

Dunedin.—(Shops and Offices Act): Yow On, grocer and fruiterer, was fined £1, with 7s. costs, for failing to close his shop between 6 p.m. and 8 a.m. on following day. In this case, on the points raised by Mr. Barclay, counsel for defendant, his Worship said he would decide against the plea of *res judicata*; and on the other point—namely, the charge of keeping open on two days of the week—he would allow the information to be amended to meet the requirements of the section. Inspectors Lomas and Hally gave evidence as to the shop being open on the dates mentioned after 6 p.m., and also as to the Chinaman who was recognised as an assistant being employed. Mr. Barclay said the defence was that Yow On, who was a law-abiding citizen, had his attention drawn to the advertisement notifying the intention of the Department to enforce the provisions of section 3, and he thereupon discharged his assistant, and resolved to conduct the business himself. The man who was employed was a decrepit person, was in very bad health, and, on being dismissed from his employment, asked to be allowed to stay with the defendant until his health improved and he was able to find other employment. Out of absolute charity for the old man and sympathy with him in his sickness, Yow On consented to allow him to remain, and refused to accept from him money he tendered for board. As to the sale, the man who was supplied with cigarettes came into the shop and asked for change of a pound, and, as Yow On was at the rear of the building, the ex-assistant went to the till to give the change, but found he was 3d. short, and the person who came in suggested that, as he wanted the change badly, the value of the deficient change should be made up with cigarettes. This was being done when the Inspectors came in, and the present prosecution was the result. Yow On gave evidence corroborating the statements of counsel, and asserted positively that his assistant had been discharged some time before the dates set out in the information. Ah Yow, a former assistant to Yow On, also corroborated the statements of counsel, and denied that he was employed on the premises. Mr. Barclay claimed a dismissal, on the grounds that both defendant and Ah Yow had sworn that the latter was not employed, and that no proof that he was employed had been produced. His Worship: A man may be employed without getting wages. Mr. Barclay: Possibly, your Worship; but in this case the defendant's only fault is that he has been guilty of an act of charity. The Magistrate: If I dismissed this case, I would have to dismiss almost every one that is brought under the Act. I have decided to convict, and defendant will be fined £1 and costs.

SEPTEMBER, 1905.

Auckland.—(Factories Act): For employing three girls on a Saturday afternoon, Mrs. Lena Scott, dressmaker, was fined £1 10s., with £1 7s. costs.

Aratapu.—(Shops and Offices Act): William Phealan was fined 10s., with costs amounting to £1 8s., for failing to close his shop on the half-holiday. In this case defendant had kept his shop open in order that entry might be made to his billiard-room, notwithstanding that there was a side entrance to the latter.

Pahiatua.—(Shops and Offices Act): W. Yan Foon was fined 5s., with 7s. costs, for failing to close his shop on a Saturday at 9 p.m., in accordance with a requisition of a majority of the shopkeepers for early closing under section 21.

Masterton.—(Factories Act): The Masterton Borough Council was charged with failing to register the gasworks as a factory under the Act. The fine imposed was £2, with costs amounting to £2 2s. (See full report on page 840, *Labour Journal*, October, 1905.) (Shops and Offices Act): Hugh Rea was fined £2, with 7s. costs, for failing to keep his shop closed on the statutory half-holiday.

Wanganui.—*Re* Johnson (appellant) and McQuarters, Inspector of Factories (respondent): The two appeal cases mentioned (see July) for breaches of the Factories Act were called on at the Supreme Court on the 21st September, and dismissed by consent. Inspector allowed £5 5s. costs altogether.

Feilding.—(Shops and Offices Act): Chew Lee was fined 5s. for failing to close his shop at 9 p.m. on a Saturday in accordance with a requisition of a majority of the shopkeepers for early closing under section 21. For similar offences, Sing Lum Kee, Mrs. H. Ham, and Sing Loong Kee were each similarly fined 5s.

Wellington.—(Shops and Offices Act): Julius Abel, tobacconist, was fined £2, with 17s. costs, for failing to close his shop on the weekly half-holiday. Thomas Murdoch, storekeeper, was similarly dealt with for a similar offence (£2, and 17s. costs). J. Z. Thakis, shop and restaurant keeper, was convicted and ordered to pay 5s. costs for failing to close his shop on the statutory half-holiday. Defendant stated that he did not sell goods on the half-holiday, but that only the restaurant portion of his business was carried on. Neil Austin, restaurant-keeper, was also convicted and ordered to pay costs (5s.) for failing to close on the half-holiday. Defendant sold cigarettes on the half-holiday, and, on the plea that other restaurant-keepers did the same, he did not consider he was committing a breach of the law. Inspector did not press for penalty in this case.

Westport.—(Shops and Offices Act): Robert Taylor, storekeeper, was charged with employing shop-assistants on the half-holiday (four charges). Penalty: 5s., with 13s. costs, on first charge, and convicted, with 19s. costs, on second; the other two charges were then withdrawn.

Christchurch.—(Factories Act): Edwin Clark, manager for Chrystall and Co., was charged with failing to report an accident to an employee as required by the Act. Admitting the offence, defendant was fined £2, with costs 7s. The Magistrate remarked it was the duty of responsible persons in factories to acquaint themselves with the Act.