

1905.

129

## THE PARLIAMENT OF THE COMMONWEALTH.

No. 56.

## VOTES AND PROCEEDINGS

OF THE

## HOUSE OF REPRESENTATIVES.

TUESDAY, 24TH OCTOBER, 1905.

1. The House met pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
2. PAPERS.—Mr. Deakin presented, by command of His Excellency the Governor-General—  
Federal Capital Site—Correspondence *re* (2nd to 20th October, 1905).  
Ordered to lie on the Table.  
The following Papers were laid upon the Table by the Clerk :—  
Military Canteens—Particulars as to Receipts, &c.—Return to an Order of the House dated 31st August, 1905.  
Public Service Commissioner's Department—Cost of.—Return to an Order of the House dated 12th October, 1905.
3. PAPUA (BRITISH NEW GUINEA) BILL—SENATE'S AMENDMENTS.—The Order of the Day, made on 2nd August, 1905, having been read for the further consideration in Committee of the whole House of the amendments made by the Senate in this Bill, progress on which was reported on the 15th December of the previous Session—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

And the Committee continuing to sit till after midnight—

WEDNESDAY, 25TH OCTOBER, 1905.

Mr. Speaker resumed the Chair; Mr. Salmon reported that the Committee had dealt with the amendments, as follows :—

AMENDMENT MADE BY THE SENATE TO WHICH THE COMMITTEE HAS AGREED.

No. 2. Page 7, leave out clauses 22 and 23.

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

No. 1. Pages 6 and 7, clause 21, leave out clause 21, insert the following new clause in lieu thereof :—

Intoxicants may be purchased imported into manufactured and sold <sup>Intoxicants.</sup> in the Territory only by the Lieutenant-Governor or by officers duly appointed in that behalf and under regulations and conditions to be prescribed by the Lieutenant-Governor relating to the purchase importation manufacture and sale thereof.

No person other than as provided in the immediately preceding para- <sup>Penalty.</sup> graph shall import into manufacture or sell in the Territory any intoxicants.

Penalty: One hundred pounds.

Intoxicants for the purposes of this section shall mean any wine <sup>Definition.</sup> spirits ale beer porter cider perry or other spirituous or fermented liquor of an intoxicating nature.

Amendment to leave out clause 21 agreed to, but the proposed new clause disagreed to, and the following clause agreed to in place thereof, viz.:—

21.—(1.) After the commencement of this Act, licences shall not be granted in the Territory in excess of the number of licences in existence at the commencement of this Act. Regulation of sale of intoxicating liquor in the Territory.

(2.) The number of licences in the Territory may be reduced or licences may be abolished in the Territory in accordance with this section.

(3.) A poll may be taken in the whole Territory or in any Division thereof, once in each year, for the purpose of obtaining the vote of the people on the question whether the number of licences for the sale of intoxicating liquors shall be reduced by any and what number.

(4.) Subject to sub-section (3), a poll under this section shall be taken in the Territory or a Division thereof when requested by petition to the Lieutenant-Governor, signed by one-fourth of the people in the Territory or Division. Provided that the first poll under this section shall be taken at a period not later than nine months from the proclamation of this Act.

(5.) The adult white people shall for the purposes of this section be deemed to be the people of the Territory or Division, as the case requires.

(6.) The times and manner of taking a poll and the manner of giving effect to the decision arrived at by the poll taken shall be as directed by Ordinance.

(7.) No person shall supply to any native by sale gift or in any other way either directly or indirectly any intoxicating liquor and any person offending against the provisions of this sub-section shall be liable on conviction in a summary manner to a fine of not less than Twenty pounds and not exceeding Two hundred pounds and to imprisonment for any term not less than one month and not exceeding two years. Prohibition against supply of intoxicating liquor to natives.

Provided that it shall not be an offence under this sub-section for any person, for any urgent cause or necessity (the burden of proof whereof shall rest upon him) to administer intoxicating liquor to a native for purely medical purposes and without recompense or remuneration.

(8.) It shall not be lawful for any native to have in his possession any intoxicating liquor, in any Division in which licences have been abolished or (except for the sole purpose of carriage the burden of proof whereof for the purpose only of confiscation shall rest upon the owner of the liquor) in any Division in which a licence exists. If this sub-section is contravened the liquor may be seized by any officer exercising judicial functions, who shall in a summary manner direct that it be confiscated, and that it be disposed of according to his discretion, and the native shall be liable on conviction in a summary manner to imprisonment for any term not exceeding three months. Intoxicating liquor in possession of natives.

(9.) In this section—

(a) "licence" means a licence for the sale of intoxicating liquor;

(b) "intoxicating liquor" means any spirituous or fermented liquor of an intoxicating nature used or intended to be used as a beverage;

(c) "native" means any person in the Territory not of European descent.

Mr. Deakin moved, That the Report be now adopted.

Question—put.

The House divided—

Ayes, 29.

Mr. Batchelor,	Mr. Maloney,
Sir Langdon Bonython,	Mr. Mauger,
Mr. Chanter,	Mr. McCay,
Mr. Chapman,	Mr. Poynton,
Mr. Conroy,	Mr. Ronald,
Mr. Deakin,	Mr. Salmon,
Mr. G. B. Edwards,	Mr. David Thomson,
Mr. Ewing,	Mr. Watkins,
Mr. Fisher,	Mr. Webster,
Sir John Forrest,	Mr. Wilkinson,
Mr. Frazer,	Mr. Wilson.
Mr. Isaacs,	
Mr. Kelly,	
Mr. Lee,	<i>Tellers.</i>
Sir William Lyne,	Mr. Hume Cook,
Mr. Mahon,	Mr. Tudor.

Noes, 8.

Mr. Brown,	Mr. Wilks.
Mr. Joseph Cook,	
Mr. Fuller,	<i>Tellers.</i>
Mr. Hutchison,	Mr. McDonald,
Mr. Lonsdale,	Mr. McWilliams

And so it was resolved in the affirmative.

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4. ADJOURNMENT.—Mr. Deakin moved, That the House do now adjourn.  
Debate ensued.  
Question—put and resolved in the affirmative.

And then the House, at twenty-eight minutes past three o'clock a.m., adjourned until this day at half-past two o'clock p.m.

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MEMBERS PRESENT.—All Members were present except—Mr. Cameron, Mr. Carpenter, Mr. Culpin, Mr. Glynn, Mr. Harper, Mr. Kingston, Mr. Liddell, Mr. McColl, Mr. McLean, Sir John Quick, Mr. Reid, Mr. Bruce Smith, Mr. Sydney Smith, Mr. Spence, Sir George Turner\*, and Mr. Watson.  
\* On leave.

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