

# SUPPLEMENTARY ORDER PAPER.

## HOUSE OF REPRESENTATIVES.

Tuesday, the 10th day of September, 1895.

### ALCOHOLIC LIQUORS SALE CONTROL ACT AMENDMENT BILL.

Hon. Mr. SEDDON, in Committee, to move the following amendments:—

As to subclause (3) of clause 19: Omit all the words after “save that” and substitute “each voter shall be entitled to vote for any one or two of the proposals submitted.”

As to subclause (6) of clause 19: Omit all the words after “subsequent national option poll,” and substitute “licenses shall be restored or not in each district according to the result of the licensing poll on those proposals in such district.”

As to subclause (4) of clause 20: Next before “option poll,” insert “district or national.”

As to clause 21: In line 33, next after “charter,” insert “therein.” And in line 35, omit “granted” and substitute “in force.”

As to clause 25: Next after “such Clerk,” in line 11, insert “(and also such reasonable remuneration to the Clerk of the controlling authority of the district as, having regard to the additional duties imposed on him by this Act, such local authority thinks proper).”

As to subclause (2) of clause 27 (line 1 of page 12): Next after “granted,” insert “or that licenses be reduced.”

As to subclause (1) of clause 31: Omit the subclause.

As to subclause (2) of clause 31: Omit all the words from and exclusive of “thirty-five,” down to and inclusive of “licensee,” in line 43, and substitute “by adding at the end of that section the following proviso.”

As to subclause (8) of clause 31: Next after “such case,” insert “provided no appeal from such conviction is duly prosecuted and allowed.” Next after “landlord,” insert “by himself or his agent or bailiff, duly authorised in writing in that behalf.” Next after “this Act,” insert “enter upon and take possession of the premises.” Omit “from the premises,” and substitute “therefrom without any legal process, and as effectually as a Sheriff may by law do under a writ of possession duly issued to him for the recovery of land.”

As to clause 34: Next after “lodger,” insert “(the proof whereof shall lie upon him).”

As to subclause (2) of clause 35: Omit “or the *last-preceding*”; and next after “defendant,” insert “to show that he did not know of the existence of such prohibition order.”

As to subclause (1) of clause 37: Next before “Schedule,” in line 34, omit “*Fourth*” and substitute “*Fifth*.”

As to subclause (4) of clause 37: Next before “Schedule,” in line 44, omit “*Fifth*” and substitute “*Sixth*.”

As to clause 39: Omit the clause.

As to the First Schedule: In the first line of the General Directions, next after "except two," insert "or all except three." In the third line of the General Directions, next after "If the voter," insert "strikes out all or." In the same line omit "two" and substitute "one."

As to the Second Schedule: In the third line of the General Directions, next after "If the voter," insert "strikes out all or." In the same line, omit "any," and substitute "at least one."

As to the Third Schedule: Insert next after the first line "I vote that licenses be restored in the district." Omit everything after "General Directions," and substitute "As in Second Schedule."

As to the Fourth Schedule: Next after "That licenses be restored in the colony" (11th line of page 16) insert "That licenses be restored in the district." In the 21st line of page 16 omit "or in the colony." In the same line, next after "restored," insert "or be not restored"; and omit "or in the colony, or be not restored in the colony."

Insert the following new clauses as clauses 39 and 40:—

39. With respect to every district the electors whereof have duly determined in manner prescribed by the Licensing Acts that no licenses be granted therein, and so long as, pursuant to such determination, no licenses are in force therein, the following provisions shall apply:—

- (1.) It shall not be lawful for any person whomsoever—
  - (a.) To solicit or receive any order for any liquor within such district; nor
  - (b.) To sell, or expose or keep for sale, any liquor within such district; nor
  - (c.) To send (either from without or within such district) or deliver to any person residing therein, or at any place situate therein, any liquor which the person sending or delivering the same has reasonable ground to suspect is intended to be sold, or exposed or kept for sale, therein.
- (2.) Every person who commits any breach of any of the provisions of this section is liable for a first offence to a penalty not exceeding *fifty* pounds, and for a second or any subsequent offence to imprisonment for any term not exceeding *three* months.
- (3.) In any prosecution for the sale of liquor in breach of this section it shall not be necessary, in proving the sale, to show that any money or money's worth passed, or that any other consideration for the sale existed, if the Court is satisfied that a transaction in the nature of a sale actually took place.
- (4.) In any prosecution for exposing or keeping liquor for sale in breach of this section it shall lie on the accused to show that the liquor proved to be exposed or kept was not so exposed or kept for sale.
- (5.) In any prosecution for sending or delivering liquor in breach of this section it shall lie on the accused to show that he had no reasonable ground to suspect that such liquor was intended to be sold, or exposed or kept for sale, within such district.
- (6.) This section shall not apply to sales by brewers of liquor, being their own manufacture, to persons not residing or carrying on business within such district, and to be delivered beyond the limits of such district.

40. (1.) All prosecutions for breach of any of the provisions of the Licensing Acts shall be heard and determined by either a Stipendiary Magistrate or two Justices, anything in the Licensing Acts to the contrary notwithstanding.

(2.) Every person who commits any breach of any of the provisions of the Licensing Acts for which no specific penalty is thereby provided, is liable to a penalty not exceeding *five* pounds.