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CAPE OF GOOD HOPE

PARLIAMENT

SELECT COMMITTEE ON
WINE AND SPIRIT
LICENCES

REPORT





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CAPE OF GOOD HOPE.

REPORT

OF THE

SELECT COMMITTEE

APPOINTED TO CONSIDER AND REPORT ON

WINE AND SPIRIT LICENCES.

Ordered by the House of Assembly to be printed.

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REPORT

OF THE

SELECT COMMITTEE appointed by the HOUSE OF ASSEMBLY on the 6th of June, 1867, "to consider and report to this HOUSE whether it is desirable and expedient to reduce the amount payable for LICENCES to RETAIL WINES, &c., at present chargeable in the various DISTRICTS of this COLONY; if so, what RATE or TARIFF should be adopted; with power to take Evidence and call for Papers."

MEMBERS :

The Treasurer-General,
Mr. Neethling,
„ Clough,

Mr. Loxton,
„ Gain.

Your Committee having carefully examined the various papers laid before them, and deliberated upon the same, have to report :

That, in the opinion of your Committee, it is desirable to reduce the charges for licences for the sale of wines and spirituous and fermented liquors by retail to an uniform rate of £30 per annum for all places licensed within the limits of all towns, municipalities, and villages and other places placed under the Public Nuisances Act, No. 2, 1855. And for licences in such places for nine months, six months, and three months, to terminate on the 31st March in each year, to £23, £16, and £8, respectively. And for all licences to retail without the limits of any such places as aforesaid, such sum or sums as the Licensing Board for the districts in which any premises sought to be licensed shall be situated shall fix and determine, in terms of paragraph 4 of section 2 of Act No. 4, 1864, not being in excess of £30 or less than £10 for any annual licence.

And in regard to the memorial of Messrs. F. and P. Lange, specially referred by the House to this Committee on the 20th of June, 1867, for report :

That the circumstances of the case are those of peculiar hardship ; but they will be met, as well as other cases of a somewhat similar nature, by the adoption of the foregoing recommendation of your Committee.

GEO. GAIN, Chairman.

Committee-rooms, House of Assembly,
28th June, 1867.

PROCEEDINGS OF COMMITTEE.

MEETING of the SELECT COMMITTEE appointed by the HOUSE of ASSEMBLY on the 6th JUNE, 1867, to consider and report to the HOUSE whether it is desirable and expedient to reduce the amount payable for LICENCES to RETAIL WINES and SPIRITS, &c., at present chargeable in the various DISTRICTS of the COLONY; if so, what RATE or TARIFF should be adopted, with power to take Evidence and call for Papers; consisting of the Honourable the Treasurer-General and Messrs. Neethling, Clough, Loxton, and Gain.

Friday, 14th June, 1867.

PRESENT :

Mr. Clough,
,, Neethling,

Mr. Gain.

Mr. Clough moved, seconded by Mr. Neethling :
That Mr. Gain be the Chairman of the Committee.
Agreed to.

Committee in deliberation.

Resolved to call for the following papers :

1. Report of the Select Committee of the House on Stamps, appointed in the year 1864, together with the papers connected therewith.

2. The two petitions presented in 1862 from hotel-keepers at Graham's Town and licensed victuallers of the Cape Division, against the increase in the rate of wine and spirit licences.

3. Report of the Select Committee of House appointed in the session of 1865 on the wine trade, together with all the papers connected therewith.

4. All petitions presented subsequent to the passing of the Act No. 4 of 1864, in reference to the wine and spirit licences.

5. A return of the number of licences issued in Cape Town and district thereof and Cape division for the year commencing from the 1st April, 1859, distinguishing wholesale from retail, and the amount received by Government for the same.

6. A return of the number of licences issued in Cape Town and district thereof for the years commencing 1st April, 1865, and 1st April, 1866, and the amount received by Government for the same; and also, a return of the number of applications for licences

granted at the annual licensing court, held in Cape Town, in March last, and the amount received by Government for the same; and the number of such applications which have been granted but not taken out and paid for.

Committee adjourned until Wednesday, the 19th instant.

Wednesday, 19th June, 1867.

PRESENT :

Mr. Neethling,	|	Mr. Clough.
Mr. Loxton,		

In the absence of the Chairman, the Committee adjourned until Tuesday, 25th instant.

Tuesday, 25th June, 1867.

PRESENT :

Mr. GAIN (Chairman),		
Mr. Neethling,	|	Mr. Loxton.

The following papers and returns were laid before the Committee, viz. :

- Ann.* 125 of 1864.—Report of the Select Committee of the House of Assembly brought up on the 7th June, 1864.
- Pet.* No. 95, 1864.—Presented to the House of Assembly by Mr. George Wood, jun., on the 27th June, 1864, signed by 15 hotel-keepers at Graham's Town, *against an increase in the amount paid for retail wine and spirit licences.*
- Pet.* No. 89, 1864.—Presented to the House of Assembly by Mr. G. Gain on the 22nd June, 1867, signed by 65 licensed victuallers of the Cape division, *on the same subject.*
- Ann.* 261 of 1865.—Report of the Select Committee of the House of Assembly on the subject of the *wine trade*—printed number, 23, 1865.
- Pet.* No. 55 of 1866—by H. Lange and others, retail dealers of the district of Port Elizabeth, *for an amendment of Act No. 4, 1864.*
- Pet.* No. 93 of 1866—by 103 inhabitants of Cape Town interested in the wine trade, *on the same subject.*

Pet. No. 123 of 1866—by 3 dealers in wines and spirituous liquors, of Mowbray, *on the same subject*.

Ann. 79, 1866.—Return of the number of licences issued under Act No. 4, 1864, from 1st October, 1864, to 30th June, 1866,—printed number, A. 13, 1866.

Return of number of licences issued in Cape Town and district thereof, for years commencing 1st April, 1865, and 1st April, 1866, and the amount received by Government for the same.

Return of number of applications for licences at the annual licensing court held in Cape Town in March last, and the number of such applications which have been granted, but not taken out, and the amount received by Government for the same.—(Appendix A.)

The Chairman informed the Committee that the petition of Messrs. F. and P. Lange was referred by the House to the Committee for report.—(Appendix B.)

Committee in deliberation.

Resolved, that the Chairman draft a Report and submit the same at meeting to be held on Friday, 28th instant, at 11 o'clock a.m.

Adjourned accordingly.

Friday, 28th June, 1867.

PRESENT:

	Mr. GAIN (Chairman),	
Mr. Clough,	|	Mr. Neethling.

Chairman brought up a draft Report.

Committee in deliberation.

Report approved of, and Chairman instructed to bring up same to the House.

APPENDIX.

[A]

RETURN showing the Number of Licences issued under Act No. 4 of 1864, and the Amount realized by them in Cape Town, Green Point, Graham's Town, Port Elizabeth, Simon's Town, Graaff-Reinet, Paarl, and Stellenbosch, from the 1st October, 1864, to the 30th June, 1866, pursuant to Government Letter dated 1st September, 1866.

YEAR.	CAPE TOWN.		GREEN POINT.		GRAHAM'S TOWN.		PORT ELIZABETH.		SIMON'S TOWN.		GRAAFF-REINET.		PAARL.		STELLENBOSCH.	
	No.	Amount.	Amount.	Amount.	Amount.	Amount.	Amount.	Amount.	Amount.	Amount.	Amount.	Amount.	Amount.	Amount.	Amount.	Amount.
	£	s.	£	s.	£	s.	£	s.	£	s.	£	s.	£	s.	£	s.
1864.																
1st October to 31st December	5	150 0	.	.	30 0 2	60 0	.	.	.	.	30 0 1	30 0 1	30 0 2	30 0 2	21 0	0
1865.																
	169	747 0	.	.	911 10 55	2653 0 14	555 0 20	810 10 15	553 0 21	716 5						
1866.																
1st January to 30th June	141	6764 10	.	.	445 0 53	1352 10 13	545 0 14	625 0 10	440 0 17	660 0						

NOTE.—If any Licences have been issued for Green Point, they are included under Cape Town, as, on account of the value of the Licence being the same as in Cape Town, they are not shown separately in the Monthly Account of the Distributor of Stamps.

Audit Office, 25th September, 1866.

E. M. COLE, Auditor.

RETURN of the Number of Licences issued in Cape Town and District thereof for Years commencing 1st April, 1865, and 1st April, 1866, and the Amount received by Government for the same.

Year.	Number.	Date.	Amount received.		Total.
			£	s. d.	
1865	150	April	6,777	10 0	£ s. d. 7,243 10 0
	5	July	200	0 0	
	4	October	120	0 0	
	3	December	96	10 0	
	3	January to 31st March, 1866	49	10 0	
	1866	129	April	6,265		0 0
9		July	167	10 0	
RECAPITULATION.					
	1865.—165 Licences.	Amount	£7,243	10 0	
	1866.—138 "	"	6,432	10 0	

RETURN of the Number of Applications for Licences granted at the Annual Licensing Court held in Cape Town in March last, and the Number of such Applications which have been granted but not taken out and paid, and the Amount received by Government for the same.

Number granted.	Number taken out.	Number not taken out.	Actual amount of Licences.	Amount paid into Government to date.
142	132	10	£ s. d. 6,411 10 0	£ s. d. 4,389 0 0

NOTE.—The difference here shown of unpaid money, is in consequence of persons giving security Bonds, bearing interest at 10 per cent., in cases where they are unable to pay up the full amount at once. The instalments are paid up quarterly or half-yearly.

RECAPITULATION.

1867.—132 Licences. Amount £6,411 10 0

S. J. BRODRIBB, Distributor of Stamps.

Stamp Office, June, 1867.

[B]

Port Elizabeth, 17th April, 1867.

The Honourable the Colonial Secretary, Cape Town.

SIR,—At the request of Messrs. F. and P. Lange, we enclose, for the consideration of His Excellency the Governor, a memorial praying for a reduction of the fee for a wine and spirit licence on a certain accommodation-house belonging to them.

We have, &c.,

INNES & ELLIOTT,

Attorneys, &c.

To His Excellency Sir Philip Edmond Wodehouse, K.C.B., Governor and Commander-in-Chief of Her Majesty's Colony of the Cape of Good Hope, in South Africa, and of the Territories and Dependencies thereof, &c., &c., &c.

The Memorial of Frederick Lange and Peter Lange, of Uitenhage and Port Elizabeth, trading together in copartnership, under the firm of F. & P. Lange,

RESPECTFULLY SHOWETH,—That your memorialists are the holders under legal cession, duly sanctioned by Government, of a certain lease of the outspan at Fish Water Flats, between Port Elizabeth and Rawson Bridge, bearing date the 24th day of June, 1862, granted by the Colonial Government of the Cape of Good Hope to one Richard John Berry for the term of thirty-three years from the 1st of January, 1862.

That by the said lease, amongst other conditions, the said lessee was bound to erect a house of accommodation and out-houses as described in a plan annexed to the said lease, and to maintain and keep the same in order during the continuance of the lease.

That such buildings have been erected and were purchased by your memorialists with the other privileges of the said lease for a sum of one thousand pounds.

That at the time the said lease was entered into by the said Richard John Berry, the yearly fee payable to Government for a licence to sell wines and other liquors at the said accommodation-house was only twenty pounds sterling, but that by the Act No. 4, 1864, the licence fee was raised to fifty pounds per annum on all places within three miles of the municipal limits of Port Elizabeth.

That the said accommodation-house is situated beyond the fourth mile-stone on the road from Port Elizabeth to Graham's Town, but within three miles of the municipal limits, which in

that direction extend very far beyond any buildings forming part of the town, and that, consequently, the licensing board have no power to diminish the rate of the licensing fee.

That your memorialists find it utterly impossible profitably to maintain the said house of accommodation, if paying so high for a licence; while another house, only a couple of miles further, pays only twenty pounds per annum for its licence.

That your memorialists have consequently declined to take out a licence for the present year, by reason whereof the efficiency and convenience of the place as a house of accommodation will be greatly impaired without the revenue deriving any benefit.

That were a more moderate sum payable, your memorialists would be willing to take out a licence, whereby the revenue would again, and the public convenience would likewise be consulted.

Wherefore your memorialists would respectfully pray that your Excellency will be pleased to take the matter into favourable consideration, and to permit the licence fee in this case to be reduced; and to direct that, in the event of a licence being granted for the said house of accommodation, a reduced amount, to be fixed as your Excellency shall think fit, may be paid for such licence.

And your memorialists, &c., &c.

F. & P. LANGE.

Port Elizabeth, 16th April, 1867.

—

Referred to the Civil Commissioner of Port Elizabeth for report.

By order,

L. ADAMSON, for the Colonial Secretary.

Colonial Office, 30th April, 1867.

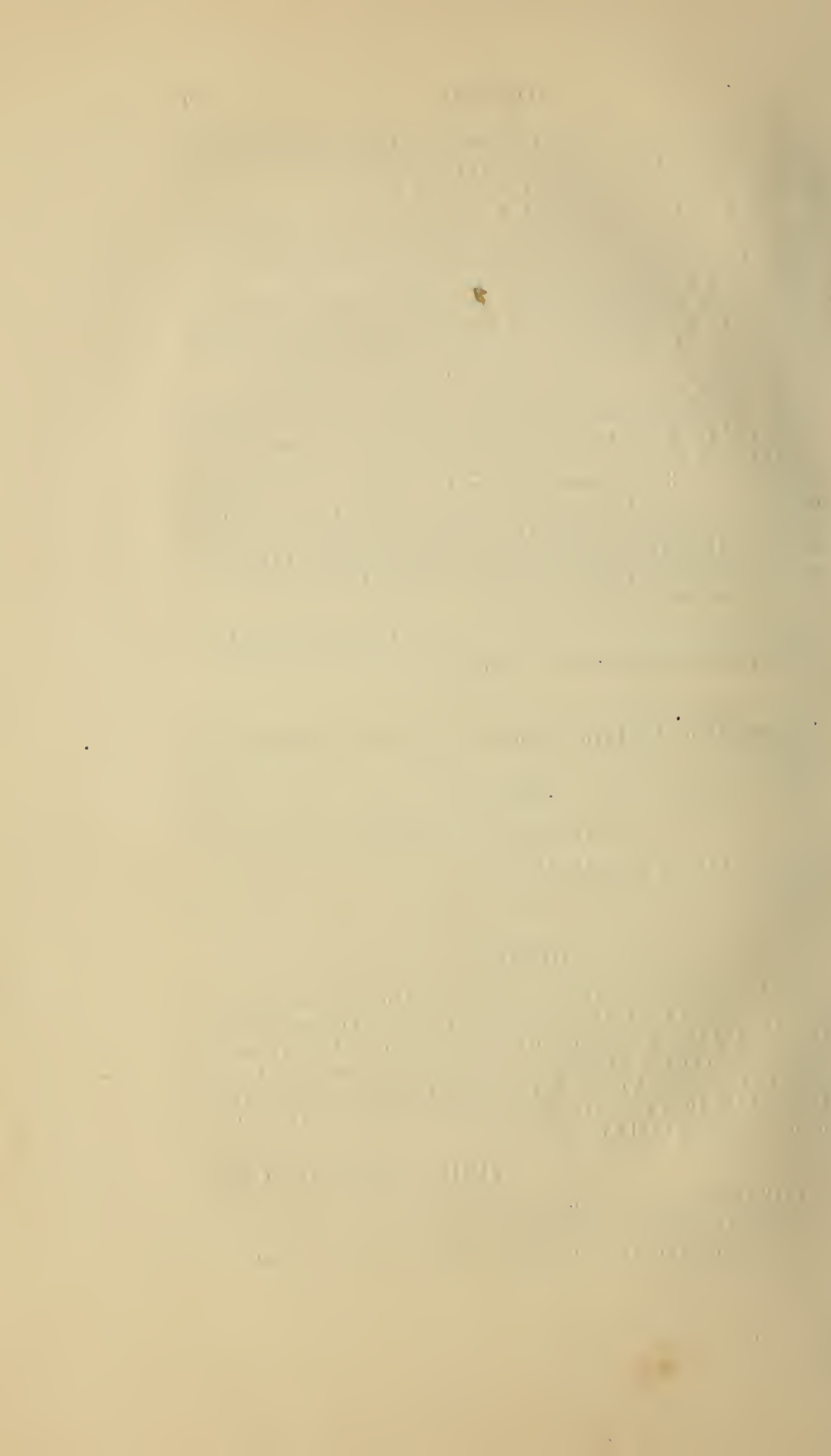
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REPORT.

All the circumstances are correctly stated in this memorial, and as the buildings erected are somewhat substantial and suitable for the object, I beg to recommend the application for the favourable consideration of His Excellency. The licensing board was unanimous in expressing a desire to reduce the price of the licence, but I brought to their notice the Stamp Act of 1864, which precluded their interfering in the matter.

JOHN CAMPBELL, C.C.

Civil Commissioner's Office,
Port Elizabeth, 8th May, 1867.



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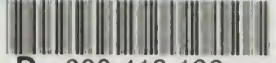
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