours in a week. Defence was that defendant's shop did not come under the Act. Treated as a test case, and fine of 5s., with £1 8s. costs, imposed. (2.) Employing D. Forbes (shop-manager) for more than fifty-two hours. Defence was that the shop-manager was not an assistant, but the occupier of shop. Also treated as a test case, and fine of 5s., with £1 8s. costs, imposed. (3.) Employing F. Taylor for more than fifty-two hours. As Taylor had worked considerably over seventy hours, Magistrate fined defendant £3, with £2 costs. (4.) Failing to allow Taylor an hour for each meal, penalty £1, with costs £1 8s. (5.) Failing to grant Taylor the half-holiday, penalty £1, with £1 8s. costs.

MAY, 1905.

Kawakawa.—(Shops and Offices Act): William Stewart was prosecuted for breaches of this Act. There were four charges—(1) Failing to close on statutory half-holiday, (2), (3), and (4), for employing assistants after closing-hours. A fine of 5s. was imposed on each charge, with costs totalling £4 11s. John Fleet was also fined (1) 5s. and costs for failing to close his shop on the half-holiday, and (2) 5s. and costs for employing an assistant on the same day. Total fines and costs, £4 7s.

Auckland.—(Factories Act): James Regan was fined 10s., with costs 9s., for employing a boy in his factory without a permit. For allowing his son (under sixteen) to work, a conviction was entered only, as it was the first case of the kind.

Wellington.—(Shops and Offices Act): Marion Thompson, for failing to close on the half-holiday, was convicted, costs 7s. No penalty was applied for by the Inspector. John F. Millington, for employing three women in his shop for a longer period than nine hours, was fined 7s. on the first charge and convicted on the two others. Costs amounting to £1 1s. were imposed.

Nelson.—(Factories Act): Alfred Welch (manager, Wilkie and Co.) was fined 5s., and costs £1 1s., for working girls on a Saturday afternoon.

Christchurch.—(Shops and Offices Act): For failing to close shop on the half-holiday, W. J. Holmes was fined £2, and costs 7s. A second charge of failing to grant a half-holiday to an assistant was dismissed, on the ground that the man was not an assistant.

Timaru.—(Factories Act): Case on appeal as to whether the Timaru Corporation abattoir was liable for registration under the Factories Act. Mr. Justice Denniston dismissed the appeal, holding that "The Slaughtering and Inspection Act, 1900," must, so far as it affected abattoirs, be read as overruling the Factories Act. (For full report of decision see page 425, *Labour Journal*, June, 1905.)

Dunedin.—(Shops and Offices Act): George Edwards was fined 5s., and costs 7s., for failing to close his shop on the half-holiday. Defendant is a fruiterer, but kept a varied stock, including seeds and other sundries, and on this account must close. As it was the first case under subsection (1) of section 9, only a nominal penalty was imposed, as above.

Mosgiel.—(Shops and Offices Act): For failing to give an assistant the half-holiday, William Turnbull was fined £2, and costs 7s. Elizabeth Hawly was also fined £2, and costs 7s., for failing to observe the half-holiday.

Invercargill.—(Shops and Offices Act): For failing to close his shop on the half-holiday, L. Mathieson was fined 5s., and costs 9s. Herbert Bentley was proceeded against for (1) employing two assistants more than fifty-two hours per week, (2) and (3), failing to give assistants the weekly half-holiday. On the first charge defendant was fined 5s., and costs 9s., and on the other two charges a conviction was recorded without costs, as suggested by the Inspector.

JUNE, 1905.

Auckland.—(Factories Act): Rupert Mantell was charged with (1) employing two girls after 6 p.m. without a permit, (2) employing six girls on Saturday afternoon (statutory half-holiday), (3) failing to keep outer doors of factory open while persons were working therein. Penalties: (1) £1, with 18s. costs; (2) £1 10s., with £1 15s. costs; (3) £1, with 9s. costs.

Gisborne.—(Factories Act): R. and J. Robb were fined 10s., and costs £1 8s., for failing to register their premises as a factory.

Wanganui.—(Factories Act): Aramoho Meat-freezing Company (E. D. Johnston, Manager) was fined £20, and costs £1 2s., for employing a youth under eighteen years of age on Good Friday and Easter Monday. Wages ordered to be paid. (Full report on page 515, *Labour Journal*, July, 1905.)

Masterton.—(Shops and Offices Act): Ernest Mickle and Hugh Rea were fined 10s. and 5s. respectively, with costs £1 8s. in each case, for failing to close their shops on the statutory half-holiday. The Magistrate intimated that heavier penalties would be inflicted in future.