

SUPPLEMENTARY ORDER PAPER.

HOUSE OF REPRESENTATIVES.

Wednesday, the 11th day of September, 1895.

ALCOHOLIC LIQUORS SALE CONTROL ACT AMENDMENT BILL.

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

New clauses.

4. For the purpose of ascertaining such determination a poll (hereinafter called "the licensing poll") of the electors of the district shall be taken on the seventeenth day of March, one thousand eight hundred and ninety-seven, and on the same day in every third year thereafter.

7. (1.) The poll shall be taken as follows:—

- (a.) The Returning Officer of the licensing district shall, upon the day appointed, proceed to take the licensing poll in the manner provided by "The Electoral Act, 1893" for taking the poll for the election of members of the House of Representatives (hereinafter called "the electoral poll"), and all the provisions of that Act as regards taking a poll and the penalties incurred in connection therewith shall, *mutatis mutandis*, so far as they are applicable, and except as by this Act is otherwise provided, apply to the taking of any poll under the Licensing Acts.
- (b.) He shall also appoint a Deputy Returning Officer and a sufficient number of poll clerks for the purpose of attending to the business of taking the licensing poll.
- (c.) The voter shall strike out all the proposals on his voting-paper except one, or all except two, or all except three, as he thinks fit; and his vote shall be deemed to be given in favour of the proposals which he does not strike out.
- (d.) If the voter strikes out all or fails to strike out at least one of the proposals the voting-paper shall be void, and he shall not be deemed to be a voter who has recorded his vote.
- (e.) The polling-booths in each district shall be the same as those used at the taking of the electoral poll.
- (f.) Every such scrutineer shall make the declaration required under "The Electoral Act, 1893," to be made by scrutineers at the electoral poll.
- (g.) If the result of any licensing poll is disputed, any fifty electors may require an inquiry to be held in manner provided by section forty-eight and the subsequent sections of "The Regulation of Local Elections Act, 1876," and the matter in dispute shall be determined in the same manner, *mutatis mutandis*, as if the said poll were an electoral poll.

(2.) Every person who refuses or neglects to comply with, or commits any breach of, any of the provisions of this Part of this Act, or misleads or gives any misdirection to a voter in any matter relating to his vote, is liable for every such offence to a penalty not exceeding *twenty pounds*.

36A. In any case where a tenant of any premises wrongfully neglects or refuses to make due application for the grant or renewal of a license, or to do whatever is necessary for the purpose of procuring such grant or renewal, and by reason of such neglect or refusal serious loss may be caused, the owner or immediate landlord of the premises may himself make such application or do whatever is necessary as aforesaid, either in his own name or the name of his nominee, or in the name of the defaulting tenant, as such owner or landlord thinks fit, and may recover from the defaulting tenant all the costs and expenses thereby incurred.

Insert the following new clause in lieu of clause 40 in Supplementary Order Paper No. 46 :—

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

(2.) Any Justice or Justices of the Peace may sit in a Court with a Magistrate, but cannot in any such case act with the Magistrate, or exercise any jurisdiction whatever at such sitting.

(3.) 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.

(4.) Nothing in this section shall apply to offences under section one hundred and seventy-three of the principal Act.