

They feel that they are the victims of an arbitrary law and of an arbitrary territorial boundary; and I think this latter point has caused and explains the especial ill-feeling against the law which exists in the Tapanui district, where, at the last poll, a considerable majority was cast for the issue of licenses, a majority which was destroyed by votes cast in the Waiwera district, at the opposite end of the constituency, and with which the Tapanui settlers have no interest in common, and but little intercommunication.

There always remains the fact that the consumption of alcoholic liquors is not, and, until public opinion is totally changed, cannot be regarded as, *malum in se*.

That it is neither morally bad nor inexpedient the population of this district must be satisfied, since they find that both Houses of Parliament regularly pass a sessional resolution approving the sale and consumption of alcoholic liquors within the walls of the Parliament House itself.

With these general considerations I pass to the actual results of the application of the provisions to this constituency so far as they have come under my notice as Magistrate.

I append to this report schedules giving the particulars of every information laid since prohibition was carried, and what was done on those informations.

The general result is as follows:—

Informations.

Withdrawn	40
Dismissed	16
Convictions	23
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Total	79
Total amount of fines levied	£651

It cannot be said that the law has been allowed to sleep by the Executive, or that it has not been fairly put in operation. It will be observed that the first information was laid in November, 1894; the last cases were heard in December, 1897.

Looking back on these prosecutions, and considering the position to-day, it is impossible for me to say that the sale has been stopped, or that any final blow has been given to the trade. My impression is that the effects of convictions are only temporary, and are effaced within a not very long period of time. They bring about greater caution for a time, until the impression wears off.

I am quite unable to say to what extent the consumption of alcoholic liquors in the private houses of the settlers has taken the place of the publichouse consumption.

I am sure that at first, after the closing of the licensed houses, the quantity of alcoholic liquor going in demijohns and casks into private houses was very considerable. But I have been informed that it has since decreased, owing to the settlers finding that it was too costly, the demijohn and cask being soon exhausted when access was constantly to be had to it.

On the other hand, I am informed from credible sources that liquor is to be found generally, and is offered to visitors, in houses where before 1893 no liquor was kept.

I put forward these statements with extreme diffidence. I have no "evidence" which I could bring forward myself.

In all statements made to me I have to consider whether my informant is a Prohibitionist or a license advocate, and to discount the statements accordingly if he is either the one or the other.

So far as to the effect on liquor consumption, I have now to go to a far more serious aspect of the case. The repressive measures and the penal enforcement of them have led to an open defiance of law, and to a disregard of truth in the Magistrate's Court, the evils of which I cannot sufficiently dwell on and deplore.

There is hardly a case which has come before me in which the defendant has pleaded "Not guilty" in which, in my opinion, there has not been lying in the witness-box. In some cases it is most deliberate. In all, it seems to me that no odium attaches to it in the mind of the ordinary public, and that resort to any practices is deemed justifiable to defeat what is considered an unfair attempt to deprive the public of a right.

The lying is becoming systematical; the points to be protected are getting clearly defined; the difficulties of the prosecution are increasing. In a case not long ago—if reliance is to be placed on the statements made in Court by the prosecution—a deliberate conspiracy existed to get rid of witnesses and defeat the ends of justice, while hardly a case is heard in which the prosecution has not suggested that the witnesses for the prosecution have been tampered with—a suggestion which I cannot deny appears to be well founded. I frequently arrive at a conviction by discrediting a part and crediting other parts of the evidence of witnesses for the prosecution, and totally discrediting witnesses for the defence.

That there is a wide public sympathy with the sellers, and antagonism to the informers and police, is unquestionable; and in a recent case in Tapanui there is little doubt that it was necessary that the informers should be taken under police protection.

It appears to me that the advocates of prohibition care nothing, so long as they can keep the publichouses closed, what injury is done to the respect for law, or to the cause of morality or justice; that their entire morality is summed up in the words "total abstinence," and, given that, *ruat cœlum*.

I do not so regard it; and I say that, while attempting (for they only attempt) to cast out one devil, they are bringing in several others far worse than that one.

There are not only the evils I have dwelt upon, but there is dissension and ill-will and mutual distrust, and even hatred, springing up in these little townships, and growing out of this source.