

business carried on and not in the separate trades; it is impossible, therefore, to classify the returns under the respective trades. Then it is frequently difficult to distinguish between a purely retail business and a wholesale business. For these reasons it has been found impossible to make an adequate comparison of the number of shops and of the assistants employed therein from year to year. It is to be regretted that this step is necessary, but the utmost difficulty has been experienced in getting reliable statistical information, for the reasons stated. A simple return will, however, be collected from shopkeepers from year to year, as it is essential that some annual record be kept of the shops carrying on business.

PROSECUTIONS.

The following details show the number and nature of the prosecutions under the Act during the year :—

Offences.	Number of Cases taken.
Failing to close in terms of requisitions by which the hours are fixed by a majority of shopkeepers concerned	67
Failing to close on statutory half-holiday	43
Failing to grant weekly half-holiday to assistants	10
Failing to pay wages at not longer than fortnightly intervals	4
Employing assistants after hours prescribed for assistants	28
Employing assistants more than the prescribed number of hours	13
Employing assistants overtime without permission	8
Failing to pay overtime rates to assistants	4
Failing to keep holiday-book in hotels and restaurants	15
Failing to keep wages and time book	25
Total	217

Altogether 217 cases were taken against shopkeepers, compared with 298 during the previous year. The decrease is mainly accounted for by the fact that the proprietors of hotels and restaurants have become accustomed to the working of the Act of 1910. Out of the 217 cases taken, twelve were dismissed, as follow :—

Two against chemists, for employing assistants after hours, were dismissed owing to conflicting evidence. One against a boardinghouse-keeper, for employing an assistant longer than fifty-two hours per week, was dismissed, as the S.M. held that, as defendant generally did not supply meals to the public, but sold only occasional meals, his place was therefore not a restaurant. (An appeal was lodged by the Department against this decision, but it was dismissed.) One against a private-hotel keeper, for failing to pay two waitresses for overtime worked, was dismissed, as the information had not been laid within one month of the offence being committed. One against a pork-butcher, for failing to close his shop on the statutory half-holiday; defendant kept a lunch-room at the back of his shop, and at 1 p.m. on the holiday he placed a screen in position so as to shut off the shop. The S.H. held that this was sufficient to comply with the provisions of the Act. (An appeal is pending.) One against a hawker, for selling on the statutory half-holiday, was dismissed, as a definite sale could not be proved. One against a pork-butcher, for failing to close his shop in terms of a gazetted requisition from butchers fixing their closing-hours, was dismissed, the Court holding that the requisition did not apply to pork-butchers' shops, as the trades of butcher and pork-butcher were separate, they being separately mentioned in the Second Schedule of the Act. One case against a tea-room proprietor, for failing to pay wages at not more than fortnightly intervals, was dismissed, the Magistrate holding that, as there was a dispute between defendant and the worker as to the amount of wages due, he would not convict defendant. One against a butcher, for employing an assistant more than fifty-two hours in one week, was dismissed for the reason that the worker in question was not employed for more than fifty-two hours as a shop-assistant. The evidence showed that the assistant was engaged for some hours per week slaughtering for defendant's brother. One case against a fancy-goods dealer, for employing two assistants after hours, was brought before the Court, but was dismissed owing to there being insufficient evidence to convict. Two Chinese grocers were prosecuted for selling tobacco and cigarettes after the hours fixed by requisition for the closing of tobacconists' shops. The S.M. held that in each case subsection (5) of section 25 had the effect of restricting the whole section to occupiers of shops who were British subjects, and as defendants were not naturalized no offence had been committed. The cases were accordingly dismissed. This case discloses an