

A BILL

To declare the Law relative to the Qualification of Members of the Legislative Council.

(Presented by MR. JOHNSON, 17 October, 1860.)

WHEREAS by the Constitution Act passed in the seventeenth year Preamble.
of the reign of Her present Majesty by the late Legislative
Council of New South Wales intituled "*An Act to confer a Constitution*
"*on New South Wales and to grant a Civil List to Her Majesty*" and
5 assented to by Her Majesty as amended under the authority of the
Imperial Parliament in the nineteenth year of Her reign it is in and by
the fifth section thereof (among other things) enacted as follows "If any
"Legislative Councillor shall take any oath or make any declaration or
"acknowledgment of allegiance obedience or adherence to any Foreign
10 "Prince or Power or shall do concur in or adopt any act whereby he may
"become a subject or citizen of any Foreign State or Power or whereby
"he may become entitled to the rights privileges or immunities of a
"subject or citizen of any Foreign State or Power or shall become
"bankrupt or take the benefit of any law relating to insolvent debtors or
15 "become a public contractor or defaulter or be attainted of treason or be
"convicted of felony or of any infamous crime his seat in such Council
"shall thereby become vacant" yet nevertheless doubts have arisen
whether persons actually under any of the disabilities aforesaid may not
be appointed Members of the said Legislative Council and whether
20 Members of the said Legislative Council whose seats may become vacant
by reason of any of the causes or disabilities aforesaid may notwith-
standing be again appointed Members of the said Legislative Council
although they still continue under any such disabilities Be it therefore
declared and enacted by the Queen's Most Excellent Majesty by and
25 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:—

No person who is or shall be under any of the disabilities herein
recited shall whilst he shall be and remain thereunder be capable of being
30 summoned to or of being appointed or becoming or being or remaining or
sitting voting or acting as a Member of the said Legislative Council.

No person under disability by which his seat would become vacant to be capable of appointment.

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