

No. XXXVIII.

An Act for the redistribution of New South Wales into Electoral Districts and for the subdivision of such Districts; for re-modelling the franchise, and the law applicable to Elections to the Legislative Assembly; for determining the number of Members to serve in the said Assembly; for the periodical adjustment of Electoral Districts; and for other purposes in furtherance of, or consequent on, the aforesaid objects. [13th June, 1893.]

PARLIAMENTARY
ELECTORATES
AND
ELECTIONS.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Preliminary and Introductory Provisions.

1. This Act may be cited as the "Parliamentary Electorates and Elections Act of 1893," and shall, up to the date mentioned in the third section hereof but no longer, be read with, and as forming part of, the "Electoral Act of 1880," and the "Wentworth Electorate Subdivision Act." The provisions of this Act are arranged under the Parts and in the order following:—

Preliminary and Introductory Provisions.—ss. 1 to 4.

PART I.—*Commissioners for the Redistribution of Seats and the Periodical Adjustment of Boundaries of Electoral Districts—ss. 5 to 22.*

PART II.—*Qualifications of Electors—Preparation of the First Electoral Rolls—ss. 23 to 32.*

PART III.—*Division of Electoral Districts—Electoral Registrars—Registration of Electors—Electors' Rights—Electoral Lists—Revision Courts and Electoral Rolls—ss. 33 to 52.*

PART IV.—*Writs—Returning Officers—Qualifications and Nominations of Candidates—Polling Places—Poll Clerks, &c.—General Provisions for the Regulation of Voting—Special Provisions Regulating Voting outside Division and outside District—Voting by holders of Renewed or Substituted Right—Conduct of, and Proceedings at Elections—Bribery, Treating, Intimidation, &c.—ss. 53 to 120.*

PART V.—*Committee of Elections and Qualifications—Election Petitions—ss. 121 to 140.*

PART VI.—*Miscellaneous Provisions—Penalties, &c.—ss. 141 to 154.*

2. From and after the passing of this Act the sections of the "Electoral Act of 1880" numbered respectively six, seven, eight, and nine shall be repealed, and no proclamation under the last of such

Short title,
construction,
arrangement, &c.

Qualified repeal of
enactments, &c.

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such repealed sections shall hereafter be issued; but the unrepealed sections of the said Electoral Act and the "Wentworth Electorate Subdivision Act" shall, subject to the enactments hereinafter contained, remain in force and be applicable to all Elections held between the date of the passing of this Act and the date fixed in the proclamation mentioned in the next following section, but no longer. After the said last-mentioned date all unrepealed sections of the "Electoral Act of 1880" and the "Wentworth Electorate Subdivision Act" shall be repealed, but without prejudicing or affecting the operation of, or any offence committed under, either of such Acts before such date.

Proclamation consequent on redistribution of seats.

3. As soon as practicable after the first redistribution of Electoral Districts under this Act shall have been completed, the Governor shall, by proclamation to be published in the *Gazette*, fix a date on which, the unrepealed sections of the "Electoral Act of 1880" and the "Wentworth Electorate Subdivision Act" shall stand repealed; and all Elections shall, after such date, be held for and in respect of the Electoral Districts, and of the Divisions of such Districts, as the same shall be constituted pursuant to the provisions of this Act.

Interpretation of terms.

4. In the construction of this Act, and of any Schedule thereto, or any Regulation made thereunder, the following expressions within inverted commas shall bear the respective meanings hereby assigned to them, unless the context requires a different meaning, namely:—

"Assembly" means the Legislative Assembly of New South Wales;

"Authorised Agent" includes any person holding the written authority of any Candidate to act on his behalf for the Election then pending;

"Bye-Election" means any Election held for the return of a Member pursuant to any Writ not issued in respect of a General Election;

"Check-Roll" means a Roll containing, together with all other matters required to be contained on an Electoral Roll under this Act, the numbers of all Electors' Rights for the District, and such other entries as may be prescribed;

"Constitution Act" means the Act contained in Schedule I to the Imperial Act eighteenth and nineteenth Victoria, cap. fifty-four;

"Court of summary jurisdiction" means a Stipendiary or Police Magistrate, having jurisdiction within the District, or at the place where the proceedings shall be taken;

"Division" means a Division of an Electoral District;

"Election" means an Election of any Member or Members of the Assembly;

"Electoral District" or "District" means a District for the Election of a Member or Members to serve in the Assembly;

"Enrolled" means—named on the Electoral Roll in force and applicable for the time being;

"General Election" means an Election held for the return of Members pursuant to Writs issued by the Governor upon the dissolution or expiry of the Assembly;

"Governor" means the Governor with the advice of the Executive Council;

"List" means a List of Electors compiled, but not revised or perfected;

"Marksman" means a person unable from any cause to write his name;

"Member"

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- “Member” means Member of the Assembly;
- “Minister” means the Minister of the Crown charged with the administration of this Act;
- “Natural-born subject” means a male person born in Her Majesty’s Dominions, as well as the son of a father or mother so born;
- “Naturalised subject” means a male person made or hereafter to be made a denizen, or who has been, or shall hereafter be, naturalised in New South Wales, in accordance with the Denization or Naturalisation Laws in force for the time being; but subject to the provisions of the “Chinese Restriction and Regulation Act of 1888,” or any Act amending the same;
- “Prescribed” means prescribed by this Act, or by any Schedule thereto, or by any Regulation made thereunder;
- “Registrar” means an Electoral Registrar appointed under the authority of this Act as well as any Deputy appointed to perform temporarily the duties of, or acting as, such Registrar;
- “Returning Officer” includes any person lawfully authorised to act for a Returning Officer, or in his place;
- “Roll” means a Roll of Electors entitled to vote at Elections under this Act; and, for all purposes connected with such voting, includes any Supplementary Roll.
- “Speaker” means the Speaker of the Assembly for the time being.

PART I.

Commissioners for the Redistribution of Seats, and the periodical adjustment of boundaries of Electoral Districts.

5. Within thirty days from the passing of this Act, and thereafter when any distribution of Electoral Districts shall become necessary under the provisions of this Act, the Governor shall, by Appointment of Commissioners for Redistribution of Seats, &c. Commission under the Great Seal, appoint three persons, each of whom shall be qualified as an Elector in and for some Electoral District of New South Wales, according to the law in force at the time of appointment, to be Commissioners for the purposes of this Part, and to be called “the Electoral Districts Commissioners.” The persons so to be appointed shall be chosen by the Governor from persons then holding some office in the Public Service of New South Wales. And the names of the persons so appointed, and of all persons hereafter appointed as such Commissioners, shall be published in the *Gazette*.

6. The Office of a Commissioner shall be tenable for the period named in such Commission, and, if necessary, for such extended period to be named in a further Commission as the Governor may deem proper for the completion of the distribution in respect whereof such first-mentioned Commission shall have been issued. Duration of office, &c.

7. The Commissioners shall appoint one of themselves to be their Chairman as occasion may require. Chairman.

8. The office of a Commissioner shall be vacated if for any cause he ceases to hold office in the said Public Service. Vacating office. Resignation, &c.

9. The Commissioners may, subject to the provisions of this Act, make Rules for the conduct of their proceedings, but no such Rule shall have any force until the same shall have been approved by the Governor. Rules.

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Quorum—casting
vote of Chairman.

10. At all meetings of the Commissioners two shall form a quorum, and in the event of an equality of votes the chairman shall have a casting vote in addition to his original vote.

Disqualifications.

11. No person who has been adjudged bankrupt or insolvent under the laws in force in New South Wales relating to bankruptcy or insolvency and who has not obtained a certificate of discharge or release of his estate under the said bankruptcy or insolvency, or who has been convicted of felony or misdemeanour, shall be appointed a Commissioner under this Act. And if any Commissioner shall become bankrupt under any such laws, or shall assign his estate for the benefit of his creditors, or shall be convicted of felony or misdemeanour, he shall thereby vacate his office.

Appointments to
fill vacancies.

12. If any Commissioner shall die or become permanently incapable from illness of performing his duties, or shall resign his office, or shall vacate his office by reason of any of the causes in the eleventh section of this Act mentioned, the Governor shall by Commission under the Great Seal appoint a person eligible under the fifth section of this Act as Commissioner in his stead.

Redistribution of
Electoral Districts
by Commissioners,
&c.

13. It shall be the duty of the Commissioners, and they are hereby directed, to distribute New South Wales into Electoral Districts for the purposes of this Act, within three months after the passing of this Act, and thereafter, within three months after the results of every census of the population of New South Wales shall have been ascertained and reported to the Colonial Secretary, which the Government Statistician is hereby required to do as early as possible after such census shall have been taken, and such distribution shall take effect when approved by resolution of the Legislative Assembly with or without amendment, and upon proclamation of the names and boundaries of the Electoral Districts in the *Gazette*.

Notice of proposed
alteration of existing
boundaries to be
given.

14. The prescribed notice of any proposed alteration of an Electoral District shall be given by the Commissioners in the *Gazette*, and in some newspaper published or circulating in such District, and objections in writing may be lodged with the Commissioners against such proposed alteration, to which objections the Commissioners shall give due consideration before coming to a final determination.

Report of Commis-
sioners to be
proclaimed, &c.

15. The Commissioners shall report to the Governor the names and boundaries of the Electoral Districts determined by them under any provision of this Part. A copy of every such report, together with a duly authenticated map of each Electoral District defined in such report, shall be presented by the Governor to the Legislative Assembly within seven days from the receipt thereof, if in session, and, if not, then within seven days after the commencement of the then next ensuing session.

When new Districts
to come into
existence.

16. From and after the date of the proclamation hereinbefore in this Part mentioned, the Electoral Districts, and the boundaries thereof respectively named and described therein, shall be the Electoral Districts of New South Wales for the purposes of all Elections from the day of the dissolution or expiration of the then existing Parliament until the publication of the next proclamation of the names and boundaries of Electoral Districts shall take effect.

Maps of Districts to
be deposited, powers
of Commissioners,
number of Members,
quota, &c.

17. The Colonial Secretary shall forthwith, after each such proclamation, cause to be deposited in the office of the Clerk of the Assembly a properly authenticated map of every Electoral District named and described in such proclamation: Provided that in addition to such distributions as herein prescribed, the Commissioners may, at any time in the fourth or fifth year after the taking of any census, if the Electoral Roll then in force in any Electoral District shows an increase of, or reduction in, the prescribed quota, of not less than twenty-five per centum, exercise for any part of New South Wales affected

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affected by such increase or reduction, including such Electoral District, the like powers, accompanied by the like duties, as are conferred on them by this Act on the taking of every such census as aforesaid. Every distribution shall be made on the following basis, and be subject to the provisions hereinafter expressed, that is to say,—

- (I) The total number of Members to be elected to serve in the Assembly shall be one hundred and twenty-five. The quota of Electors for the purposes of this Act shall be ascertained in the following manner—For the purposes of the first distribution, the quota shall be ascertained by dividing by one hundred and twenty-five the total number of persons enrolled on the Electoral Rolls in force for the years 1892–1893, which for the said purposes only shall be subjected to the like processes as are in the first subsection of the twenty-seventh section of this Act required for preparing the first Lists under this Act, except that for the purposes aforesaid, it shall not be necessary to make out Lists of the names of deceased or disqualified Electors; and the quota for every subsequent distribution shall be ascertained by dividing by one hundred and twenty-five the total number of Electors on the Rolls in force for the time-being.
- (II) New South Wales shall be distributed into as many Electoral Districts, each to be represented by one Member only, as there are Members assigned to the Assembly by this Act, and every such District shall have such an area that, at the time of making such distribution, the number of persons enrolled therein shall, subject to the margin of allowance hereinafter contained, reach the prescribed quota.
- (III) In making any such distribution due consideration shall be given to the then existing boundaries of Electoral Districts, to community or diversity of interest, lines of communication, and physical features.
- (IV) The Commissioners, in assigning any such Electoral District, shall be entitled to adopt a margin of allowance, to be used whenever necessary, by way of addition to, or deduction from, the number of persons enrolled in such District to the extent of six hundred, whenever the apparent quota falls short of or exceeds the prescribed quota: Provided that such quota shall be in all cases adhered to as far as is practicable, having regard to the considerations aforesaid, and that a statement of the reasons for any proposed margin of allowance by way of addition or deduction exceeding two hundred shall be appended to the report to be made in pursuance of section fifteen of this Act.

18. Within thirty days from the publication in the *Gazette* at any time after the year one thousand eight hundred and ninety-three of the divisions of Electoral Districts described in section thirty-three the Registrar of each Electoral District as then existing affected by such proclamation, and whether by way of increase or reduction of area or otherwise, shall form a new Electoral Roll for every newly-constituted District by transferring to such Roll the names of all persons whose places of residence, according to the Roll lastly in force within such District, appear to fall within the area prescribed for the newly-constituted District; and such Registrar shall, within thirty days after completing such transfer, notify the fact in the prescribed manner to each person whose name has so been transferred, and by such notification shall require him, within twenty-one days from the date of such notification, to apply personally or by writing, in

When and how Rolls to be formed for new Districts.

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the prescribed manner, for a new Elector's Right for the District of his new enrolment. And every person so applying shall produce personally or transmit (if the application be in writing) his Elector's Right, which such Registrar shall cancel before giving or forwarding any new Elector's Right pursuant to this section. The Registrar shall in the prescribed manner give or forward to every such applicant entitled thereto a new Elector's Right for the District of his new enrolment.

Provision where no alteration of District made.

19. Where the boundaries of any Electoral District described in any proclamation under this Part after the year one thousand eight hundred and ninety-three are unaltered, the Electoral Roll in force for such District immediately prior to such proclamation shall be deemed to have been prepared as herein directed.

Notice of preparation of Rolls to be gazetted by Colonial Secretary.

20. When such new Electoral Rolls shall have been so prepared, every such Registrar as aforesaid shall forthwith give notice thereof to the Colonial Secretary, who shall publish the fact in the *Gazette*; and from and after the day of the gazetted notice the Electoral Roll so formed for each such District shall be the Electoral Roll for such District for all purposes.

Rolls, how to be dealt with.

21. All such Rolls, when completed, may be dealt with for all purposes of this Act relating to the Registration of Electors.

Existing District Rolls, &c., to continue until dissolution, &c.

22. All Electoral Districts existing, and all Electoral Rolls in force, at the time of any redistribution of Electoral Districts under this Act, after the year one thousand eight hundred and ninety-three, shall continue, and remain in force, respectively, until the dissolution or expiration of the Parliament existing at the time when such redistribution is made.

PART II.

Qualifications of Electors—Preparation of the First Electoral Rolls.

Qualification of Electors, disqualifications, &c.

23. (I) Subject to the provisions of this Act, every male person, being a natural born subject, who shall have resided or had his principal place of abode in New South Wales for a continuous period of one year, and every naturalised subject who shall have resided for one year within New South Wales after naturalisation, and who shall have resided, or had his principal place of abode in the Electoral District for which he shall apply for an Elector's Right for a continuous period of three months immediately prior to the day on which he shall make application for such Elector's Right, or any claim for the purpose of giving effect to the franchise to which he is lawfully entitled, shall, if not disqualified or incapacitated under this or any other Act, be qualified as an Elector under this Act.

(II) Every person so qualified, being of the full age of twenty-one years, absolutely free, and not disqualified by this or any other Act, who shall reside in any Division of a District shall, subject to the provisions of this Act, be entitled to have an Electors' Right issued to him for such District, and to have his name inserted and retained on a List and Roll for such Division.

(III) Although qualified as hereinbefore in this section provided, every person who at the time of making out any list, or of the holding of any election for his district is in the Naval or Military Service on full pay, not being in any Militia or Volunteer Corps only, or holds the office of Inspector-General or Superintendent of Police, or is a constable or other person belonging to the constabulary force shall be incapable of voting.

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(iv) Although qualified as hereinbefore in this section provided, every person who, at the time of making out any List, or of the holding of any Election, for his District, is of unsound mind, or in the receipt of aid from any public charitable institution, except as a patient under treatment for accident or disease at a hospital, or is in prison under any conviction, or who has been convicted of any crime or offence wherever committed, for which, if the same had been committed in New South Wales, he might have been lawfully sentenced to death or penal servitude, and has not received a free pardon therefor, or served the sentence passed on him, or who during six months preceding the sitting of the Revision Court has been imprisoned without the option of a fine for an aggregate period of three months, or who within one year prior to the sitting of the said Revision Court has been convicted of bribery, intimidation, impersonation, or any similar offence at any election, or who, during one year prior to the sitting of the said Revision Court has been convicted of being an habitual drunkard, an idle and disorderly person, or incorrigible rogue, or a rogue and vagabond, or against whom there is an unsatisfied order of any Court for the maintenance of his wife or children (whether legitimate or illegitimate), or who has been convicted of having committed an aggravated assault upon his wife within one year shall be incapable of voting.

24. Notwithstanding anything hereinbefore contained no person shall be entitled to vote unless he Restriction on right to vote.

- (I) is the holder of an Elector's Right for the District in which he claims to vote,—
- (II) is enrolled for such District,—
- (III) retains the qualification in respect of which such Elector's Right was issued to him, and—
- (IV) fulfils the conditions and requirements in respect of voting hereinafter prescribed.

Preparation of the First Electoral Rolls.

25. (I) The provisions relating to the Collection of Electoral Lists and the preparation of Electoral Rolls contained in the "Electoral Act of 1880," shall not be carried into operation for the purposes of that Act. All provisions of the said "Electoral Act of 1880," in so far as they can be applied to the preparation of the first Electoral Rolls under this Act, and are not inconsistent with the express provisions contained in this and the seven next following sections, shall be so applied. Provision for first Rolls.

(II) The first Electoral Rolls under this Act, but no others, shall be prepared, revised, and completed, as hereinafter provided, and such Rolls shall be the General Rolls under which all Elections shall be held, until such Rolls shall be superseded by other General Rolls to be prepared, revised, and completed pursuant to the provisions of this Act.

26. (I) Within sixty days from the date of the first proclamation of the names and boundaries of the Electoral Districts, the Colonial Secretary shall cause Lists to be made out containing the names, arranged in the prescribed manner, of all persons who, according to the Roll in force at the time of the passing of this Act, appear to be enrolled as Electors in and for each Electoral District as constituted under the "Electoral Act of 1880" and the "Wentworth Electorate Subdivision Act," but shall omit therefrom the names of all persons appearing to be qualified otherwise than by residence within such District. And, within the like period, he shall cause to be made out, in like manner, by an officer to be appointed by him, from the Registers of Deaths, a List, for every such Electoral District, of the names of persons enrolled therein who Lists of Electors to be made out, Collectors appointed, &c.
appear

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appear to have died; and also a List for every such District of the names of all persons enrolled therein who appear to be disqualified as Electors by reason of any disability in accordance with the law in force at the time of making out such List, to be termed respectively the "List of Deceased Electors" and the "List of Disqualified Electors."

(II) From such Lists, which shall be checked by comparison with the said Lists of Deceased, and Disqualified Electors, Provisional Lists shall, by the prescribed persons and in the prescribed manner, be made out for every District and Division thereof as constituted under this Act, by transferring to every such List the name of every person who appears to be qualified as an Elector, by virtue of residence, for any such District or Division, together with his place of residence as appearing by such first-mentioned Lists, in such a manner that his name shall be entered on the List for that Division in which his place of residence appears to be situated.

(III) The Courts of Petty Sessions holden within each Electoral District constituted pursuant to this Act, or such and so many as the Colonial Secretary may think sufficient, shall, within sixty days from the date of such first proclamation as aforesaid, appoint Collectors to compile Collectors' Lists in the prescribed manner for the several Divisions of such Districts allotted to them, of the names of all persons who appear to be entitled to have their names enrolled. If any such Court fails to appoint a Collector within the time hereby appointed, the Colonial Secretary shall forthwith proceed to appoint such Collector.

(IV) Every Collector shall, before he enters on the duties of his office, make the prescribed declaration before some Justice of the Peace, and shall be subject to the prescribed control.

Lists, when to be made out by Collectors, &c.

27. (I) On or before the prescribed day in the year one thousand eight hundred and ninety-three, every Collector shall, in the prescribed manner, make out a List of the names of all persons resident within the Division or Divisions assigned to him who appear to him qualified to be enrolled.

(II) In the performance of his duties, every Collector shall have power and is hereby required, whenever necessary, to demand such information from the Registrar-General or any Registrar of Births, Deaths, and Marriages, Member of the Police Force, or other person in the Public Service, and any Town or Council Clerk, or other officer of any Municipal Council as may enable him to identify any person, or to ascertain the residence of any person, or to ascertain whether any person is dead or has left his District, or is under any disability, or is qualified or disqualified as an Elector. And any person who, on being required by any Collector to give any such information does not give all information in his power, shall incur a penalty, recoverable before any Court of summary jurisdiction, not exceeding twenty pounds.

Collectors to forward Lists to prescribed officer, who will forward certified copy, &c., to Registrar.

28. (I) Every such Collector shall, before the prescribed day, in the year one thousand eight hundred and ninety-three, forward to the prescribed officer a certified copy of the Collector's List, together with the Original, so made out by him, and such officer, after comparing the said copy and Original with the List of persons apparently dead, and making and initialing such corrections as may be necessary in such copy, shall mark the name of every person in such copy who appears to have died, or to be disqualified, with the word "Dead" or "Disqualified," as the case may be, and shall certify the copy so marked, and forward every copy so marked and certified to the Government Printer, to be printed by him in the form of a General List for the District, with the Divisions arranged thereunder in the prescribed manner, and such General List shall be forwarded to the Registrar of the proper District.

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(II) Such Collector shall forthwith, by registered letter post to the address, as appearing by the Electoral Roll of the District or otherwise, of every person against whose name the word "Dead" or "Disqualified" shall have been so placed, an intimation that such name will be omitted from the Electoral Roll, unless it shall be shown to the satisfaction of the Revision Court that the word "Dead" or "Disqualified" has been placed against such name in error.

(III) Each Registrar, upon receipt of a List so finally printed, shall sign and transmit the same to the Clerk of the Revision Court for the Division of the District to which it relates before or on the prescribed day, in the year one thousand eight hundred and ninety-three, and such List shall thereupon become, and be deemed to be the General List within the meaning and for all purposes of the enactments hereinafter contained relating to Revision Courts and Electoral Rolls, so far as such enactments can be applied. The revision of all such Lists shall take place and be completed before the prescribed day, in the year one thousand eight hundred and ninety-three.

29. (I) Every person whose name has been omitted from any such List, or whose name is marked therein with the word "Dead" or "Disqualified," but who claims to be entitled to have his name inserted therein, or to have such word expunged therefrom, may, or any duly qualified Elector of the District to which such List relates, may for him, before or on the prescribed day, in the year one thousand eight hundred and ninety-three, transmit a written claim by post, by registered letter, in the prescribed form and manner, to the Clerk of the Revision Court for the Division in respect of which he claims.

(II) Every person whose name is inserted in any such List who objects to the name of any other person being retained therein, on the ground that such person is not qualified as an Elector under this Act, may transmit a notice of his objection in the prescribed form and manner to such Clerk for the Division to which such List relates.

(III) Public notices of such claims and objections shall be exhibited at the places, and for the periods prescribed; and thereupon such claims and objections shall be heard, and determined by the proper Revision Court as nearly as possible in accordance with the provisions of this Act which regulate procedure before Revision Courts. And the said Court shall expunge from every such List the names of every person therein marked with the word "Dead" or "Disqualified," unless it shall be made to appear to such Court that the person whose name is so marked is not "Dead," or "Disqualified," as the case may be.

(IV) All such Lists, when signed and certified by the Magistrate of the Revision Court, shall be delivered forthwith to the Registrar of the District to which they relate, who shall thereupon deal with them, as far as possible, in manner provided by the fiftieth section of this Act; and such Lists, when copied and printed in the form of a Roll for such District, and with the Divisions arranged thereunder, as hereinbefore mentioned, shall be the First General Roll for such District; and under such Roll all Elections shall be held until the same shall be superseded by another Roll to be made out as hereinafter provided; and such Registrar shall, on or before the prescribed day in the year one thousand eight hundred and ninety-three, sign and transmit the said Roll to the Returning Officer for the District, and in all other respects comply with the provisions of the said fiftieth section, so far as the same refers to General Rolls.

30. (I) Between such days as shall be prescribed, in the year one thousand eight hundred and ninety-three, the Colonial Secretary shall cause an Elector's Right to be delivered personally or transmitted by

Electoral Rights to be sent by registered letter.

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by registered letter to every person at his last known residence within the District in respect of which he appears to be qualified as an Elector. And for that purpose every Registrar shall, on or before a day to be appointed by the Governor, transmit to some officer or person, to be named by the Governor, so many certified copies of such General Roll as may be required or be prescribed.

(II) Every such Elector's Right shall expire on the thirty-first day of December, in the year one thousand eight hundred and ninety-six, and every such Right shall be printed, numbered, and stamped in accordance with, and in all other respects shall follow, the requirements of Part III of this Act so far as it relates to Elector's Rights, except in the following particulars:—

(a) No questions or answers shall be printed or written on the butt.

(b) It shall be stated on every such Elector's Right that the same will expire on the thirty-first day of December, in the year one thousand eight hundred and ninety-six.

(III) To every such Elector's Right there shall also be attached a numbered Receipt Slip in the prescribed form, which shall be signed by the person entitled to the same, or be marked with his distinguishing mark if he be a marksman, such mark being afterwards authenticated in the prescribed manner by the Postmaster or other person authorised to deliver the said Right.

(IV) The Postmaster or other authorised person shall detach all such Receipt Slips from the Elector's Rights when such Slips have been signed or filled up as hereinbefore mentioned, and shall transmit the same to the Registrar of the District to which they relate, who shall retain the same in his custody for the prescribed time.

Provision where no
Electoral Right
received.

31. Any person whose name is entered on a General Roll who shall appear before and satisfy the Registrar of the District to which such Roll relates at any time between the prescribed days, in the year one thousand eight hundred and ninety-three, that he has received no Elector's Right before such last-mentioned date, and shall make the prescribed statutory declaration, shall be entitled to receive from such Registrar a Duplicate Elector's Right bearing the same number as the Elector's Right which should have been received by such person, and the provisions hereinbefore contained in respect to marksmen shall be applicable to any person applying for such Elector's Right.

Special regulations
of a supplementary
kind may be made,
&c.

32. (I) In order to give due effect to the meaning and intent of the provisions contained in this Part, the Governor may, by regulations, provide for any proceeding, matter, or thing for which express provision has not been herein made, or where any alteration of any of the Forms contained in the Schedules to this Act may be found necessary, or where it shall be found that the time allowed to do any act is clearly insufficient, and an alteration or extension of such time, and any alteration of dates consequent thereon shall be shown to be necessary, he may declare either by regulation or notification in the *Gazette* that such alteration shall be made, and thereupon the same shall be made and take effect accordingly: Provided that no alteration of time shall be made which shall delay the completion of the Rolls beyond ~~seven~~ ^{seven} months from the date of the passing of this Act.

(II) The enactments contained in the seven last preceding sections of this Act shall have no operation after the completion of the first Electoral Rolls therein provided for.

Amended by 57 Vic. No. 3

Duration of
preceding seven
sections.

Sub sec II of sec 32 repealed by 57 Vic 3

PART III.

Division of Electoral Districts—Electoral Registrars—Registration of Electors—Electors' Rights—Electoral Lists—Revision Courts and Electoral Rolls.

33. Within sixty days after such first proclamation determining the names and boundaries of Electoral Districts as hereinbefore mentioned, and within the like period after each subsequent proclamation under the provisions of Part I of this Act, the Governor shall cause every Electoral District, the boundaries of which shall have been determined by such proclamation, to be subdivided into so many Divisions, each to be designated by such name, as he shall determine; and, upon such subdivision being completed, the same shall be published in the *Gazette* so that the boundaries of every such Division shall be therein defined. And the Governor may in like manner abolish, alter, rename, or rearrange any such Division, and may establish any new Division.

34. The Governor shall appoint an Electoral Registrar for each District, and such Deputy Registrars to act for the several Divisions of such District, and such other officers as may be necessary, who shall be remunerated as Parliament shall provide.

35. (i) The Colonial Secretary shall cause certificates to be printed, in red ink, upon paper specially prepared to prevent fraudulent imitations, with butts as shown in the form of Schedule A hereto; and he shall, from time to time, cause a sufficient number of such certificates to be numbered, each with a different number, and in regularly-ascending arithmetical progression, commencing with number one, and resuming such numbering and progression upon each successive numbering of certificates from the number then last impressed on any certificate; and every number shall be printed or stamped in black ink in the body, and also in the butt, of each certificate. Such certificates shall, when issued, be termed "Electors' Rights."

(ii) The Colonial Secretary shall cause the certificates so printed and numbered to be bound together in books each containing not less than fifty, and shall cause a sufficient number of unnumbered certificates to be bound together in separate books containing the like quantity, and shall cause to be transmitted to each Registrar so many books of numbered and unnumbered certificates as may be required by such Registrar for the purposes of this Act.

36. (i) Any person (hereinafter termed "Applicant"), who, after the expiration of six months from the passing of this Act, shall apply in person for an Elector's Right to the Registrar of any Division, and who shall establish his qualification as hereby prescribed, and shall, in the presence of the Registrar, sign his name in a book to be kept for the purpose, and also on the butt and face of the Elector's Right to be issued to him, shall be entitled to receive from the Registrar a numbered certificate, in the form of Schedule A hereto, and the Registrar shall, at the time of issuing the same, enter in the butt thereof the prescribed particulars.

(ii) If the applicant is a marksman, the Registrar, instead of requiring him to sign his name, shall require him to make his distinguishing mark, and shall then and there sign his name as a witness.

(iii) The Registrar, before issuing any such Elector's Right, shall put to the applicant so applying the following questions:—

(1) *What are your Christian names, surname, residence (including the street, and the number or name (if any) of the house in which he resides), and occupation?*

(2)

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- (2) *Are you of the full age of twenty-one years?*
 (3) *Are you a natural born or a naturalised subject, and which?*
 (4) *(If a natural-born subject) Have you resided or had your principal place of abode in New South Wales for a continuous period of one year immediately prior to the date of your application for an Elector's Right?*

(If a naturalised subject) Have you resided or had your principal place of abode in New South Wales for a continuous period of one year since your naturalisation, and immediately prior to the date of your application for an Elector's Right.

- (5) *Have you resided or had your principal place of abode in this Electoral District for a continuous period of three months immediately prior to this date?*
 (6) *Have you before received an Elector's Right in any Division of any District in New South Wales? [and if the answer be "Yes,"] in what Division and District?*
 (7) *Do you now reside in the Division for which you apply? On what premises do you reside?*

Such questions shall be printed upon the back of the butt of every such Certificate.

(iv) After such questions have been answered by the applicant, and before an Elector's Right is issued to him, the Registrar shall write the answers of such applicant upon the back of the butt of the Elector's Right about to be issued to the applicant opposite the questions to which such answers respectively relate, and such applicant shall sign his name or, if a marksman, make his distinguishing mark thereto, when such questions, and his answers, have been read by or to him, and the Registrar shall sign his name as a witness.

(v) Such written answers above the signature or distinguishing mark (as the case may be) of any applicant to whom an Elector's Right has been issued shall be *primâ facie* evidence that the same were the answers made to such questions by such applicant pursuant to this section.

(vi) If any applicant knowingly makes a false answer to any such question he shall be deemed guilty of perjury, and, on conviction, may be punished accordingly; the Elector's Right issued to such applicant may be cancelled by the Revision Court.

(vii) Before any such applicant answers any such question the Registrar shall first warn him of the punishment to which a person is liable who shall knowingly make any false answer thereto.

37. Except as provided by this Act, an Elector's Right shall not be issued to any person to whom an Elector's Right shall have previously been issued.

38 (i) If the holder of an Elector's Right, shall have changed his place of residence from the District for which he is enrolled to some other District, and shall desire to obtain an Elector's Right for such last-mentioned District, he shall apply to the Registrar of such District, and upon delivering up the Elector's Right held by him to such Registrar, and satisfying such Registrar that he possesses a qualification to be enrolled for such District as an Elector thereof such as, but for the possession by him of such Elector's Right, as aforesaid, would entitle him to the Elector's Right for which he applies, such Registrar shall put to the applicant the questions following, in addition to the questions specified in the next preceding section :—

Was the Elector's Right now produced issued to you?

Have you ceased to reside in the District for which the Elector's Right now produced was issued to you?

Hure

Further condition
and provisions as to
issue of Rights.

Issue of New Right
on change of
residence.

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Have you resided or had your principal place of abode continuously for the last three months in this district ?

(II) If the answers to such questions shall be in the affirmative, the Registrar shall issue to such applicant the Elector's Right for which he applies, and shall thereupon cancel the Elector's Right so delivered up to him, and forward the same to the Registrar of the District of his original enrolment, who shall forthwith write against the name of the holder of such Right in the Roll of such District and also across the butt of such Right the words "Cancelled, Right issued for another District."

(III) If any applicant shall knowingly make a false answer to any such question he shall, upon conviction before any Court of summary jurisdiction, be liable to be imprisoned for any term not exceeding six months.

39. (I) If an Elector's Right issued under the authority of this Act shall have been lost, or be so torn or defaced as to be illegible in any essential part thereof, the person to whom such Right was issued may if still qualified according to the tenor or purport thereof, apply for and obtain in lieu of such Right, a Substituted Elector's Right of the like tenor; or (although not so qualified as aforesaid) may obtain, in lieu of such lost, torn, or defaced Right, a Substituted Elector's Right of the like purport, which shall be used only for the purpose of enabling the holder thereof to obtain an Elector's Right on change of residence under the last preceding section.

Provision for issue of Substituted Right when original is lost or defaced.

(II) The Registrar of the District for which such lost, torn, or defaced Right was issued, shall issue to such applicant a Substituted Elector's Right, only when the title of such applicant to such Substituted Right shall, by his answers to the questions hereinafter required, or by the production by such Registrar of the butt of such lost, torn, or defaced Right, have been established; and such applicant shall sign his name, or, if a marksman, make his distinguishing mark in the presence of such Registrar in a book to be kept by him for that purpose, as well as in the body and butt of the Right to be issued to such applicant and before such issue; and deliver to such Registrar (if such Right be only torn or defaced) the said Right or the remnant thereof; but such Registrar shall not issue such Substituted Elector's Right to such applicant until he shall have ascertained the number and date of the Right so lost, torn, or defaced, and have entered the same number and date in the body and butt of an unnumbered certificate. Subject to the aforesaid provisions, the Registrar shall fill up, sign, and issue to such applicant the Substituted Elector's Right applied for, in like manner and form as in the case of an Original Elector's Right.

(III) The Registrar, where the applicant for a Substituted Right is still qualified to vote according to the tenor of the Original Right, shall write across the face of such Substituted Right and across the butt thereof the word "Substituted"; or (where such applicant is not still qualified to vote according to the tenor of the Original Right) shall write across the face of such Substituted Right and across the butt thereof the words "Substituted for transfer or renewal" (as the case may be).

(IV) Before issuing such Substituted Elector's Right, the Registrar shall put to the applicant the questions hereinbefore required to be put to an applicant for an Original Elector's Right and the following additional questions, namely:—

Provisions for renewal of Electors' Rights.

- (1) [*Where the Elector's Right is stated to have been lost.*] *Have you made diligent search for your Original Elector's Right, and do you honestly believe that the same is irrecoverably lost ?*

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(2) [*Where the Elector's Right is stated to be defaced or torn.*]
*Is the Elector's Right now delivered up by you your Original
 Elector's Right, or a remnant thereof?*

(3) *Are you the person named [A. B.] of* *and*
described as *in the butt now shown to*
you, and is the signature appearing thereon your signature
or the distinguishing mark *appearing thereon*
your distinguishing mark (as the case may be).

(v) Any applicant who shall knowingly make a false answer to any such question shall, upon conviction before any Court of summary jurisdiction be liable to be imprisoned for any period not exceeding six months.

(vi) If, in any case, the Registrar, after having compared the name appearing on the Elector's Right so delivered up with the name to be signed, or the distinguishing mark to be made in case of a marksman, by such applicant in the said book or butt, shall be of opinion that they are not in the same handwriting, or not similar in each case, he shall not issue the substituted Elector's Right applied for, unless a Stipendiary or Police Magistrate, upon complaint of the applicant, and proof by the applicant that he is entitled to the issue of such Right, shall direct the Registrar to issue such Right, which, upon such direction, shall be issued by him accordingly.

(vii) Upon the issue of any such substituted Elector's Right the Registrar shall forthwith write against the name of the holder of such Right in the Roll of his District the words "new Certificate issued," and cancel the butt of the original Elector's Right corresponding in number with the number of the Substituted Right by writing across the same the words "New Certificate issued," and shall affix thereto his signature and the date of such cancellation.

Electors' Rights to be
 in force for three
 years.

40. All Electors' Rights to be issued after the expiration of six months from the passing of this Act, and before the thirty-first day of December, one thousand eight hundred and ninety-six, shall expire on the last named date. And all Electors' Rights to be issued after the said last named date shall continue and remain in force subject to the following conditions and provisions:—In the year one thousand eight hundred and ninety-nine, and in each third year thereafter, the Registrar shall cause to be made out for each Division of his District, at the time and in the manner prescribed, a General List, not from any General or Supplementary Roll, but from the butts of Electors' Rights issued for such Division to persons who shall then be entitled to vote for such District: And the Registrar shall, after the General List has been made out, transmit within the prescribed time and in the prescribed form and manner to each holder of an Elector's Right for his Division the prescribed form of statutory declaration, together with a notice informing him that his Elector's Right must be presented to be stamped on or before the date named in such notice, being the same date for all such notices, and that he may have the same stamped either by personal or written application; and in the event of personal application being made for such stamping, the enactments of subsections one, two, and three of this section shall apply.

(i) Every holder of an Elector's Right issued after the said thirty-first day of December, one thousand eight hundred and ninety-six, shall, on or before the end of each third year of the currency of such Right, tender to the Registrar of his Division his Elector's Right, and such Registrar, if satisfied in the prescribed manner and subject to the prescribed conditions, that the person tendering such Right is the lawful holder thereof shall, with the prescribed stamp,

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stamp, mark on such Right the date of the termination of the then current three-year period, together with the words "good for three years from this date," and also mark thereon the date when such Right was so tendered.

- (II) The provisions of this Act relating to the questions to be put by the Registrar before issuing an Elector's Right shall, so far as relates to such issue, apply to Electors' Rights stamped under this section.
- (III) Before stamping any such Elector's Right, the Registrar shall, in addition to any other questions, put the following questions to the person applying for such stamping:—
 - (a) Are you the person lawfully entitled to the Elector's Right now tendered by you?
 - (b) Have you now the same qualification in respect of which that Right was issued to you?

And any person who shall wilfully make a false answer to either of such questions, or to any other question which such Registrar is hereby authorised to put to him, shall be deemed guilty of perjury, and may be punished accordingly.

- (IV) Any holder of an Elector's Right as aforesaid making written application may have his Elector's Right stamped in like manner, if with his written application he shall have transmitted the Elector's Right then held by him, with a statutory declaration in the prescribed form to the effect that he is the person lawfully entitled to the Elector's Right so transmitted, and has then the qualification in respect of which that Right was issued to him. And any person who shall wilfully make a false statement in such declaration shall be deemed guilty and punishable as in subsection three of this section provided.
- (V) Every Elector's Right so stamped shall entitle the holder to vote at all Elections for the District of his residence up to the end of the three-year period specified on each successive stamping thereof.
- (VI) The Registrar shall stamp the butts of all Electors' Rights with the same words and figures as he shall have stamped upon the Electors' Rights, and shall in like manner mark the General List and the Roll.

Notwithstanding anything in this section contained, the provisions of section thirty-six hereof shall be applicable to the holder of an Elector's Right, who has not complied with the provisions of this section, provided such holder shall have delivered up the Elector's Right then held by him, to be cancelled by the Registrar, who upon such delivery up and cancellation may issue to such holder an Elector's Right as therein mentioned.

41. (I) Every Registrar shall, in the year one thousand eight hundred and ninety-three, at the time and in manner prescribed, make out, for his Division, and shall sign a General List of all persons who shall, by the butts of Electors' Rights in the possession of such Registrar, appear to have taken out or had issued to them Electoral Rights pursuant to Part II of this Act.

Registrars to make out General and Supplementary Lists of Electors.

(II) Every Registrar shall, during the week ending on the first day of August in every year, after the year one thousand eight hundred and ninety-three, make out, according to the Form in Schedule B hereto, for his Division, and shall sign, a General List arranged in the prescribed alphabetical order of the surnames of all persons whose names shall then be upon any Electoral Roll in force hereunder for such Division, and of all persons who shall, by the butts of Electors' Rights in the possession of such Registrar, appear to have taken out Electors' Rights

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Rights for such Division, and have not been since the issue of such Rights included in any General List or Roll, or any such Supplementary List or Roll as hereinafter mentioned for such Division; and the Registrar shall, in making out such List, state therein from the said Rolls and butts respectively the prescribed particulars.

(III) Every Registrar shall, during the week ending on the first day of January in each year after the year one thousand eight hundred and ninety-three, make out, according to the form in the said Schedule B, and shall sign a Supplementary List arranged in the prescribed alphabetical order of the surnames of all persons to whom, according to the butts in the possession of such Registrar, Electors' Rights have been issued which are still in force for the Division for which he is Registrar and which have not been since the issue of such rights included in any General List for such Division; and shall enter in every such List from the said butts the prescribed particulars.

Printed copies of General and Supplementary Lists to be sent to Clerks of Revision Courts and advertised.

42. (I) Every Registrar after making out any such General or Supplementary List for a Division shall forthwith cause copies of the same to be printed by the Government Printer; and shall before, or on, the prescribed day, in the year one thousand eight hundred and ninety-three, and before the fifth day of September in each year thereafter, sign and transmit two copies of the General List for that year to the Clerk of the Revision Court for that Division, and one copy to the person in charge of each post office within the Division, who shall cause the same to be exhibited in some conspicuous position within or outside of such office; and shall, on or before the fifth day of February then next ensuing, sign and transmit to the said Clerk two copies of the Supplementary List then awaiting revision, and one copy to the person in charge of each post office within the Division to be similarly exhibited.

(II) Such Registrar shall notify, by two advertisements in some newspaper published or circulating in the Division, that a copy of every such printed List is in his custody and open to inspection, and that a copy thereof may be inspected at any post office within the Division, without fee, at all reasonable hours during the day-time until the day before the holding of the Revision Court, and he shall also deliver a printed copy of every such List before the revision thereof to any person requiring the same, on payment for each copy of the prescribed sum.

Registrar may register temporary address of voter leaving district.

43. The Registrar shall be empowered to register the temporary address of any voter who may temporarily leave the District for which he holds an Elector's Right, with a view to forwarding to him at such temporary address any objection that may be lawfully entered against his vote.

Objections to names on List.

44. (I) Any person may object to the name of any other person being retained on any List if, before or on the prescribed day, in the year one thousand eight hundred and ninety-three, and thereafter before or on the twentieth day of September (where the name objected to appears on a General List), and before or on the twentieth day of February (where the name objected to appears on a Supplementary List) such person shall sign and deliver, or cause to be delivered to the Registrar for the Division and also to the person objected to, notice of such objection in the form of Schedule C hereto, stating therein the grounds of his objection.

(II) Every such notice of objection shall be lawfully given if the same be sent prepaid by post, addressed to the place of abode of the person to whom the same shall be directed, as described in such List; and when any person shall desire to send any such notice by post, he shall deliver, or cause to be delivered, the same, duly directed, open, and in duplicate, to the postmaster of any post office, within

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within such hours as shall have been previously notified at such post office, and under such regulations with respect to the registration of such letters, and the fee to be paid therefor [which fee shall in no case exceed twopence over and above the ordinary rate of postage] as shall from time to time be made by the Postmaster-General in that behalf.

(III) Every notice of objection given or sent to such Registrar shall, whether delivered or posted, be accompanied with the fee of one shilling, which shall be payable either in money or in stamps, at the option of the objector.

(IV) In all cases in which such fee shall have been duly paid, the postmaster shall compare the said notice and duplicate, and, on being satisfied that they are alike in their address and their contents, shall seal or secure and forward one of them to its address by the post, and shall return the other to the person bringing the same, stamped with the stamp of the said post office; and the production by the person who posted such notice of such stamped duplicate shall be evidence of the notice having been given to the person at the place mentioned in such duplicate on the day which such notice would in the ordinary course of post have been delivered.

(V) After the respective dates aforesaid, the Registrar shall make out in the prescribed manner, for each Division of his District, a List of the names of all persons objected to, according to the form in Schedule D hereto; and shall forthwith sign a copy of each such List, and transmit the same to the clerk of the Revision Court for the Division, and shall also forthwith publish such List twice at least, and if time permits four times in some newspaper or newspapers published or circulating in the Division; and cause the same to be posted outside each post office and Court-house of the District, and shall keep the said List, or a copy thereof, for inspection by any person, without fee, at and between the prescribed hours, until the day of the holding of the Revision Court.

(VI) The Registrar may object to the name of any person when entered upon the List to be made as herein provided, by entering at the time of making out such List, in the proper column against such name the words "objected to," with the cause of objection clearly stated, and appending his initials thereto; and shall insert the name and the particulars relating to the person so objected to in the List of objections lastly hereinbefore mentioned, and give notice to such person as required in other cases; and no costs shall be awarded by any Revision Court against any Registrar in respect of such objection in any case whatsoever.

15. Every District Registrar of births, deaths, and marriages appointed under the Act nineteenth Victoria number thirty-four, or any other Act in force for the time being, relating to the registration of births, deaths, and marriages, shall in the months of January, April, July, and October, respectively, forward to the Registrar for each Division of any Electoral District within which Division is comprised wholly or partly the District to which such District Registrar is assigned, a List to be made out in the manner prescribed of all males of or above the age of twenty-one years whose deaths have been registered with him during the three months immediately preceding the month in which such List is so forwarded. The Electoral Registrar shall upon the receipt of such List, write opposite the name of each person therein mentioned on a copy of the Electoral Roll, if such person's name appears thereon, the word "dead" and shall forward a certified copy of such Roll and of such List to the Returning Officer for the District. If any such District Registrar fail, refuse, or neglect to forward such List, or if the same be wilfully or negligently compiled in an inaccurate manner,

List of deaths to be forwarded quarterly to the Electoral Registrars.

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manner, such District Registrar shall, upon conviction before a Court of summary jurisdiction, be liable to a penalty not exceeding fifty pounds, or to imprisonment for any term not exceeding three months.

Lists of certain persons in gaol, &c., to be forwarded in like manner.

46. (I) The Comptroller-General of Prisons and the Inspector General of Police, shall, in the months of January, April, July, and October in each year, forward to the Minister a list of all males, apparently of or above the age of twenty years, imprisoned in any gaol, lockup, or other place of detention in New South Wales under their charge respectively; and such list shall contain a statement of the offence for which each prisoner is imprisoned, his last known place of residence at date of conviction, and similar particulars regarding any previous convictions against such prisoner.

(II) Upon the receipt of the list the Minister shall forward to the Electoral Registrar for each District such names and particulars from such list as may be necessary for the purification of the Electoral Roll for such District, and the conduct of Elections therein.

(III) The Electoral Registrar, on receipt of such list, shall write opposite the names of persons on the Electoral Roll for the District, who appear from the particulars in such list to be disqualified from voting under this Act, the words "in custody, disqualified," and opposite the names of persons whose names appear upon such list but who do not appear by such particulars to be disqualified the words "in custody"; and shall forward a certified copy of such Roll and such list to the Returning Officer of the District.

Revision Courts and Electoral Rolls.

Revision Courts, when to be held.

47. (I) The Electoral Lists for each Division shall be revised, every year, at a Revision Court to be held for that purpose at such place or places as the Governor may appoint.

(II) The revision of the General List for every Division shall, in the year one thousand eight hundred and ninety-three, take place at the time prescribed, and in every year thereafter during the month of October.

* amended by 57 Vic. N^o 3

(III) The revision of the Supplementary List for every Division, after the year one thousand eight hundred and ninety-three, shall take place during the month of ~~October~~ *March*.

(IV) Such Stipendiary or Police Magistrate as may be named by the Governor shall, at some convenient time during the periods hereinbefore referred to, sit in open Court for the purpose of revising the List for each Division, and every such Magistrate shall, within twenty-one days at the least before the holding of any such Court, give notice to the Clerk of Petty Sessions acting for the place where such Court is to be held [hereinafter referred to as the "Revision Clerk"], of the time at which such Court will be held, and every such Clerk shall give public notice thereof by advertisement in one or more newspapers circulating within the Division fourteen days at the least before the holding of any such Court.

(V) A Revision Court may adjourn from time to time, and if one hour after the time appointed for the holding of the Court the Magistrate be not present, the Revision Clerk may from time to time adjourn such Court to another hour or day: Provided that no such Court shall be adjourned for more than three days at a time until the revision of the Lists then before it be completed.

(VI) The expenses incurred by such Magistrates in the discharge of their duties under this Act shall be defrayed out of moneys to be provided by Parliament.

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48. (1) The Revision Court for each Division shall, pursuant to the provisions of this Act, revise the General or Supplementary List (as the case may be) which has been last made out by the Registrar of such Division and transmitted to the Revision Clerk; and the Registrar, or some person on his behalf, shall attend the Court, and shall produce all books and butts of Electors' Rights, notices of objection, and newspapers containing lists of the names of persons objected to, and all other books, lists, papers, and documents connected with his office in the custody of the Registrar or under his control, and shall support before the Court the objections of which he has given notice; and the Revision Clerk shall produce to the Court the Lists transmitted to him.

Method of Revision,
powers of Court,
costs, &c.

(II) The Revision Court shall have power to hear, receive, and examine evidence, and, by summons under the hand of the Revision Clerk, to require all such persons as it thinks fit to appear personally before it, at a time and place to be named in such summons, and to produce to the Court all such books and papers in their possession or under their control as may appear necessary for the purpose of their examination; and any person so required who, without sufficient excuse, neglects or refuses to comply with such summons, or, having appeared before the said Court, refuses without such excuse to be examined on oath or affirmation, or to take such oath or affirmation, or having taken such oath or affirmation to answer the questions put to him, may be dealt with in all respects as a person refusing or neglecting to appear or to give evidence before a Court of Petty Sessions.

(III) If it appear to a Revision Court that any person has made or attempted to sustain any groundless, frivolous, or vexatious claim, objection, or title to have any name inserted or retained on any List, such Court may order the payment by such person of any sum not exceeding ten pounds as costs to be paid to any other person in resisting such claim, objection, or title. Any sum so ordered to be paid may, if not paid within the time specified in the order, be recovered before any Court of summary jurisdiction by the person named in the order as being entitled thereto.

49. (1) The Revision Court shall retain on the List under revision the names of all persons to whom no objections have been duly made, and the name of every person who has been objected to unless the person objecting appears in person in support of his objection and proves the due delivery of his notice of objection and publication thereof in the List of objections; and when the name of any person inserted in any List has been duly objected to, and the person objecting appears in person, in support of such objection, and makes proof of the matters aforesaid, and shall give *prima facie* proof of the matter stated in his objection, the Court shall require proof of only so much of the qualification of the person objected to as is embraced in the grounds of objection; and if the qualification of such person be not proved to the satisfaction of the Court, the Court shall expunge the name of such person from the List, and shall also expunge therefrom the name of every person of whose death, disqualification, or incapacity the Court shall consider that there is sufficient evidence; and the Court shall correct any mistake and supply any omission proved to have been made in the List: Provided always that no person's name shall be expunged from any List, except in the case of death, unless the prescribed notice has been given.

What names to be
retained or inserted
in List.
Provision when name
expunged.
Notice of objection
and adjournment in
certain cases.

(II) If the name of any person to whom an Elector's Right has been issued has been omitted from any List, and if such person produce to the Revision Court by which such List is being revised the Elector's Right issued to him, the Court may, after inspection of the butt of such Right in possession of the Registrar, and on such evidence being

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being given as may be required, insert the name of such person, together with the several particulars relating to the same and appearing in such Elector's Right, in such List so under revision.

(III) In the case of any person whose name appears upon any List so under revision, and who is deemed by such Court not to be entitled to have his name retained thereon, the Court may order the Revision Clerk to cause notice of objection in the form in Schedule E hereto to be forthwith given to, or to be left at or sent by post in a letter addressed to such person at the premises at which by the List he appears to reside, and may adjourn the question relating to such name to some future day (not less than two days from the making of such order) to which such Court is lawfully adjourned for the revision of such List, and such Clerk shall not be bound to appear in support of such objection, nor shall costs be awarded against such Clerk in respect of any such objection in any case whatsoever; and on proof of the Clerk having so given such notice the Court shall proceed as in other cases of objection.

(IV) The Magistrate shall in all matters give the decision of the Court in open Court, and shall write his initials against every name struck out as aforesaid from any List, and against any part of any List, in which any mistakes have been corrected or omission supplied, and shall sign his name to every page of the List so settled, and shall then write or cause to be written at the foot or end of each List a certificate that the same has been revised and is correct, and shall date and sign such certificate.

Certified Lists to be delivered to Registrar, &c.

50. (I) The List so signed and certified shall be forthwith delivered to the Registrar, who shall forthwith cause the names thereon to be copied and printed in a Roll, to be called the General Roll, or the Supplementary Roll (as the case may be), and arranged in the prescribed alphabetical order of the surnames in the form contained in and with the several particulars specified in Schedule F hereto; and shall prefix to every name in such Roll a number, beginning at the first name with number one and continuing in regular arithmetical series to the last named thereon; and shall cause a sufficient number of copies of such Roll to be printed; and shall, in every year after the year one thousand eight hundred and ninety-three, on or before the twentieth day of December, in the case of the General Roll, and of the Supplementary Roll on or before the twentieth day of May, sign and transmit the said Roll to the Returning Officer for the District; and shall also furnish to him from time to time so many copies thereof as are required; and shall transmit one copy of such Roll to the person in charge of each post office within the Division, who shall cause the same to be displayed in some conspicuous position within or without such post office; and shall furnish copies to any person requiring them on the payment of the prescribed price.

(II) In making out any such Roll the Registrar shall not enter thereon the number of any Elector's Right, but shall, for facilitating the identification of Electors, prepare and forward to such Returning Officer, together with such Roll, so many Check Rolls of Electors as may be prescribed. And such Registrar and Returning Officer are hereby prohibited from disclosing any entry contained in such Check Roll unless lawfully required to do so.

Electoral Roll completed, duration, &c.

51. Each such printed Roll so prepared and signed shall be an Electoral Roll for the Division of the District to which it applies, and shall be called, according to the tenor thereof, the General Roll or the Supplementary Roll for such Division, and shall continue in force until the coming into operation of a new General Roll, whether such new Roll be made at the prescribed time or at any time afterwards; and in

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in addition to the Divisional Rolls other Rolls shall be copied and printed in the form of a General Roll for the District, and with the Divisions arranged thereunder.

52. (I) No List or other document shall be invalidated by reason only that it has not been printed, kept, or published in or for the prescribed place, manner, or time.

When Lists or documents not invalidated.

(II) If the revision of any Lists awaiting revision shall not have been made or completed within the prescribed time, the Governor may appoint a day not more than twenty days from the last day upon which such revision might have been made to be the day for holding a Revision Court for revising the said Lists, and such day shall, as to all such acts and proceedings as then remain to be done or had with respect to such Lists, be deemed to be, to all intents and purposes, the day prescribed for such revision, and the time prescribed for the transmission of the Roll shall be extended accordingly.

Provision when there has been no revision.

PART IV.

Writs—Returning Officers—Nominations—Polling-places—Poll Clerks, &c.—General Provisions for the Regulation of Voting—Special Provisions Regulating Voting Outside Division and Outside District—Voting by holders of Renewed or Substituted Right—Conduct of and proceedings at Elections—Bribery, Treating, Intimidation, &c.

Writs.

53. For the purpose of every General Election—and also in the case of any seat in the Assembly becoming vacant after any such General Election, and before the meeting of Parliament—the Writs for the Election of Members shall be issued by the Governor: All Writs for General Elections shall be issued within four clear days after the publication in the *Gazette* of the Proclamation dissolving Parliament, and every such Writ shall be made returnable on a day not later than the thirty-fifth clear day after the date of the issue thereof.

Governor to issue Writs in certain cases. Within what time Writs for General Elections to be issued and made returnable.

54. The day to be fixed for the meeting of Parliament after the return of Writs for General Elections shall not be later than the seventh clear day after the date on which such Writs shall have been made returnable as aforesaid.

When Parliament to meet after return of Writs.

55. When and so often as a vacancy shall occur in the Assembly, the Speaker shall, upon a resolution by the Assembly declaring such vacancy, and the reason thereof, cause a Writ to be issued for filling such vacancy; and on the death or resignation of any Member, the Speaker shall in like manner upon a resolution of the Assembly, issue such Writ, and in case the Assembly be not in Session, or when such vacancy occurs during any adjournment for a longer period than seven days, he shall also issue the Writ.

Speaker to issue Writs to fill vacancies.

56. If at the time of the occurrence of any such vacancy, caused by death or resignation, there be no Speaker, and the Assembly be not in Session, or if the Speaker be absent from the Colony, the Governor shall, if satisfied of the existence of such vacancy, issue a Writ for the Election of a Member to fill such vacancy.

If no Speaker, Governor to issue Writ.

57. Every Writ for the Election of a Member to serve in the Assembly shall be directed to the Returning Officer of the District for which the Election is to be held. And in every such Writ shall be named the day before which all nominations of

Writs directed to Returning Officer.

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of Candidates at and for any Election must be made (hereinafter called the day of nomination), the day for taking the poll at the several polling-places in the event of the Election being contested, and the day on which the Writ shall be returnable to the Governor or Speaker as the case may be.

Polling Day at
General Elections.

58. The Polling-day for every General Election should be so appointed that the Election shall take place on the eighteenth day from the date of the issue of the Writs.

Duties of Returning
Officer on receipt of
Writ, &c.

59. Every Returning Officer shall upon the receipt by him of any such Writ as aforesaid indorse thereon the day of such receipt, and shall forthwith give public notice of the purport of such Writ, of the day of Nomination, the days of Polling, the Polling-places, and the return day mentioned respectively in such Writ; and also of some place within the District (to be appointed by such Returning Officer) at which he will receive the nomination papers hereinafter prescribed. And public notice for the purpose of this section shall mean notice in any newspaper published in the District to which such Writ relates, or if there be none such, then in any newspaper circulating in such District, or, failing that, then by the exhibition of printed or written placards in such places as the Returning Officer may think most likely to attract notice.

Returning Officers.

Returning Officers for
Districts.

60. The Governor shall appoint a Returning Officer for each District, and every such appointment shall be notified in the *Gazette*. And, in case of the death of any Returning Officer, or in case of sickness or other cause disabling any Returning Officer from acting at any Election, the Governor may appoint some person as Returning Officer in his stead.

Returning Officer or
Deputy not to be a
Candidate.

61. No Returning Officer, nor any person who shall have been a Returning Officer, and shall not, by writing under his hand addressed to the Governor, have resigned such office at least fourteen days before the day of nomination for any Election, nor any Deputy Returning Officer shall be a Candidate, or be elected or returned, or be or continue a member for the District for which he is or has been, such Returning Officer or Deputy Returning Officer, as the case may be.

Returning Officers
and other officers to
make declaration.

62. Every person appointed Returning Officer, Deputy Returning Officer, or Poll-clerk under this Act shall, before entering on the duties of such office, make a declaration before some Justice of the Peace to the effect following:—

I [A. B.] do solemnly declare that I will faithfully and impartially perform the duties of my office to the best of my ability, and that I will not attempt to ascertain for whom any Elector shall vote, and that I will not disclose or by any word or action directly or indirectly aid in the disclosure or discovery of the same. And that I will keep secret all knowledge of the mode in which any Elector has voted which I may obtain in the exercise of my office, save in answer to any question which I am legally bound to answer.

Declared before me this day of , one thousand eight hundred and

Justice of the Peace.

Returning Officer to
appoint Substitute.

63. The Returning Officer shall forthwith, on the receipt by him of any such writ as aforesaid, appoint, by writing under his hand, some fit person to be the Substitute, as hereinafter mentioned, of such Returning Officer; and such Returning Officer shall, in person or by

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by such Substitute, attend at all reasonable hours in the daytime, in the interval between the receipt of such Writ and the day of Nomination, at the place so appointed for receiving the said Nomination-papers; and if at any time, during such interval, the Returning Officer shall be absent at the time or place hereby appointed for the doing or suffering by him of any act or thing relating to such Election, then such Substitute may and shall do or suffer such act or thing; or if the Returning Officer, by reason of sickness or other disability, shall be unable to do or suffer any acts or things relating to such Election, and the same shall be notified to such Substitute; or if the Returning Officer shall die, then such Substitute at any time may and shall as and for the Returning Officer do and suffer all such acts and things, and subject in every such case to the like provisions, as if he were the Returning Officer.

64. The Returning Officer shall upon each day between the receipt by him of any Writ and the day of Nomination for such Election mentioned in such Writ, exhibit and keep exhibited, outside the place so named as aforesaid for receiving the Nomination-papers, in some public and conspicuous position, the names and residences of all persons who shall have duly become Candidates for such Election.

Returning Officer to exhibit names of Candidates.

Qualifications and Nominations of Candidates.

65. (I) Every holder of an Elector's Right under this Act shall be qualified to be nominated as a Candidate and to be elected as a Member for any Electoral District unless he be disqualified for some cause herein or in the Constitution Act specified.

Holder of an Elector's Right qualified to be elected as a Member.

(II) Before, and in order that, any person shall be a Candidate at any Election for any District, such person shall be nominated by not fewer than six persons named on the Roll for such District.

Candidates to be nominated by at least six duly qualified Electors.

(III) Every Nomination of a Candidate shall be made by delivering to the Returning Officer, or the person acting as his Substitute (who, if required, shall give a receipt for the same) a Nomination-paper at some time after the issue of the Writ and before six o'clock in the evening of the day preceding the day of Nomination.

Nomination of Candidate.

(IV) Such Nomination-paper shall be in the following form, viz. :—

We, the undersigned, Electors of the Electoral District of
do hereby nominate (*here state christian and surname,
occupation and place of residence of the person nominated*)
for Election as a Member of the Legislative Assembly for
the abovenamed District.

(*Signatures of nominators.*)

I, the abovenamed hereby consent to such Nomination.

(*Signed.*)

And no person unless nominated in accordance with the requirements of this section shall be deemed to be a Candidate for Election pursuant to this Act.

(v) No Elector shall nominate more than one Candidate for an Electoral District.

66. If only one Candidate be so nominated the Returning Officer shall, at noon on the day of Nomination at the place so named for the delivery of Nomination-papers, publicly declare the Candidate nominated to be duly elected, and shall make his return accordingly.

Proceedings on Nomination if one Candidate only.

67. If there be more Candidates nominated than one, it shall be open to any Candidate to withdraw his name from Nomination by delivering a notice under his hand to the Returning Officer or the person acting as his substitute before six o'clock in the evening of the
day

When Poll to be taken.

Parliamentary Electorates and Elections.

day preceding the Nomination day, and if after such withdrawal there shall be more than one Candidate, then a Poll shall take place on the days named in the Writ for that purpose, and at the several Polling-places for the District; and the Returning Officer shall, at noon on the Nomination day and at the place named as aforesaid for the delivery of the Nomination-papers, publicly announce that a Poll will be so taken and the names of the persons who shall have become Candidates, and shall, also, forthwith publish in some newspaper published or circulating in the District, a like announcement.

Voting papers to be printed and signed.

Schedule II.

68. The Returning Officer after a Poll has been appointed for any Election, shall cause Ballot-papers to be printed with the christian names and surnames of all the Candidates in full, in the form of Schedule II; and shall provide a sufficient number of such Ballot-papers to be signed or initialled, and used as hereinafter provided; and if the christian names and surnames of any two or more Candidates be the same, they shall be distinguished upon such Ballot-papers by the addition of their residence and occupation; and the directions in the said Schedule contained shall be of the same force as if they had been herein enacted.

Polling-places—Poll Clerks, &c.

Polling-places.

69. The Governor may, by notice in the *Gazette*, appoint one or more Polling-places within each District or Division of a District: Provided that no place shall be so appointed at any time after the issue and before the day appointed for the return of the Writ for the Election of a Member for any District: Provided further that the Governor, in any case in which he shall be satisfied that the convenience of a large number of the Electors of any District would be furthered by appointing a Polling-place or Polling-places outside such District, he may by notice as aforesaid appoint such Polling-place or Polling-places.

Booths to be erected or rooms hired.

70. (i) The Returning Officer shall cause such booths to be erected, or rooms to be hired or otherwise provided, for taking the Poll at any Election at each Polling-place as the convenient conduct of the Election may require.

When more than one booth, where Electors to vote.

(ii) If under this provision there shall be more than one booth at any Polling-place, there shall be affixed over the entrance of each booth in succession so many letters of the alphabet in their alphabetical order as shall denote the booth at which each Elector according to the initial letter of his surname is to vote, and no Elector shall be permitted to vote in any booth save that which is so denoted by the initial letter of his surname.

(iii) Provided that no Polling-booth shall be in any house for or in respect of which any license for the sale of fermented or spirituous liquors under the "Licensing Act of 1882" or any Act amending the same, is held by any person, or upon the premises appertaining to such house.

(iv) The Polling for persons voting outside their Divisions shall, subject to the provisions of this Act, be conducted in the prescribed manner.

Booths how arranged, &c.

71. Every booth shall be so arranged as to have one or more inner compartments opening only into that part in which the Ballot-box is kept; and the Returning Officer or his Deputy shall provide in every such compartment pencils for the use of the voters, and shall also provide for each booth a Ballot-box having a lock and key, and with a cleft or opening therein capable of receiving the Ballot-papers.

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72. The Returning Officer shall preside and take the Poll at some one booth of such Polling-place within the District as he shall see fit; and such Polling-place shall be deemed the principal Polling-place; and he shall, by writing under his hand, appoint a Deputy to act for him and take the Poll at each of the other booths of the several Polling-places, and may also in like manner appoint one or more persons to be Poll-clerks, and by himself and his several Deputies assist in taking the Poll as he may see fit.

Returning Officer to preside at one booth and appoint Deputies at others.

Poll-clerks appointed.

73. Every Substitute of a Returning Officer, and every Deputy Returning Officer and Poll-clerk shall, before he shall enter upon any of the duties hereby assigned to him with regard to any Election, make and sign before some Justice of the Peace a declaration to the effect following:—

Substitute Deputy Returning Officer and Poll-clerk to make declarations.

I [A.B.] do solemnly declare that I will faithfully and impartially, according to the best of my skill and judgment, exercise and perform all the powers, authorities, and duties reposed in or required of me by the "Parliamentary Electorates and Elections Act of 1893," as substitute of the Returning Officer [*or Deputy Returning Officer, or Poll-clerk, as the case may be*] with regard to the Election of a Member for the Electoral District of _____, and I do further solemnly promise and declare that I will not at the said Election attempt to ascertain [*add in the case of a Substitute of a Deputy Returning Officer, save in the cases in which I am expressly by law authorized so to do*] for what Candidate any person shall vote, or have voted, at the said Election; and that if in the discharge of my duties at or concerning the said Election I shall have learned, or have the means of learning, for what Candidate any person shall vote, or have voted thereat, I will not by word or act, or by any other means whatsoever, directly or indirectly, divulge or disclose, or aid in divulging or disclosing the same, save in answer to any question which I am legally bound to answer.

And every declaration made under this or the sixty-second section hereof shall be transmitted by the Returning Officer or his substitute to the Colonial Secretary.

74. Before the day of polling the Returning Officer shall deliver to each of the Deputies, for use at each Polling-booth, sufficient copies of all Rolls in force for the District in and for which the Poll is to be taken thereat, certified under his hand to be true copies; and also one set at least for the general use of scrutineers, and shall also deliver to each Deputy, and himself retain, such numbers respectively of the Ballot-papers as shall be sufficient for the use of the Electors who shall be entitled to vote at each booth at which such Returning Officer and Deputies respectively are to take the Poll; and every Returning Officer and Deputy shall keep an exact account of all such Ballot-papers. And it shall be the duty of such Returning Officer or his Deputy to sign or initial every Ballot-paper when issued to each voter at the booth at which such Returning Officer or his Deputy may be presiding, and also to write or cause to be written, any additional Ballot-papers that may be required, and such written Ballot-papers shall also be signed or initialled as hereinbefore mentioned.

Deputy Returning Officers to be furnished with copies of Rolls and Ballot-papers.

Duties of Returning Officer and Deputies in taking Poll.

75. Each Candidate shall be entitled to appoint, by writing under his hand, one person to be Scrutineer on his behalf at each Polling-booth; and every such Scrutineer shall be entitled to be present in that part of the booth in which the Ballot-papers are received.

How Scrutineers to be appointed.

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Scrutineer to make declaration.

76. Every Scrutineer before acting as such at any Polling-booth, shall make and sign before the Returning Officer or Deputy (as the case may be) who shall take the Poll at such booth, a declaration to the effect following:—

I [A. B.] (Scrutineer for C. D., a Candidate at the present Election for the Electoral District of _____), do solemnly declare that I will faithfully observe all the provisions of the "Parliamentary Electorates and Elections Act of 1893," which relate to such my office of Scrutineer; and I do further solemnly promise and declare that I will not, as such Scrutineer at the said Election, attempt to ascertain for what Candidate any person shall vote or have voted at the said Election, and that if in the discharge of my duties at or concerning the said Election I shall have learned, or have the means of learning, for what Candidate any person shall vote or have voted thereat, I will not by word or act, or by any other means whatsoever, directly or indirectly, divulge or disclose, or aid in divulging or disclosing the same, save in answer to some question which I am legally bound to answer, and every such declaration shall be transmitted to the Colonial Secretary by the Returning Officer or his substitute.

Who may be present in Polling-room.

77. The Returning Officer or Deputy, the Poll-clerks, and the Scrutineers, and not more than six voters being at the time actually engaged in voting, to be designated, if necessary, by the Returning Officer or Deputy, shall be permitted to enter or remain at any one time in any Polling-room during the taking of the Poll. And any person who, without lawful authority, the proof of which shall be on him, shall enter any Polling-room or being therein, shall refuse to quit such room forthwith on being required by the Returning Officer or Deputy, or by any member of the police force acting under the direction or authority of such Returning Officer or Deputy, may be removed from the Polling-booth, and shall be liable to a penalty, not exceeding ten pounds, recoverable in any Court of summary jurisdiction.

Returning Officer to exhibit Ballot-box before taking Poll.

78. Immediately before proceeding to take the Poll at any booth the Returning Officer or Deputy (as the case may be) shall exhibit for the inspection of the Candidates, Scrutineers, and Poll-clerks present, the Ballot-box open and empty, and shall immediately afterwards close and lock, and place the same empty and keep the same unopened upon the table at which he is to preside, and in full view of all persons present in the Polling-booth, and he shall keep the key of the said box.

Hours of Polling.

79. Every Polling shall commence on the day appointed for the same at eight o'clock in the forenoon, and shall, unless lawfully adjourned, finally close at six o'clock in the afternoon of the same day, during the months from October to March, both inclusive, and at five o'clock in the afternoon of the same day during the months from April to September, both inclusive.

General provisions for the regulation of Voting, &c.

Who may vote, where, and when.

80. Every person for the time being enrolled and holding an Elector's Right for any District may vote at any Election for such District at any Polling-place in any division within such District, or at any Polling-place outside such District duly proclaimed under this Act.

Votes—how claimed.

81. Every person claiming to vote

(a) Shall state to the Returning Officer or Deputy his christian names and surname and such other particulars of those hereby required

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required to be expressed in the Electoral Roll as the said Returning Officer or Deputy may require for the purpose of ascertaining upon the Roll the name intended by such person.

- (b) Shall exhibit to the Returning Officer or Deputy the Elector's Right under which such person claims to vote.
- (c) Shall demand a Ballot-paper.

82. (I) When any person shall have so tendered his vote at any Polling-place, the Returning Officer or Deputy shall ascertain that the name given by such person is upon the Elector's Right exhibited by such person, and also upon an Electoral Roll in force for the District within which such Polling-place is appointed, and shall satisfy himself of the identity of the person exhibiting such Elector's Right with the person who according to the Check Roll in his possession should be the holder of such Right.

Duty of Returning Officer or Deputy on vote being tendered.

(II) The Returning Officer or Deputy may thereupon, if he think fit, and shall, if required so to do by any Scrutineer or by any two persons entitled to vote at the Polling-place at which he presides, require any such person to sign his name or distinguishing mark in a book to be kept for that purpose, and may, if he think fit, and shall, if required so to do as aforesaid, put to any such person, before such person shall have received a Ballot-paper and not afterwards, the questions following hereinafter called "The prescribed questions" (that is to say) :—

- (I) Are you the person whose name appears as [A.B. No.] in the General Roll [*or as the case may require* the Supplementary Roll] in force for this District ?
- (II) Was the Elector's Right now exhibited by you issued to you ?
- (III) Have you now the qualification in respect of which the same was issued ?
- (IV) Have you already voted at the present Election ?

83. Any person who has so tendered a vote and to whom the prescribed questions or any question authorised or declaration required or permitted to be put by this Act shall have been put who—

Omission or refusal to answer questions, sign name, or make declaration an offence.

- (I) Shall refuse or omit distinctly to answer the same and each part thereof—or
- (II) Shall not answer absolutely in the affirmative the first three of the prescribed questions, and absolutely in the negative the fourth of the prescribed questions—or
- (III) Shall upon being required to answer such question or make such declaration refuse or omit so to do—or
- (IV) Shall, upon being required so to do as aforesaid, refuse or omit to sign his name or make his distinguishing mark—

Shall be prohibited from voting then or afterwards at such Election, and shall on conviction of any such offence incur a penalty not exceeding twenty pounds, or be imprisoned for a period not exceeding one month.

84. (I) The Returning Officer or Deputy, upon any vote being so tendered by any person, shall, if satisfied of the right of such person to vote in the name given and under the Elector's Right exhibited by him, and that such person is not by law disqualified or prohibited from voting, deliver to such person a Ballot-paper signed or initialled by such Returning Officer or Deputy, having first with the prescribed instrument punctured such Ballot-paper in the lower corner with the prescribed mark in such a manner that when the Ballot-paper is folded up, and before the same is deposited in the Ballot-box, the punctured mark shall be visible to such Returning Officer or Deputy, and it shall be the duty of such Returning Officer or Deputy to require the voter in every case to exhibit to him the Ballot-paper so punctured before depositing the same in the Ballot-box.

Procedure by Returning Officer, &c., on vote being tendered.

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(II) The Returning Officer, Deputy, or Poll Clerk shall thereupon make a mark upon a certified copy of the Roll against the name of such person in the prescribed manner to denote that such person has received such Ballot-paper, and shall initial such Elector's Right; and shall stamp or impress the same in the prescribed manner to denote that the holder thereof has recorded a vote at such Election, and shall mark thereon the date in the following manner, viz., the number of the day of the month, of the month in the year, and of the year, and shall then return such Elector's Right to such holder.

(III) Any Ballot-paper from which any signature or initial letters, or any mark so required to be written or punctured thereon as aforesaid, shall have been erased, obliterated, or torn, shall be rejected at the close of the Poll.

How vote to be recorded.

85. Every person to whom a Ballot-paper shall have been delivered as aforesaid shall forthwith retire alone to some unoccupied compartment of the Polling-booth, and shall there, alone and without delay, strike out from such Ballot-paper the names of the Candidates for whom such person does not intend to vote; and shall forthwith fold up such Ballot-paper in such manner as to conceal the names of the Candidates, and shall, after exhibition as aforesaid, deposit it in the Ballot-box in the presence of the Returning Officer or Deputy.

Only one vote to be given.

86. Every Elector shall be entitled to vote for one and only one Candidate at any Election; and any Ballot-paper or Voting Paper purporting to record more votes than one shall be rejected at the close of the Poll.

Duty of Returning Officer when a second vote is tendered for one name.

87. If, at any Polling-booth, any Ballot-paper shall have been delivered to any person having tendered a vote, and if any other person shall subsequently tender a vote at such booth in the name of, or as purporting to be, such first-mentioned person, the Returning Officer or Deputy shall put to the person so subsequently tendering a vote the prescribed questions; and such person may be dealt with in all respects in like manner as any other person having tendered a vote; but the Ballot-paper of such person shall not be deposited in the Ballot-box or allowed by the Returning Officer or Deputy, but shall be set aside by him for separate custody.

Where claim to vote is that of a person apparently dead or in custody.

88. If any person whose name appears on any Electoral Roll for the District with the word "dead" or the words "in custody" or "in custody, disqualified" written upon a copy thereof opposite such name, pursuant to the provisions of this Act shall tender his vote, the Returning Officer or Deputy shall require such person, before he receives a Ballot-paper, to make a solemn declaration in the form following:—

I [A.B.] do solemnly and sincerely declare that I am the person [A.B.] whose name appears upon the Roll in force for the Electoral District of _____ with the word "dead" [or the words "in custody" or "in custody, disqualified"] written upon a copy thereof opposite such name; and I make this solemn declaration, conscientiously believing the same to be true.

If any person wilfully make any false statement in such declaration, or personate any deceased Elector or any Elector then being in custody as hereinbefore mentioned for the purpose of voting at any Election, such person shall be guilty of a misdemeanour, and may be imprisoned for any term not exceeding two years. Before any person makes any such declaration, the Returning Officer or Deputy shall warn such person that by making a false declaration such person will be guilty of a misdemeanour, and be liable to the punishment provided by law in that behalf.

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89. If any person to whom a Ballot-paper shall have been delivered as aforesaid is blind, or is incapacitated by any other physical cause from voting in the usual way, or is unable to write, and shall signify the same to the Returning Officer or Deputy, such Returning Officer or Deputy may and shall, at the request of such person and for him, and in presence of the Poll-clerk and Scrutineers, if any, strike out, in the Polling-booth, from such Ballot-paper, the names of such Candidate or Candidates as such person may designate, and shall forthwith cause the Ballot-paper of such voter to be deposited in the Ballot-box; and the name and number on the Electoral Roll of every voter whose vote is given pursuant to this section shall be entered on a list to be called the "List of Open Votes."

Vote of blind or physically incapacitated voter.

90. If, when the day appointed for taking any poll falls on a Saturday or on any day on which occurs a Jewish fast or festival, any person to whom a Ballot or Voting-paper shall have been delivered, shall declare at the prescribed time and in prescribed form that he is of the Jewish persuasion, and objects on religious grounds to vote in the manner provided by this Act, the Returning Officer or Deputy shall, at the request of such person, and in presence of such person, and for him, and in presence of the Poll-clerk and Scrutineers (if any) strike out in the polling-booth from such Ballot-paper or Voting-paper the names of such Candidate or Candidates as such person may designate, and deal with such Ballot-paper or Voting-paper as in the last preceding section mentioned.

Provision when poll falls on Saturday.

91. If upon examination of the several Rolls used at any Election or of any other documents or writings in his possession, or if from evidence satisfactory to him (from whatever source derived) it shall appear to the Returning Officer or Officers that any person has voted either in more than one Division of the same District, or in more than one District at and for one and the same Election, the vote given outside the proper Division or District of such person shall, if ascertainable from any such evidence as aforesaid, be rejected.

When votes to be rejected.

92. During the Polling at any Election no person shall take any Ballot-paper out of the Polling-booth save into one of the compartments aforesaid; no person shall enter any such compartment while any other person shall be therein; and no person being in any such compartment shall remain there for a longer time than shall be reasonably required for the purpose of striking out the names from his Ballot-paper. And any person wilfully violating any enactment in this section, or otherwise obstructing or unnecessarily delaying the proceedings at any such polling, may be removed from the Polling-booth and shall for every such offence incur a penalty not exceeding ten pounds.

Ballot-paper not to be taken out of booth, &c.

Offences.

93. If any person to whom any of the prescribed questions shall be so put as aforesaid shall wilfully make a false answer to the same or any part thereof; and if any person shall wilfully make a false declaration in respect of any matter or thing for which a declaration is required by this Part, or shall personate any Elector for the purpose of voting at any Election; or shall vote twice at any Election; or knowingly deposit in the ballot-box at any polling-place more ballot-papers than one,—such person shall be guilty of a misdemeanour, and be liable to a fine not exceeding one hundred pounds, or to imprisonment not exceeding six months.

False answer to questions, &c., or double voting a misdemeanour.

94. Every Returning Officer and Deputy and every member of the Police Force of or above the rank of senior-sergeant shall have power and authority to maintain, order, and keep the peace at any Election or Polling; and, without any other warrant than this Act, to cause to be arrested and taken before a Justice of the Peace any person reasonably suspected of committing or attempting to commit

Returning Officer, &c., may cause arrest of offenders under this Act.

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commit at any Polling-place any offence under this Act; and also to cause to be removed any person who shall obstruct the approaches to any Polling-booth, or wilfully or unnecessarily obstruct or delay the proceedings at the Polling, or conduct himself in a disorderly manner, or cause a disturbance at any Election; and all constables and peace officers shall aid and assist the respective persons hereby empowered in the performance of their duties.

Special provisions regulating Voting outside Division or District.

Voting outside
District.

95. When the holder of an Elector's Right for any District tenders a vote outside his District at any Polling-place duly proclaimed under section sixty-nine of this Act the Returning Officer or Deputy shall deal with the Ballot-paper delivered to such holder in manner provided by subsections (i) and (ii) of section eighty-four, and the voter shall deposit such Ballot-paper in a Ballot-box specially set apart for Ballot-papers for the Division of the District in respect of which the voter claims to vote, and upon the close of the Poll such Ballot-papers shall be counted as provided by section ninety-eight of this Act, and a statement of the number of votes recorded in such Ballot-box for each Candidate shall be forthwith transmitted by post, or by any more expeditious means, by the Returning Officer or Deputy, together with Ballot-papers and any documents of any kind received by such Returning Officer or Deputy in connection with such votes, to the Returning Officer or Deputy of the Division of the District to which such votes are applicable; and the package containing such votes, Ballot-papers, and documents shall be marked "Absent Voters' Ballot-papers," and such officer shall, before transmitting such statement, make and sign an entry of the particulars thereof in a book to be kept for that purpose, and such entry, when so made and signed, shall in the event of the loss or destruction of such statement be evidence of the number of votes recorded in such Ballot-box.

Voting by holder of Renewed or Substituted Right.

Further questions on
tender of vote by
holder of renewed
right.

96. In order to identify the holder of a renewed right with the person whose name appears on the General Roll, the Returning Officer or Deputy before he shall permit such holder to vote, may, if he think fit, and shall, if required by any Scrutineer, at the Polling-place at which he presides (in addition to any other questions which he may lawfully put to such holder) put to any such holder before he shall have received a Ballot-paper, but not afterwards, the questions following, that is to say:—

- (i) Are you the person whose name appears in the General or Supplementary Roll in force for this District?
- (ii) Have you delivered up your Original Elector's Right to the Electoral Registrar?
- (iii) Is this the Elector's Right issued in lieu of such Original Right?

And any person who shall wilfully make a false answer to any of the questions so put to him by such Returning Officer or Deputy, shall upon conviction before a Court of summary jurisdiction be liable to be imprisoned for any term not exceeding six months.

Restriction upon
holder of Substituted
Elector's Right.

97. No person having tendered a vote as the holder of a Substituted Elector's Right shall be entitled to exercise the right of voting, or to demand a Ballot-paper, if such Substituted Elector's Right shall appear by the date thereon to have been issued within seven days before the day appointed for the Polling at the Election at which such Substituted Elector's Right shall be exhibited.

Provisions

*Parliamentary Electorates and Elections.**Provisions for ascertaining Poll, dealing with Ballot and Voting Papers, &c.*

98. Immediately upon the close of the Poll the Returning Officer and every Deputy at the Polling-place at which each shall preside shall, in the presence and subject to the inspection of such of the Scrutineers as choose to be present and the Poll-clerks (if any), but of no other persons, open the Ballot-box and envelopes (if any) and proceed to count the number of votes for each Candidate. And for the purposes of this section and the enactments hereinafter contained every Voting-paper whensoever practicable shall be treated as, and be deemed to be, a Ballot-paper.

How and when number of votes to be ascertained.

99. Immediately after ascertaining the total number of votes each Deputy shall make up in one parcel the Ballot-papers and Voting-papers (if any) which shall have been used in voting at his Polling-booth during the Election; in a second separate parcel, the Ballot-papers which shall have remained unused thereat; and in a third separate parcel the certified copies of Rolls supplied to the said Deputy signed by him, and all books, Rolls, and papers kept or used by him during the Polling; and shall seal up the said several parcels; and shall permit any of the Scrutineers who may desire to do so to affix his or their seals to such parcels; and shall indorse the same severally with a description of the contents thereof, and with the name of the District, the name of the Division and Polling-booth, and the date of the Polling; and sign with his name the said indorsement; and shall transmit the said parcels to the Returning Officer.

Sealing and transmission by deputies of separate parcels of Ballot-papers, &c.

What to be done with books, papers, rolls, &c.

100. Each Deputy shall, together with the parcels aforesaid, transmit to the Returning Officer a list of the total number of votes received by each Candidate; and also an account in which such Deputy shall charge himself with the number of Ballot-papers originally delivered to him, and the number (if any) written out by him, specifying therein the number thereof delivered to and used by voters, and the number not so delivered or left unused; and every such list and account respectively shall be verified as well by the signatures of the said Deputy and the Poll-clerk (if any) as also by the signatures of such of the Scrutineers as shall be present and shall consent to sign the same.

Account of Ballot-papers and verification thereof and of list of votes.

101. The Returning Officer shall, in respect of the Polling-booth at which he himself shall have presided, make up in separate parcels in like manner as is herein required of Deputy Returning Officers all Ballot-papers used or unused, and all books, Rolls, and papers kept or used by him at such Polling-booth; and shall seal up, and also permit to be sealed up by the Scrutineers, and shall endorse in like manner as aforesaid, the said several parcels, and deal with the same as hereinafter provided; and shall also make out in respect of the said booth the like list as herein required in the case of Deputy Returning Officers, which said List shall be verified by the signature of the Returning Officer, the Poll-clerk (if any), and Scrutineers in manner aforesaid.

Returning Officer's parcels.

102. The Returning Officer shall make up the general state of the Poll from the list made out by him, and from the lists transmitted by the Deputy Returning Officers; and shall, as soon as conveniently may be after taking the Poll, by notice signed by him and posted in some conspicuous position at the principal Polling-place, and inserted in some newspaper published or circulating in the District, announce the number of votes given to each Candidate, and declare that Candidate who has received the greatest number of votes to be duly elected; Provided that if two or more Candidates shall have received an equal number

Declaration of Poli.

Casting vote of Returning Officer.

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number of votes, the Returning Officer shall give a casting vote, but shall not otherwise vote at such Election. The name of the person so Elected shall be endorsed on the Writ by the Returning Officer; and the Writ shall be by him returned to the Governor or Speaker, whichever shall have issued the same, within the time specified therein.

Separate parcels
to be enclosed in
packets, sealed, &c.

103. The Returning Officer shall as soon as practicable after the day of Polling enclose in separate packets in manner hereinafter mentioned, the parcels so transmitted to him, and those made up and sealed by himself in respect of the Polling-booth at which he shall have presided (that is to say):—he shall enclose in one packet all parcels of used Ballot-papers; in a second, all parcels of unused Ballot-papers (distinguishing in each case Ballot-papers from Voting-papers); and in a third all parcels containing copies of Rolls, books, or other papers as herein provided; and shall seal up the said several packets and indorse the same with a description of the contents thereof respectively, and the name of the district and the date of the Polling, and sign with his name the said indorsement, and shall forthwith forward the said packets to the Clerk of the Legislative Assembly, to be by him safely kept until the dissolution of Parliament; and he shall also at the same time seal up and transmit to the said Clerk a parcel containing all Ballot-papers which shall have been printed or written for the said Election and not used by the Returning Officer or distributed for use to his Deputies; and the said Clerk shall forthwith give or send to the Returning Officer a receipt under his hand for the said packets and parcel.

Ballot-papers, &c.,
copies of Rolls and
books to be evidence.

104. Any Ballot-paper or Voting-paper, and any copy of a Roll, and any book purporting to be taken from any such parcel as aforesaid, and having written thereon respectively under the hand of the Clerk of the Legislative Assembly a certificate of the several particulars hereby required to be indorsed upon such parcel, and that the same was so taken from such parcel, shall be evidence in any Court or before any Committee of Elections and Qualifications that the same was so taken; and that the same if a Ballot-paper was deposited or transmitted pursuant to this Act, and if a Roll or book was kept or used at the Election and booth to which such indorsement and writing relate; and every such Ballot-paper or voting paper so certified shall be evidence of a vote given at such Election.

Penalty for breaking
seal of or opening
parcel or packet.

105. Any person who shall wilfully break the seal of, or open, any such sealed parcel or sealed packet as aforesaid, unless by direction of some competent Court or other tribunal authorised in that behalf, or unless called upon to produce some portion of the contents of such parcel or packet to some such Court or tribunal, shall be guilty of a misdemeanour, and be liable to be fined any sum not exceeding one hundred pounds, or to be imprisoned for any term not exceeding six months, or to be both fined and imprisoned within the aforesaid limits.

When Polling may
be adjourned—
(1) for riot, violence,
&c.

106. (I) When the proceedings for taking the Poll at any Election shall be interrupted or obstructed at any place by any riot or open violence, the Returning Officer or Deputy (as the case may be) shall not for such cause finally close the Poll, but shall adjourn the taking of the Poll at the Polling-place at which such interruption or obstruction shall have happened to the following day; and if necessary such Returning Officer or Deputy shall further adjourn such Poll from day to day until such interruption or obstruction shall have ceased, when such Returning Officer or Deputy shall again proceed with the taking of the Poll at the place at which the same may have been so interrupted or obstructed.

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(II) If the Returning Officer or Deputy (as the case may be) shall fail to open the Polling at any booth of a Polling-place for one half-hour after the time appointed for the same, or if he shall become incapable of performing his duties from any cause after Polling has opened, and for a period of one half-hour, then in each and every such case the Poll-clerk (if one be present) or the Senior Poll-clerk (if more than one be present) shall be and is hereby empowered to act as and for such Returning Officer or Deputy in respect of all matters required to be done by such Returning Officer or Deputy in respect of such Polling. And such Poll-clerk so acting may forthwith appoint a Poll-clerk to assist him in the conduct of such Polling.

Poll-clerk to act for Returning Officer in certain cases.

(III) If from any other cause than riot or open violence no Polling shall have been opened at any booth of a Polling-place for any District on the appointed day, the Polling at such booth shall be by the Returning Officer or Deputy as the case may be adjourned to a day not later than seven clear days following such appointed day; and the Returning Officer or Deputy (as the case may be) shall forthwith cause public notice to be given thereof.

For other causes.

107. Where any Poll shall have been so adjourned by any Deputy, such Deputy shall forthwith give notice thereof to the Returning Officer; and in every such case, and also where any Polling shall stand adjourned as in the last preceding section mentioned, the Returning Officer shall not notify the total number of votes given or finally declare upon which Candidate the Election has fallen until the Poll so adjourned shall have been finally closed and the Ballot-papers transmitted to the Returning Officer.

On adjournment by Deputy, notice to be given to Returning Officer.

108. No adjournment of the proceedings at any Election shall be made or extend to the day named as the return day in the Writ for such Election, and if the Polling shall not have been completed before the day named, the Returning Officer shall forthwith indorse that fact upon the Writ, and shall return the same.

Limits of adjournments.

109. No Election shall be liable to be questioned by reason only of any defect in the title, or any want of title, of the person by or before whom such Election, or any Polling for the same, shall have been held, if such person have been actually appointed to preside, or have been acting in the office giving the right so to preside at such election.

Election not to be questioned for want of or defect of title of officers.

110. No Election shall be void in consequence only of there having been no Returning Officer at the time of the issue of the Writ, or of any delay in the return of the Writ; and where any accidental or unavoidable impediment, misfeasance, or omission shall have happened, the Governor may take all such measures as may be necessary for removing such impediment, or rectifying such misfeasance or omission; or may by proclamation declare any or all of the proceedings at or for any Election valid as to and notwithstanding such impediment, misfeasance, or omission; and every such proclamation shall state specifically the nature of the impediment, misfeasance, or omission, and shall be forthwith published in the *Gazette*.

Nor for omission, &c., of a formal nature.

111. If any Returning Officer, or the Substitute of any Returning Officer, or any Deputy Returning Officer, Poll-clerk, or Scrutineer, shall, in the discharge of his duties under this Act at or concerning any Election, learn, or have the means of learning, for what Candidate any person shall vote or have voted at such Election, he shall not by word or act, or any other means whatsoever, directly or indirectly divulge, or disclose, or aid in divulging or disclosing the same, save in answer to some question which he is legally bound to answer, or in compliance with the express provisions of the law relating to Elections to the Legislative Assembly; and every such Returning Officer, Substitute, Deputy, Poll-clerk, or Scrutineer who shall wilfully violate

Violation of secrecy by officers, &c.

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violate the provisions of this section shall be guilty of a misdemeanour, and be liable to be fined any sum not exceeding one hundred pounds, or to be imprisoned for any term not exceeding six months, or to be both fined and imprisoned within such limits.

Penalty for neglect,
&c., by Returning
Officer.

112. If any Returning Officer, or any person appointed to act as such Returning Officer, or his Substitute, or Deputy Returning Officer, at any Election, shall be guilty of any wilful misfeasance, or wilful, or negligent act of commission or omission in violation of any of the provisions herein contained and not otherwise provided for, he shall upon conviction, before a Court of summary jurisdiction, forfeit and pay for every such offence a penalty of not less than ten nor more than two hundred pounds.

Bribery, Treating, Intimidation, &c.

Who guilty of
the misdemeanour
of bribery, &c.

113. Every person shall be guilty of bribery:—

- (I) Who shall, directly or indirectly, by himself or by any other person on his behalf, give or lend, or agree to give or lend, or shall offer, promise, or procure, or promise, or endeavour to procure any money or valuable consideration to or for any Elector or any other person on behalf of any Elector in order to induce any Elector to vote or refrain from voting, or shall knowingly do any such act as aforesaid on account of such Elector having voted or refrained from voting at any Election.
- (II) Who shall, directly or indirectly, by himself or by any other person on his behalf, give or procure, or agree to give or procure, offer, promise, or promise to procure, or to endeavour to procure any office, place, or employment to or for any Elector or any other person, or who shall retain or dismiss any Elector or other person in or from any office, place, or employment in order to induce such Elector to vote or refrain from voting, or shall knowingly do any such act as aforesaid on account of any Elector having voted or refrained from voting at any Election.
- (III) Who shall, directly or indirectly, by himself or by any other person on his behalf, make any such gift, loan, offer, promise, procurement, or agreement as aforesaid to or for any person in order to induce such person to procure or endeavour to procure the return of any person to serve as a member of the Assembly or the vote of any Elector at any Election.
- (IV) Who shall, upon or in consequence of any such gift, loan, offer, promise, procurement, or agreement procure or engage, promise, or endeavour to procure the return of any person to serve as a member of the Assembly or the vote of any Elector at any Election.
- (V) Who shall advance or pay or cause to be advanced or paid any money to or for the use of any other person with the intent that such money or any part thereof shall be expended in bribery at any Election, or who shall knowingly pay or cause to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at an Election.
- (VI) Who shall before, during, or after any Election directly or indirectly by himself or by any other person on his behalf receive any money or valuable consideration on account of any person having voted or refrained from voting, or having induced any other person to vote or to refrain from voting at any Election.

(VII)

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(vii) Who shall before or during any Election directly or indirectly by himself or by any other person on his behalf receive, agree, or contract for any money or valuable consideration, office, place, or employment for himself or for any other person for voting or agreeing to vote, or for refraining or agreeing to refrain from voting, or for inducing any other person to vote or to refrain from voting at any Election.

And any person or Elector so offending shall be guilty of a misdemeanour, and be liable to be fined any sum not exceeding one hundred pounds, or to be imprisoned for any term not exceeding six months, or to be both fined and imprisoned within such limits; and shall also be incapable of voting at such Election.

114. For the purposes of the last preceding and three subsequent sections of this Act the words "Candidate at an Election" and the words "Candidate at any Election" shall include all persons elected to serve in Parliament at such Election, and all persons nominated as Candidates at such Election, or who shall on or after the day of the issuing the Writ for such Election, or after the dissolution or vacancy in consequence of which such Writ shall have been issued have declared their intention of becoming Candidates at such Election or their consent so to do. And the words "at an Election" "at any Election" and "during any Election" shall mean and include the whole period from the day of Nomination up to the day on which the Returning Officer shall publish and declare the result of such Election, both days inclusive.

Extended meaning
of term
"Candidate."

115. Every Candidate at an Election who shall corruptly, by himself or by or with any person, or by any other ways or means on his behalf, at any time either before or during any Election directly or indirectly give or provide, or cause to be given or provided, or shall be accessory to the giving or providing, or shall pay or allow any person to pay on his behalf wholly or in part any expenses incurred for any meat, drink, entertainment, or provisions to or for any person, or horse or carriage hire or conveyance for any voter, whilst at such Election or whilst engaged in coming to or returning from such Election, in order to ensure or forward his Election, or for the purpose of corruptly influencing such person or any other person to give or refrain from giving his vote at such Election, or on account of such person having voted or refrained from voting, or being about to vote or refrain from voting at such Election, shall be deemed guilty of the offence of treating; and every Elector who shall corruptly accept or take any meat, drink, refreshment, or provision, horse or carriage hire or conveyance, so paid for, given, or provided shall be incapable of voting at such Election.

Offence of "treating."

116. Any person who shall be guilty of the offence of treating as defined in the last preceding section or who shall give or cause to be given to any Elector during any Election on account of such Elector having voted or being about to vote any meat, drink, or entertainment by way of refreshment, or any money or ticket to enable such Elector to obtain refreshment, shall be liable to be fined any sum not exceeding one hundred pounds, or to be imprisoned for any term not exceeding six months, or to be both fined and imprisoned within such limits, and shall also be incapable of voting at such Election.

Penalty for
"treating."

117. Every person who shall directly or indirectly by himself or by any other person on his behalf make use of or threaten to make use of any force, violence, or restraint, or inflict or threaten the infliction by himself or by or through any other person of any injury, damage, harm, or loss, or in any other manner practise intimidation upon or against any person in order to induce or compel such person

Intimidation.

to

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to vote or refrain from voting or on account of such person having voted or refrained from voting at any Election, or who shall by abduction, duress, or any fraudulent device or contrivance impede, prevent, or otherwise interfere with the free exercise of the franchise by any Elector, or shall thereby compel or induce or prevail upon any Elector either to give or refrain from giving his vote at any Election, shall be guilty of a misdemeanour and be liable to the respective punishments provided by the next preceding section.

No action, &c., for goods or work or service in prosecuting an Election.

118. No action, suit, or other proceeding whatsoever shall be brought or maintained whereby to charge any person upon any contract or agreement for the loan of money or the doing of any work or service or the supply of any goods for or towards or concerning or in carrying on or prosecuting any Election of a member under this Act: Provided that this section shall not apply to contracts, agreements, or payments by officers or others appointed by or under this Act in carrying out the several matters or things therein or thereby authorised and required.

Proviso as to officers under this Act.

Candidates guilty of offences under this Act incapable of sitting or being Elected.

119. If any Candidate at any Election for any District shall be declared by any Committee of Elections and Qualifications to be guilty of bribery, treating, or undue influence at any Election, such Candidate shall be incapable of being Elected or sitting as a Member for any District until the following General Election.

Wagers, &c., on result of Elections prohibited.

120. Any person who shall make or be concerned in any wager, bet, or other risk of any nature whatsoever upon the result of any Election, shall forfeit and pay for every such offence a penalty not being less than five pounds nor exceeding fifty pounds; and every such wager, bet, or other risk shall be and is hereby declared an illegal act.

PART V.

Committee of Elections and Qualifications—Election Petitions.

Appointments of Committee of Elections and Qualifications.

121. (I) In the first Session of every Assembly, and within seven days after the Election of a Speaker, and in every subsequent Session within seven days after the commencement thereof, or in either case, at any later period, with the leave of the Assembly, the Speaker shall, by Warrant under his hand, appoint nine Members of the Assembly, against whose return no Petition is then pending, and none of whom is a party to any Petition complaining of any Election or return, to be Members of "The Committee of Elections and Qualifications" (hereinafter termed "the Committee").

(II) Every such Warrant shall be laid on the Table of the Assembly, and, if not disapproved by the Assembly upon motion (without notice) in the course of the three next following days on which the Assembly meets for the despatch of business, shall take effect as an appointment of such Committee.

(III) Every Member who shall become a party to any Petition complaining of an undue Election or return, or respecting whose return, qualification, or disqualification an inquiry is pending, shall, for the time, be disqualified to serve on such Committee.

Proceedings on disapproval by the Assembly.

122. If the Assembly disapprove of any such Warrant, the Speaker shall, on or before the third day on which the Assembly meets after such disapproval, lay upon the Table of the Assembly a new Warrant

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Warrant for the appointment of nine Members, qualified as aforesaid, and so from time to time until nine Members have been appointed by a Warrant not disapproved by the Assembly: Provided that the disapproval of any Warrant may be either general in respect of the constitution of the whole Committee, or special in respect of any particular Member named in the Warrant, and that the Speaker may, if he think fit, name in the second or any subsequent Warrant any of the Members named in any former Warrant, whose appointment has not been so specially disapproved of:

123. After the appointment of the Committee, every Member appointed shall continue to be a Member thereof until the end of the then current Session, or until he cease to be a Member of the Assembly, or unless and until the Committee report that he is disabled by continued illness from attending the Committee, or until the Committee report that he has failed to attend four consecutive meetings without the leave of the Committee, or until the Committee be dissolved as hereinafter provided, or until he resign his appointment (which he may do by letter to the Speaker), but which resignation shall not take effect until the appointment of another Member in his place.

Duration of office of
Members of Com-
mittee.

124. (I) If the Chairman or any two members of the Committee at any time report that by reason of the continued absence of more than four of its Members, or by reason of irreconcilable difference of opinion, the Committee are unable to proceed satisfactorily in the discharge of their duties, and if such report be adopted by the Assembly with or without notice, or if the Assembly resolve that the Committee be dissolved, the same shall be forthwith dissolved, and every reappointment of the Committee after the dissolution thereof, as well also as every appointment to supply a vacancy in the Committee by resignation or otherwise, shall be made by the Speaker by Warrant under his hand, laid upon the Table of the Assembly, on or before the third day on which the Assembly meets after the dissolution of the Committee, or notification of the vacancy made to the Speaker, as the case may be.

Resolution of
House to dissolve
Committee.
Re-appointment, &c.

(II) Such Warrant shall be subject to the disapproval of the Assembly in like manner as is hereinbefore provided in the case of the appointment of the first Committee.

(III) Upon any reappointment of the said Committee, the Speaker may, if he think fit, reappoint any of the Members of the former Committee who are then not disqualified to serve thereon.

(IV) Every such new Committee or new Member shall have power to take up and continue the business pending at the time of the dissolution or vacancy as aforesaid in the same manner as might have been done by the Committee as previously constituted and composed.

125. (I) The Speaker shall appoint the time and place of the first meeting of the Committee, and the Committee shall meet at the time and place so appointed; but no Member shall act upon the Committee until he shall have been sworn at the Table of the Assembly by the Clerk well and truly to try and determine the matter of any Petition or other question referred to the Committee, and a true judgment to give according to the evidence, and truly and faithfully to perform the duties appertaining to a Member of the Committee to the best of his judgment and ability without fear or favour.

Time of meeting.

Oath of Committee
men.

(II) The Committee shall not be competent to transact any business unless at the least five Members thereof shall be present together.

Quorum.

126. (I) The Committee shall have power to adjourn their sittings from time to time as they shall think proper; provided that the interval of adjournment shall not in any instance exceed seven days, unless

Powers of
Adjournment.

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unless by leave first obtained from the Assembly upon motion (without notice) and special cause assigned for such adjournment. And in case five Members shall not have met together within one hour of the time appointed for an original or adjourned meeting, it shall be competent to the Members present to adjourn within the limits, and subject to the restrictions aforesaid.

Election of
Chairman.

(II) The Committee shall select their own Chairman from time to time, and shall have power to regulate the form and manner of their own proceedings.

Majority to decide.
Casting vote.

(III) Such proceedings shall be conducted openly, except when the Committee shall think it necessary to deliberate among themselves before or after hearing evidence and argument if offered; and all questions before the Committee shall be decided by a majority of voices, and whenever the voices are equal the Chairman shall have a second or casting voice, and no member of the Committee shall refrain from voting on any question on which the Committee may divide.

Minutes of
proceedings.

(IV) The Committee shall be attended by one of the Clerks of the Assembly, and such Clerk shall make a Minute of all Proceedings of the Committee, in such form and manner as shall be from time to time directed by the Committee, and a copy of the Minutes so kept shall be laid from time to time before the Assembly.

General powers of
Committee.

127. (I) The Committee shall have power to inquire into and determine upon all Election Petitions and upon all questions which may be referred to them by the Assembly respecting the validity of any Election or return of any Member to serve in the Assembly, whether the dispute relating to such Election or return arise out of an error in the return of the Returning Officer or out of the allegation of bribery or corruption against any person concerned in any Election, or out of any other allegations calculated to affect the validity of such Election or return, and also upon all questions concerning the qualification or disqualification of any person who shall have been returned as a Member of the Assembly.

(II) In the trial of any such questions the Committee shall be guided by the real justice and good conscience of the case, without regard to legal forms and solemnities, and shall direct themselves by the best evidence they can procure, or which is laid before them, whether the same be such evidence as the law would require or admit in other cases or not: Provided that the Committee may receive or reject as they may deem fit any evidence tendered to them.

Decisions of
Committee and their
effect.

128. (I) The Committee shall determine finally on all questions referred to them, and if they shall determine and report to the Assembly that a person was not duly Elected who was returned as Elected by the Returning Officer, the person so declared not to be duly Elected shall cease to be a Member of the Assembly, and if they shall determine and report any person to have been duly Elected who was not returned by the Returning Officer, the person so declared shall be sworn a Member of the Assembly, and take his seat accordingly; and if the said Committee shall declare any Election to have been wholly void, or shall declare any sitting Member to be unqualified or disqualified, the Speaker may issue a New Writ for the holding of another Election, and the person thereafter Elected and duly returned shall be the Member for the Electoral District concerned.

(II) If the Committee shall come to any resolution other than the determination abovementioned, they shall, if they think proper, report the same to the Assembly for its opinion at the same time that they inform the Assembly of such determination, and the Assembly may confirm or disagree with such resolution and make such order thereon as shall seem proper.

Parliamentary Electorates and Elections.

129. (I) Every Petition complaining of the undue Election or return of a Member to serve in the Assembly, or complaining that no return has been made according to the requisition of the Writ issued for the Election of a Member to serve in the Assembly, or complaining of any special matter contained in any such return, shall be subscribed by some person who voted or had a right to vote at the Election to which the same relates, or by some person claiming to have had a right to be returned or Elected thereat, or alleging himself to have been a Candidate at the Election, and shall in the case of a General Election be addressed to the Governor, and in the case of a Bye-Election shall be addressed to the Speaker, and shall be presented to the Governor or Speaker within eight weeks after the day of the return of the Writ to which such Petition shall relate.

ELECTION
PETITIONS.
—
Petition against
Sitting Member.

(II) Every such Petition shall be forthwith notified in the *Gazette*, and shall, as soon as conveniently may be after such presentation, be laid by the Governor or the Speaker before the Assembly, and shall by the Assembly be referred to the Committee either forthwith or as soon as the Committee shall have been duly appointed and confirmed.

130. It shall be competent to the Assembly upon any petition subscribed as aforesaid and presented to the Speaker to refer such Petition and the question thereby raised to the Committee, and the Assembly shall also have power upon the like Petition to refer to the Committee all questions respecting bribery or corruption alleged to have been committed at any Election at any time within twelve months after such Election, notwithstanding that the period in either of the above cases shall have elapsed for a Petition against the Election or the return thereof according to the provisions hereinbefore in that behalf contained.

Assembly may refer
to Committee
Petition.

131. Before presenting any such Petition as aforesaid to the Governor or Speaker, the person by whom the same shall be subscribed shall pay into one of the Banks regulated by law within the said Colony or into a branch thereof a sum of fifty pounds to the credit of the Speaker in relation to the said Petition, which sum shall be payable towards the costs of the Petition as hereinafter regulated, and shall be liable to be withdrawn upon the order of the Speaker either for the purpose of such payment or for the purpose of restoring the same to the Petitioner wholly or in part as the case may require.

Deposit for costs of
Petition.

132. Every such petition shall have annexed thereto a Bank deposit receipt for the sum of fifty pounds so deposited and shall contain a recital of the fact and particulars of such deposit. And any petitioner who shall wilfully annex to any such Petition a false receipt or who shall wilfully make in any such petition any false recital shall be deemed guilty of forgery, and be liable to be punished therefor.

Receipt for deposit to
accompany Petition.

133. All persons subscribing any such petition shall be deemed to be parties to the reference, and the sitting Member to whose Election any such Petition relates, or any person who voted, or who had a right to vote thereat, or any person complained against in any such Petition, may within four weeks after presentation thereof, by notice in writing to the Speaker, be admitted as a party to support or to oppose the same, or to defend the return of the sitting Member, as the case may be, and every person so admitted shall be deemed to be a party to the reference.

Parties to Petition.

134. The parties to any such reference may at any time after presentation of the Petition so referred, jointly or severally withdraw their support or opposition, as the case may be, by written notice to that effect under their hands, or under the hand of their agent to the Speaker, and also to the sitting Member whose Election or return has been

Parties withdrawing
liable to cost and
expenses.

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been complained of, or his agent, and also to the adverse parties or their agent, and in all such cases the parties so withdrawing shall be liable to the payment of all such costs and expenses incurred by any of the adverse parties, as the Committee in its discretion shall deem reasonable and just.

Award of costs and expenses.

135. It shall be lawful for the Committee to determine and report to the Assembly upon all Petitions so referred, and in all cases to award payment of such costs or expenses incurred by any of the parties, as the Committee in its discretion shall deem reasonable and just, and to name the parties in each case who shall be liable for such payments, and the parties (if any) to whom such payments are to be made.

Sitting Member liable for costs and expenses in certain cases.

136. Whenever no adverse party shall have been admitted as aforesaid, and it shall appear to the Committee that the sitting Member whose Election has been complained of, or his authorised agent, has been guilty of vexatious or corrupt conduct in respect of the Election to which the Petition relates, such Member shall be liable for the payment of all such costs and expenses incurred by any of the parties supporting the Petition as the Committee in its discretion shall deem reasonable and just.

Petitioners liable to penalties.

137. Whenever it shall appear to the Committee that a Petition so referred to them was frivolous or vexatious, or altogether groundless, or not sufficiently sustained by evidence, it shall be lawful for the Committee to impose upon any of the parties supporting the Petition such penalty (not exceeding fifty pounds) as the Committee shall, in their discretion, deem reasonable and just, and such penalty shall be paid by any such parties named by the Committee to the Clerk of the Assembly, and may be recovered by the said Clerk in the same manner as all costs and expenses awarded by the Committee are hereinafter directed to be recovered. And the money so recovered shall, after deducting costs and expenses necessary for the recovery thereof, be paid to the Colonial Treasurer and form part of the Consolidated Revenue Fund.

Costs and expenses how to be certified.

138. The said Committee shall, upon application made to them, deliver to any witnesses summoned before the Committee, or to any other person entitled under the provisions of this Act to costs and expenses, or to the Clerk of the Assembly, in case any penalty shall have been awarded, a certificate thereof, signed by the Chairman of the Committee, expressing the amount of the costs and expenses allowed, or of the penalty awarded, with the name of the party liable to pay the same, and the name of the party entitled to receive the same, and such certificate shall be conclusive evidence for all purposes whatever as well of the amount of the demand as of the title of the party therein named in that behalf to recover the same from the party therein stated to be liable to the payment thereof.

Recovery of costs.

139. (I) The Speaker may, by order under his hand, direct the payment of the said sum of fifty pounds deposited according to the provisions hereinbefore contained, or a sufficient portion or proportionate part thereof, to any party who, by such certificate, shall appear to be entitled to recover costs and expenses, or any penalty as against the person by whom such deposit was made.

(II) The party entitled to any such costs, expenses, or penalty under such certificate may recover the same, or so much thereof as shall not be paid out of any such deposit from the party liable to pay the same.

(III) If the party liable to pay such costs, expenses, or penalty shall not, upon demand being made within seven days thereafter, pay the same, the Speaker shall, by warrant under his hand directed

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directed to the Sheriff, command the said Sheriff to levy for the amount named in such warrant upon the lands, goods, and chattels of the party liable to pay the same; and thereupon the said Sheriff shall forthwith levy for the said amount, and when the same shall be recovered, pay over the same to the party entitled thereto.

(iv) Any person from whom the amount of such costs, expenses, or penalty shall have been recovered, or who shall have paid the same on demand thereof, shall be entitled to recover in any Court from the other persons (if such there be) who are liable to the payment of the same a proportionate share thereof according to the number of persons so liable, and according to the extent of the liability of each person.

(v) In every case in which the Committee shall finally determine and report to the Assembly upon any such Petition without making any award as to costs or expenses, or imposing any penalty, the Speaker shall, upon demand of the depositor, return to him, or his agent, the said sum of fifty pounds.

140. (i) The Committee shall have power to direct the attendance of witnesses, and to examine them upon oath (which oath it shall be competent for any Member of the said Committee to administer), and also to send for and examine papers, records, and other documentary evidence, and it shall be competent to the Committee if they shall think fit to receive affidavits relative to any of the matters referred to them taken before any Justice of the Peace (which affidavits such Justice of the Peace is hereby authorised to take).

Powers in respect of witnesses, affidavits, and documentary evidence, contempt, disobedience, &c.

(ii) If any person summoned by the Committee shall disobey such summons, or shall refuse or neglect to produce any papers, records, or other documentary evidence relating to or affecting the matter under investigation which shall have been sent for by the Committee, or shall refuse to submit himself to examination, or shall give false evidence, or prevaricate or otherwise misconduct himself in giving or refusing to give evidence, he shall be deemed guilty of a misdemeanour and be liable accordingly.

(iii) Any person wilfully or knowingly giving false evidence before the Committee, or a quorum thereof, or in any such affidavit, shall be deemed guilty of wilful and corrupt perjury and be liable to be punished therefor: Provided that in any case where a witness if examined before the Supreme Court would be permitted to make a solemn declaration, or to give evidence in any other way than upon oath, a witness summoned under this Act shall be allowed to give evidence in like manner by declaration or otherwise.

PART VI.

Miscellaneous Provisions, Penalties, &c.

141. The Governor may make regulations for carrying the provisions of this Act into full effect; and all such regulations, in so far as they are not inconsistent with the provisions of this Act shall, on being published in the *Gazette*, have the full force of law, and shall be laid before both Houses of Parliament within fourteen days after such publication, if Parliament be then sitting, and if not, then within fourteen days after the commencement of the next ensuing Session.

Regulations.

142. If any person, without lawful excuse or authority (the proof whereof shall be upon the person charged), shall print, supply, issue,

Certain offences in connection with certificates.

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issue, or have in his possession any certificate or document in the form of Schedule A hereto, or resembling, or apparently intended to resemble such form, such person shall be guilty of a misdemeanour, and may be fined in any sum not exceeding one hundred pounds or imprisoned for any period not exceeding two years, or may be both fined and imprisoned within the said limits; and if any person shall forge or utter, knowing the same to be forged, any certificate or Elector's Right, he shall be deemed guilty of felony, and shall be liable to imprisonment, with or without hard labour, for any term not exceeding five years: Provided that any person acting under the directions of the Colonial Secretary shall be deemed to be a person acting under lawful authority within the meaning of this section.

Offence of stuffing
Ballot-box.

143. Every person who knowingly places, or is privy to the placing, in a Ballot-box any Ballot or Voting-paper which has not been lawfully issued to an Elector, and been marked, filled up, or otherwise dealt with by him as by this Act required, and any Elector who places in the Ballot-box any paper other than the Ballot-paper issued to him for that purpose, shall be guilty of a misdemeanour, and be liable to be imprisoned for any term not exceeding one year.

Elector's Rights not
to be transferred.

144. Subject to the provisions in this Act relating to the transfer of Electors' Rights, no transfer, delivery, pledge, sale, gift, or exchange of an Elector's Right shall be good as against the person to whom the same was issued; and any Stipendiary or Police Magistrate, on the complaint of any such person, that any other person detains, or has in his possession any such Elector's Right, and on proof thereof, and of demand made for such right, and of refusal to deliver it up to the person to whom it was issued, may order the said right to be delivered up to such last-mentioned person. And every person detaining an Elector's Right, after demand made by the person entitled thereto, shall be liable to a penalty not exceeding twenty pounds.

Penalty on members
of Police Force
influencing voters, &c.

145. If any person being at the time a member of the Police Force shall take any part in any Election, or shall seek to influence in any manner any Elector in giving his vote for any Candidate, such person shall incur a penalty not less than ten pounds nor more than one hundred pounds.

Payment of expenses.

146. It shall be lawful for the Governor from time to time by warrant under his hand addressed to the Colonial Treasurer, to authorise and direct that all such moneys as shall from time to time be required for paying any expenses lawfully incurred under and in the execution of the provisions of this Act, be paid out of the Consolidated Revenue, and the same shall be so paid accordingly.

Summary penalties
for neglect.

147. If in the opinion of the Minister any Electoral Registrar, or Deputy Electoral Registrar, or other officer, has been guilty of any negligent act of commission or omission, contrary to the provisions of this Act, the Minister may, by writing under his hand, after calling upon any such officer to furnish any explanation he may think fit personally or in writing, and, after considering such explanation, order that the whole or any portion of the salary payable to such officer under the authority of this Act during the year then current shall be forfeited.

Penalty for disobe-
dience.

148. If any Registrar, or other officer or person, shall be guilty of any wilful misfeasance, or wilful or grossly negligent act of commission or omission in contravention of the provisions of this Act, he shall be liable upon conviction thereof before a Court of summary jurisdiction, to forfeit and pay a sum of not more than fifty pounds, nor less than five pounds, or at the discretion of the Court, to be imprisoned for any period not exceeding three months.

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149. It shall be lawful for the Colonial Secretary to make rules and regulations as to the days, hours, and places on and at which any Registrar or Deputy Registrar shall attend at his office or offices for the purposes of this Act, and as to what shall be deemed a reasonable price or payment for any Rolls, or other matters regarding which it is hereinbefore provided that a reasonable price be paid for the same. Where any accidental or unavoidable impediment, misfeasance, or omission shall have happened in the preparation or transmission or printing of any Roll, of what kind soever, the Governor may take all such measures as may be necessary for removing such impediment or rectifying such misfeasance or omission.

Attendance of Registrar regulated.

Errors may be corrected.

150. Every penalty, fine, forfeiture, or sum of money recoverable or payable pursuant to the provisions of this Act, and every offence against or violation or breach of the provisions of this Act, or of any regulation made thereunder (not being a misdemeanour) shall be heard and determined by and before a Stipendiary or Police Magistrate in a summary way in accordance with the Acts in force regulating summary proceedings before Justices. And in default of payment of any such penalty, fine, forfeiture, or sum, the same may be enforced by distress and sale of the defendant's goods and chattels; and, in default of sufficient distress, the defendant may be imprisoned for any term not exceeding fourteen days, or until such penalty, fine, forfeiture or sum be sooner paid.

Mode of recovering penalties.

151. If at the hearing of any information under the forty-fifth or the ninety-sixth section hereof it shall appear to the Court that such information is unfounded, frivolous, or vexatious, it shall be lawful for the Court, whether the information be dismissed or not, to order that the prosecutor shall pay to the defendant such costs, together with, where such information is unfounded, frivolous, or vexatious, such further sum by way of compensation not exceeding ten pounds as shall seem reasonable; and the same shall be recovered in like manner as any sum ordered to be paid by Justices.

Costs and compensation may be awarded to defendant.

152. No person shall be liable to any penalty, forfeiture, or punishment imposed under this Act, unless the prosecution for the offence committed shall be commenced against such person within the space of six months next after such offence shall have been committed. And proceedings for or in respect of any offence under this Act may be taken by any member of the Police Force or by any person whomsoever, save where by this Act in any particular case some other person is charged with the duty of taking such proceedings.

Limitation of time, &c., for recovery of penalties, &c.

153. All moneys received by any officer under the provisions of this Act shall be paid to the Colonial Treasurer, and shall be deemed to be received on account of the Consolidated Revenue Fund.

Appropriation of fees and penalties.

154. Whenever any day or date provided or appointed by or under this Act for any purpose shall, fall on a Sunday, or Good Friday, or Christmas Day, then such provision and appointment shall take effect as for the day following; and all further changes of time rendered necessary by any such alteration may lawfully be made.

Provision as to Sunday, Good Friday, and Christmas Day.

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SCHEDULES.

SCHEDULE A.

[To be printed in red ink.]

(Butt). No. No.

Electoral District of *Electoral District of*

Division. Division.

Residential Qualification. *Residential Qualification.*

Name of person to whom issued— The holder hereof [*name in full*] of whose name is signed hereunder, is entitled, being duly enrolled, to vote at elections of Members of the Assembly in the above division of the above district, being qualified in respect of Manhood and of Residence in such division.

Residence and Occupation. Qualification — Manhood and Residence in above division. (A. B.), Registrar.
(C. D.), abovenamed.

The day of , 189 .

(Date) This Elector's Right is good only until the first day of December, 189 .

N.B.—The following is to be printed on the back of the butt and also on the back of the right, space being left in order that the respective answers of the person applying for an Elector's Right may be written opposite each question.

1. What are your Christian names, surname, residence (including the street and the number or name (if any) of the house in which you reside) and your occupation?
2. Are you of the full age of twenty-one years?
3. Are you a natural born or a naturalized subject of Her Majesty Queen Victoria (or Her successor to the Crown for the time being), and which? (and if the answer be "naturalized") Have you resided in New South Wales for twelve months since the date of your naturalization and previously to the date of your application for an Elector's Right?
4. Have you before received an Elector's Right in respect of residence for any division of any district in New South Wales? (and if the answer be "Yes") what division and district?
5. Do you now reside in New South Wales, and for what time during the last twelve months have you so resided? Do you now reside in the division for which you apply, and during what time now last past have you so resided therein, or as well therein as in some other division of the district, and in what division? Where are the premises on which you reside; and whether are you the occupying tenant or a lodger or person employed on such premises; if you are a lodger or person employed on the premises, what is the name of the occupier of the premises?

The above questions having been read over to (or by) me, I have made the answers thereto respectively written opposite each such question; in witness whereof I subscribe my name.

Signature,
Address,

N.B.—If any person wilfully and knowingly make a false answer to any of the above questions, he will be liable to the penalties provided by the "Parliamentary Electorates and Elections Act of 1893."

SCHEDULE B.

A.D. 18 .

Electoral District of

Division.

GENERAL (or as the case may be Supplementary) List of Persons claiming to be entitled to vote for Members of the Legislative Assembly of New South Wales.

Number on Electoral Roll.	Surname in full.	Christian name in full.	Residence.	Occupation.

(Signed)

A.B., Registrar.

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SCHEDULE C.

Notice of Objection.

Electoral District of

Division.

I HEREBY object to the name of (C.D.), described as upon the General (or as the case may be Supplementary) List for the above Division and District now awaiting revision being retained on such List upon the following grounds (*here state grounds*).

Dated this day of 18 .

(Signed)

of (*state residence*).

SCHEDULE D.

A.D. 18 .

Electoral District of

Division.

LIST of names of Persons objected to upon General (or Supplementary) List (*as the case may be*).

No. on Electoral Roll.	Surname of person objected to in full.	Christian name in full.	Residence.	Occupation.	Name of objector.	Residence of objector.	Ground of objection (briefly stated).

A.B., Registrar.

SCHEDULE E.

Notice of Objection.

Electoral District of

Division.

By order of the Revision Court.

I HEREBY object to the name of (C.D.), described as upon the General (or as the case may be Supplementary) List for the above Division and District, now awaiting revision, being retained thereon, and the grounds of such objection are as follow (*here state grounds*); and I hereby give notice to the said (C.D.) to attend at the Revision Court at on the day of at o'clock, and prove so much of his qualification as is herein objected to, or his name will be expunged from the said list.

(E.T.), Clerk of Revision Court.

SCHEDULE F.

Electoral District of

Division.

GENERAL (or as the case may be Supplementary) Roll of Persons entitled to vote for Members of the Legislative Assembly of New South Wales.

Number on Roll.	Surname in full.	Christian name in full.	Residence.	Occupation.

(Signed)

A.B., Registrar.

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SCHEDULE G.

I, _____ hereby solemnly declare that I am the holder of an Elector's Right numbered _____ (*fill in number*) for the Electoral District of _____ Division of _____, and am the person named therein as _____, No. _____, whose residence and occupation are [*specify them*]; and that I am absent from the Division of the said District in which I am enrolled as an Elector [*or from the said District as the case may require*], but desire to vote at the present Election of a member for the same. And I also solemnly declare that I have not previously voted in and for the [*here insert name of District and particulars of Election for which declarant desires to vote*].

Declared by _____ before me

[N.B.—This form may be altered to suit the particular circumstances of the case.]

SCHEDULE H.

Form of Ballot-paper.

Electoral District of _____

CANDIDATES' Names (*to be arranged in alphabetical order of surnames*) thus:—

Adams, George	} (Where necessary under section sixty-eight add residence and occupation in same line.)
Beard, Thomas	
Clarke, William	
Johnson, Henry	

Directions.

- (1) The voter must strike out the name of the Candidate or Candidates for whom he does not wish to vote by drawing a line through such name or names.
 - (2) The voter must leave one name and one only uncanceled or the Ballot-paper will be invalid.
 - (3) The voter after marking the Ballot-paper according to the aforesaid directions must place it in the Ballot-box.
 - (4) The voter must not take his Ballot-paper out of the Polling-booth.
-