

1901.

THE PARLIAMENT OF THE COMMONWEALTH.

No. 74.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

FRIDAY, 4TH OCTOBER, 1901.

1. The House met pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
2. EXCISE BILL—SENATE'S AMENDMENTS.—The Order of the Day for the further consideration in Committee of the whole House of the amendments made by the Senate in this Bill having been read—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole. Mr. Speaker resumed the Chair; Mr. Chanter reported that the Committee had dealt with the amendments as follows :—

AMENDMENTS MADE BY THE SENATE TO WHICH THE COMMITTEE OF THE WHOLE HAS AGREED.

- No. 1.—Page 3, clause 15, at end of clause add “but during such period every unlicensed person who manufactures excisable goods shall comply with this Act as if licensed and the premises on which he manufactures excisable goods shall be deemed a factory.”
- No. 3.—Page 6, after clause 39 insert the following new clause :—

“39A. The annual fees for licences are as specified in Schedule VIII., Licence fee. computing as from the first of January, and when by reason of the time of the granting of a licence it will not continue for a full year the amount shall be reduced proportionally.”
- No. 4.—Page 6, clause 43, line 23, after “licence” insert “or except by permission sell by retail any excisable goods in his factory or at any place within fifty yards thereof.”
- No. 5.—Page 7, after clause 50 insert the following new clause :—

“50A. Every manufacturer is responsible for the safe custody of all material and excisable goods in his factory and for the observance of this Act within his factory.”
- No. 6.—Page 8, after clause 63 insert the following new clause :—

“63A. The Collector shall furnish to each manufacturer the number of his factory to be called the factory number and the number representing the State in which the factory is situated to be called the State number.”
- No. 7.—Page 8, clause 65, line 37, omit “cigars cigarettes.”
- No. 8.—Page 8, clause 66, line 41, omit “cigars cigarettes.”
- No. 9.—Page 8, after clause 66 insert the following new clauses :—

“66A. The manufacturer shall mark upon every package of cigars or cigarettes the factory number and the State number before the package is removed from the factory. Marking of packages of cigars and cigarettes.

Penalty : Twenty pounds.

“66B. The marking of packages shall be plain and clear and in distinct characters and shall be effected by cutting burning or oil paint.” How marking effected.
- No. 10.—Page 10, clause 80, lines 22 and 23, omit “and every stage of process in the making of excisable goods.”

4th October, 1901.

- No. 11.—Page 10, clause 82, line 35, after “into” insert “and search.”
 No. 12.—Page 10, clause 82, line 36, omit “and search.”
 No. 13.—Page 10, clause 82, line 36, after “and” insert “search.”
 No. 14.—Page 10, clause 82, line 36, after “any” insert “depository.”
 No. 15.—Page 10, clause 82, line 37, after “goods” insert “may be or.”
 No. 16.—Page 13, clause 103, line 25, omit “a Judge.”
 No. 17.—Page 13, clause 103, line 27, omit “or Judge.”
 No. 18.—Page 13, clause 104, at end of clause add “and the Court may give leave to amend such notice as it thinks just.”
 No. 19.—Page 15, clause 114, line 22, omit “excisable.”
 No. 20.—Page 16, clause 118, line 16, omit “Three” insert “Five.”
 No. 21.—Page 17, after clause 128, insert the following new clause:—

“128A. In any Excise prosecution where the penalty exceeds One hundred pounds and the excess is not abandoned within seven days after service of process shall have the right in manner prescribed to elect to have the case tried in the option of the prosecutor either in the High Court of Australia or in the Supreme Court of the State in which such prosecution has been instituted and thereupon the proceedings shall stand removed accordingly and may be continued as if originally instituted in the Court to which they are so removed.”

Defendant to have right of trial in High or State Court.

- No. 22.—Page 18, clause 136, line 18, after “evidence” omit remainder of clause.
 No. 23.—Page 20, clause 148, line 20, omit “non-compliance with or.”
 No. 24.—Page 21, clause 152, line 4, omit “shall” insert “may.”
 No. 25.—Page 21, after clause 154, insert the following new clause:—

“154A. If any rebate is allowed in respect of any Excise Duty, the allowance shall be made and duty paid as prescribed.”

- No. 26.—Page 26, Schedule X., after Regulation No. 8, insert the following new Regulation:—

“*Delivery Book.*”

8A. Every manufacturer shall keep in his factory in a form approved by the collector a delivery book in which he shall enter daily the following particulars in relation to all tobacco, cigars, cigarettes, and snuff removed from his factory:—

- (a) The date of removal.
- (b) The weight of the tobacco or snuff removed.
- (c) The number of cigars or cigarettes removed.
- (d) The names and addresses of the persons to whom the tobacco, cigars, cigarettes, or snuff are delivered.”

AMENDMENT MADE BY THE SENATE TO WHICH THE COMMITTEE OF THE WHOLE HAS AGREED WITH AN AMENDMENT.

Amendment No. 2, viz:—

- No. 2.—Page 4, after clause 23 insert the following new clause:—

“23A. Excisable goods and goods liable to duties of Customs may in prescribed cases and subject to the prescribed conditions be delivered free of duty or subject to such duty as may be prescribed for use in the manufacture of excisable goods.”

In line 3, after “such” insert “lower.”

On the motion of Mr. Kingston, the House adopted the Report.

3. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That Order of the Day, Government Business, No. 2, be postponed until after the consideration of Order of the Day No. 4.
4. PROPERTY ACQUISITION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole House having been read—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.
 Mr. Speaker resumed the Chair; Mr. Chanter reported that the Committee had made progress in the Bill, and that he was directed to ask, That the Committee may have leave to sit again.
 Resolved—That the House will, this day, again resolve itself into the said Committee.
5. MESSAGE FROM THE SENATE—DISTILLATION BILL.—Mr. Speaker announced the receipt of the following Message from the Senate:—

MR. SPEAKER,

Message No. 23.

The Senate returns to the House of Representatives the Bill intituled “*An Act relating to Distillation,*” and acquaints the House of Representatives that the Senate insists upon its Amendments Nos. 8, 19, and 20, to which the House of Representatives has disagreed, as indicated in the annexed Schedule.

R. C. BAKER,
 President.

The Senate,
 Melbourne, 4th October, 1901.

SCHEDULE OF THE AMENDMENTS OF THE SENATE, TO WHICH THE HOUSE OF REPRESENTATIVES
HAS DISAGREED, UPON WHICH THE SENATE INSISTS.

Amendment No. 8.—Page 11, clause 58, line 3, after “spirit” insert “of a strength of at least thirty degrees above proof.”

Amendment No. 19.—Page 22, Third Schedule, Regulation No. 59, after “direct,” in line 3, omit remainder of regulation.

Amendment No. 20.—Page 22, Third Schedule, Regulation No. 60, after “labels,” in line 2, omit remainder of regulation.

Ordered—That the foregoing Message be taken into consideration forthwith in Committee of the whole House.

Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

Mr. Speaker resumed the Chair; Mr. Chanter reported that the Committee had considered the Senate's Message No. 23, and had now agreed to Amendments Nos. 8, 19, and 20, insisted on by the Senate.

On the motion of Mr. Kingston, the House adopted the Report.

6. MESSAGE FROM THE SENATE—EXCISE ON BEER BILL.—Mr. Speaker announced the receipt of the following Message from the Senate:—

MR. SPEAKER,

Message No. 22.

The Senate returns to the House of Representatives the Bill intituled “*An Act relating to Excise on Beer,*” and acquaints the House of Representatives that the Senate insists upon its Amendment No. 15, to which the House of Representatives has disagreed, as indicated in the annexed Schedule.

R. C. BAKER,
President.

The Senate,
Melbourne, 4th October, 1901.

SCHEDULE OF THE AMENDMENT OF THE SENATE, TO WHICH THE HOUSE OF REPRESENTATIVES
HAS DISAGREED, UPON WHICH THE SENATE INSISTS.

Amendment No. 15.—Page 7, clause 46, line 10, omit “and the making of the beer.”

Ordered—That the foregoing Message be taken into consideration forthwith in Committee of the whole House.

Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

Mr. Speaker resumed the Chair; Mr. Chanter reported that the Committee had considered the Senate's Message No. 22, and had now agreed to Amendment No. 15, insisted on by the Senate.

On the motion of Mr. Kingston, the House adopted the Report.

7 PROPERTY ACQUISITION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole House having been read—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

Mr. Speaker resumed the Chair; Mr. Chanter reported that the Committee had made progress in the Bill, and that he was directed to ask, That the Committee may have leave to sit again.

Resolved—That the House will, on Tuesday next, again resolve itself into the said Committee.

8. INTER-STATE COMMISSION BILL.—The Order of the Day for the resumption of the debate on the question, That the Bill be now read a second time, having been read—
Debate resumed.

Sir William McMillan moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the resumption of the debate be made an Order of the Day for Tuesday next.

9. MESSAGE FROM THE SENATE—EXCISE BILL.—Mr. Speaker announced the receipt of the following Message from the Senate:—

MR. SPEAKER,

Message No. 24.

The Senate returns herewith the Bill intituled “*An Act relating to Excise,*” and acquaints the House of Representatives that it has agreed to the amendment made by the House of Representatives upon the Senate's Amendment No. 2, as shown in the annexed Schedule.

R. C. BAKER,
President.

The Senate,
Melbourne, 4th October, 1901.

SCHEDULE OF THE AMENDMENT OF THE SENATE WHICH THE HOUSE OF REPRESENTATIVES
HAS AMENDED, TO WHICH AMENDMENT THE SENATE AGREES.

Amendment No. 2.—Page 4, after clause 23 insert the following new clause:—

“23A. Excisable goods and goods liable to duties of customs may in prescribed cases and subject to the prescribed conditions be delivered free of duty or subject to such duty as may be prescribed for use in the manufacture of excisable goods.”

Goods for use
in manufac-
ture.

Amendment made by the House of Representatives, to which the Senate agrees, viz.:—

After “such,” in line 3, insert “lower.”

4th October, 1901.

10. IMMIGRATION RESTRICTION BILL.—The Order of the Day for the consideration of the Reports from the Committee of the whole House on this Bill having been read—Mr. Deakin moved, That the Reports be now adopted.

Question—put and resolved in the affirmative.

Ordered—That the third reading be made an Order of the Day for Tuesday next.

11. ADJOURNMENT.—Mr. Deakin moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the House, at five minutes past three o'clock p.m., adjourned [until Tuesday next at half-past two o'clock p.m.]

MEMBERS PRESENT.—All Members were present except—The Prime Minister (the Right Honorable Edmund Barton, P.C.), Mr. Batchelor, Sir Langdon Bonython, the Right Honorable Sir Edward Braddon, P.C., Messrs. Brown, Cameron, Clarke, Conroy, G. B. Edwards, Ewing, Hughes, Kennedy, Manifold, McCay, McColl, McDonald, F. E. McLean, Phillips, the Right Honorable G. H. Reid, P.C., Messrs. Sawers, Bruce Smith, V. L. Solomon, Spence, Thomas, Thomson, and Watkins.

C. GAVAN DUFFY,
Clerk of the House of Representatives.