

Legislative Council.

38^o VICTORIA, 1874.

A BILL

To amend the Constitution Act and to provide for the Representation of the People in the Legislative Council.

[MR. INNES;—5 November, 1874.]

WHEREAS it is expedient to amend the Constitution Act and to provide for the constitution of the Legislative Council in manner hereinafter enacted Be it therefore 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:—

1. This Act may be cited as the "Legislative Council Act 1873" and shall be read with and as forming part of the Constitution Act and in the construction hereof the following terms in inverted commas shall bear the meanings set against them respectively—

"Constitution Act"—The Constitution Act assented to by Her Majesty under the Imperial Act eighteenth and nineteenth Victoria cap. 54.

"Electoral Act"—"The Electoral Act of 1858" regulating elections for the Assembly (22 Vic. No. 20).

"President"—The President of the Legislative Council for the time being.

Preamble.
Short title construction and interpretation.

" Council

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“Council Roll”—The Roll of Electors qualified to vote in and for each Electoral Province for the election of Members of the Legislative Council under this Act.

“Certificate”—Certificate of Registration issued under the provisions of this Act. 5

“Registrar”—The Registrar or any Deputy-Registrar of the Electoral Province in relation to which the term is used.

Repeal of certain enactments in Constitution Act.

2. So much of the first section of the Constitution Act as relates to the manner thereafter prescribed of constituting and composing the Legislative Council and also the second section and so much of the third section thereof as is inconsistent with the provisions of this Act in regard to the tenure of office by Members of the Legislative Council to be elected hereunder the seventh section so far as the same relates to the appointment of a President of the said Council and the eighth section of the said first-mentioned Act are hereby repealed. 15

Existing Members of Legislative Council to continue to hold their seats.

3. All existing Members of the Legislative Council summoned thereto in pursuance of the powers in that behalf contained in the second section of the Constitution Act shall until and unless disqualified under the provisions of the said Act continue to hold their seats in the said Council as Members thereof under and subject to the provisions of this Act. 20

Constitution of future Council.

4. From and after the passing of this Act the Legislative Council shall consist of the Members of the said Council mentioned in the next preceding section hereof and subject to the provisions for increased representation contained in the next succeeding section hereof of thirty-six Members to be elected in manner hereinafter provided. 25

Twelve Electoral Provinces constituted each to return three and after a certain time four Members.

5. For the purpose of holding elections of Members to serve in the Legislative Council the Colony shall be divided into the following twelve Electoral Provinces the boundaries whereof are more particularly described in the First Schedule hereto that is to say— 30

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|--------------|----------------|----|
| 1.—Wentworth | 7.—Stanley | |
| 2.—Gladstone | 8.—Russell | |
| 3.—Cook | 9.—Carlyle | |
| 4.—Cobden | 10.—Chatham | |
| 5.—Peel | 11.—Sydney | 35 |
| 6.—Canning | 12.—Palmerston | |

And each of the said Electoral Provinces shall return three Members to serve in the said Council for the respective periods hereinafter prescribed Provided that so soon as the number of Members mentioned in the third section hereof shall by death resignation or otherwise have been reduced to or below sixteen each such Province shall upon Proclamation by the Governor countersigned by the Colonial Secretary and published in the *Government Gazette* be entitled to return four Members to serve in the said Council for the period hereinafter declared and the number of elective Members thereof shall be and continue to be forty-eight. 45

Qualification of electors.

6. Every male subject of Her Majesty of the full age of twenty-one years being natural born or who being a naturalized subject shall have resided in this Colony for not less than five years before or after naturalization shall if qualified as in this section is provided and if his name is registered on the Council Roll of an Electoral Province and if he is not disqualified or incapacitated for some cause hereinafter specified be entitled to vote at any election of Members of the Legislative Council for such Province— 50

Resident electors.

(1.) If at the time of making out the Electoral List in any such Province he shall reside and during the six months then next preceding shall have resided in such Province— 55

Non-resident electors.

(2.) If whether or not so resident as aforesaid he shall have at the time of making out the said Electoral List and for the six months then next preceding shall have had within such Province 60

- Province a freehold or leasehold estate in possession or have been in the receipt of the rents and profits thereof for his own use of the clear value of one hundred pounds or of the annual value of ten pounds respectively (such leasehold estate having been originally created for a term of not less than three years) or who shall then occupy and for the said six months have occupied within such Province any house warehouse counting-house office shop room or building being either separately or jointly with any land within such province occupied by him therewith of the annual value of ten pounds such occupation being either continuously of the same premises or successively of any two or more respectively of the required value or who shall hold and for the said six months shall have held a Crown lease or license to depasture lands within such Province.
- 15 Provided that no elector possessing more than one qualification within the same Electoral Province shall be thereby entitled to any additional vote at any election for that Province. Proviso.
7. Every person nevertheless shall be disqualified who at the time either of making out the Council Roll for his Province or of the election for such Province shall be of unsound mind or in the receipt of aid from any charitable institution or who has been attainted or convicted of treason felony or other infamous offence in any part of Her Majesty's dominions unless he have received a free pardon for such offence or have undergone the sentence passed on him. Disqualifications.
8. Every person shall be incapable of voting who at the time either of making out the Roll for his Province or of the holding of an election therein shall be in the Naval or Military Service on full pay not being in any Militia or Volunteer Corps only And no Inspector General or Metropolitan Superintendent of Police or paid Police Magistrate or Superintendent of Police nor any Clerk of Petty Sessions nor any clerk chief or other constable or person belonging to the Police or Constabulary Force shall during the time he shall continue in any such office be capable of voting for the election of a Member to serve in the Legislative Council nor shall by word message writing or in any other manner endeavour to persuade any elector to give or dissuade any elector from giving his vote for any candidate And every person incapacitated as last aforesaid who shall offend herein shall forfeit the sum of *one hundred* pounds to be recovered by any person who shall sue for the same by action of debt to be commenced within six months after the commission of the offence. Other incapacities.
9. Every person being on the Council Roll of any Electoral Province and of the full age of thirty-five years shall be qualified to be elected a Member of the Legislative Council Provided that if any Member of the Legislative Assembly shall with his consent as hereinafter provided be elected a Member of the Legislative Council his seat in the Assembly shall become vacant on the notification of such election in the *Gazette*. Qualification of elective Members.
10. On or before the first day of January in the year one thousand eight hundred and seventy-four the Governor shall appoint in and for each Electoral Province so many Registrars and Deputy Registrars as he shall think fit to be paid by such remuneration as Parliament may provide in that behalf. Appointment of Registrars &c.
11. No person shall be entitled to vote at any election to be holden in any Electoral Province unless his name with the number of his certificate as hereinafter mentioned is on the Council Roll thereof in force for the time being and he is at the time of voting possessed of the qualifications prescribed by the sixth section hereof and is also the holder of a Certificate of Registration purporting to entitle him to vote at elections in and for such Province. Who entitled to vote at elections.

Certificates to be numbered bound up and transmitted to Registrars and Deputies.

12. The Minister charged with the administration of this Act shall from time to time cause to be printed a sufficient number of certificates with butts in the form in the Second Schedule hereto and the same to be numbered in regular arithmetical series by a stamped number in the body and the same number in the butt of each such certificate. And the said Minister shall cause the certificates so printed and numbered as aforesaid to be bound together in books of a convenient size in the like series and to be transmitted as occasion shall require and in such number as may be needed to every Registrar of an Electoral Province for the purpose hereinafter specified. 5 10

Duties of Registrar on application for a certificate.

13. Any person claiming to be entitled under this Act to the issue to him of a certificate in respect of any Electoral Province who shall apply in person to the Registrar of such Province for that purpose and who shall by his answers to the questions to be put to him as hereinafter provided establish his right to the issue to him of such certificate and to vote in respect thereof and who shall in the presence of such Registrar sign his name in a book to be kept for the purpose and also in the body and butt of the certificate to be issued to him and who shall pay to such Registrar the sum of one shilling shall receive from him a certificate filled up and numbered as aforesaid purporting to entitle such person to vote at elections within the said Province of Members to serve in the Legislative Council in respect of the qualifications therein stated. And such Registrar shall enter in the said certificate the several particulars according to the form in the said last-mentioned Schedule and shall sign and issue such certificate to the applicant and at the time of issuing the same enter in the butt thereof the several particulars hereby required to be stated in the certificate. 15 20 25

Questions by Registrar.

14. The Registrar before issuing any certificate under the provisions of the next preceding section hereof shall ask the applicant for such certificate the following questions viz. :— 30

- (1.) What are your christian names surname and residence ?
- (2.) Are you of the full age of twenty-one years and have you been resident in this Electoral Province for the preceding six months ? 35
- (3.) Are you a natural born or a naturalized subject of the Queen—*(and if the answer be "naturalized")*—Have you resided in New South Wales for five years ?
- (4.) Do you claim to be registered as a resident or non-resident elector and—*(if as a resident)*—do you reside and have you resided for six months prior to this present date in this Province?—*(if as non-resident)*—do you possess and have you possessed for six months prior to this present date the qualification by law required to be possessed by non-resident electors ? 40 45

Substituted certificates.

15. If any certificate shall after the issue thereof be lost or be so torn or defaced as to be in any essential part illegible the person to whom such certificate was issued may on personal application to the Registrar of the Province for which the same was issued and if still qualified to vote in and for such Province obtain in lieu of such lost or defaced certificate a substituted certificate of the like purport on payment of one shilling. Provided always that no such substituted certificate shall be issued by such Registrar unless after delivering up to him by such applicant of the original certificate where the same is torn or defaced and where stated to have been lost on the oath of such applicant (which oath the said Registrar is hereby empowered to administer) that he believes the said certificate to have been lost. And such substituted 55

substituted certificate shall be filled up and signed by the Registrar in like manner in all respects as an original certificate and the word "substituted" shall by him be written on the body and butt thereof and the said Registrar shall thereupon cancel the butt of the original certificate and write thereon his initials and the date of such cancellation together with the words "new certificate issued."

16. The Registrar of every Electoral Province shall during the week ending on the last day of February in the year one thousand eight hundred and seventy-four and in the corresponding week of each succeeding year make out alphabetical lists of all persons qualified to vote at elections in such Province and whose names shall appear on the butts of certificates in such Registrar's possession. And such lists shall be compiled and arranged and the Council Roll for such Province shall be compiled therefrom as nearly as may be in like manner as Electoral Lists and Rolls respectively under the "Electoral Act of 1858" and all the provisions of that Act which relate to the revision of such lists to Revision Courts and to the Rolls to be constructed from such lists shall so far as the same are applicable and are not inconsistent with this Act be applied to Council Lists and Rolls under this Act.

Registrars to compile Council Lists &c.

17. For the purpose of the First Election of Members to serve in the Legislative Council under this Act—and also in the case of any vacancy of a seat by death written resignation to the Governor or otherwise after such first election and before the meeting of Parliament—the writs for the several Electoral Provinces shall be issued by the Governor.

ELECTION WRITS.
Governor to issue writs in certain cases.

18. When and so often as a vacancy shall occur in the Legislative Council upon a resolution by the Council declaring such vacancy and the causes thereof and in the case of vacancies caused by the retirement of Members by rotation or by dissolution as hereinafter provided the President shall cause a writ or writs to be issued for supplying such vacancy or vacancies. Provided that in case of any vacancy by death or resignation the President may issue such writ without such preceding resolution when the Legislative Council is not in Session or when such vacancy occurs during any adjournment for a longer period than seven days.

President to issue writs to fill vacancies.

19. If at the time of the occurrence of any such vacancy caused by death or resignation there be no President and the Legislative Council be not in Session or if the President 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 serve in the seat so vacated.

If no President Governor to issue writs.

20. The Governor with the advice of the Executive Council may appoint by writing under his hand a fit person to be the Returning Officer of each Electoral Province such person being at the time of his appointment registered as an elector on the Roll of the Province for which he is to act and every such appointment shall be notified in the *Gazette*. And in case of sickness or other accident disabling any Returning Officer from acting at any election the Governor with the advice aforesaid may appoint some person so qualified to be and to act as Returning Officer in his stead.

Returning Officers for Electoral Provinces.

21. Every person appointed Returning Officer Presiding Officer or Poll-clerk under this Act shall before he enter on the duties of such office make and subscribe a declaration before some Justice of the Peace in the form of the Third Schedule hereto. And such Justice shall transmit the declaration so made by the first convenient opportunity to the Colonial Secretary.

Returning Officers and other officers to make declaration.
Schedule.

22. No inquiry shall be permitted at the time of polling as to the right of any person to vote except only as follows that is to say—the Presiding Officer shall if he think fit or if required by any candidate or scrutineer put to any elector before he shall have voted and not

Questions to voters.

not afterwards the following questions or either of them and no other that is to say—

- (1.) Are you the same person whose name appears as (A B No.—) in the Council Roll in force for this Electoral Province?
- (2.) Was the Certificate of Registration now produced by you issued to you? and have you now the qualification in respect of which the same was issued to you?
- (3.) Have you already voted either here or elsewhere at the present election for this Electoral Province?

Constitution Act sections 18 & 19 and Electoral Act of 1858 sections 34 to 45 47 to 49 51 to 86 inclusive adopted so far as applicable.

23. The eighteenth and nineteenth sections of the Constitution Act and the several enactments of the "Electoral Act of 1858" which relate to the appointment and duties of Presiding Officers—to the course of proceeding respecting the ballot and otherwise before and at and after elections—to the answering of questions and making the declaration of electors and the consequences of making false answers or declarations—to the transmission of ballot-papers after the election—to the not questioning or avoiding of elections for defects—to the remedy for informalities—to bribery and its consequences—to any misconduct of Returning and other Officers—to the Committee of Elections and Qualifications and Petitions against Returns—and all other the enactments of the said Act—so far as any enactments as aforesaid are or can be made applicable to the purposes of this Act and so far as the same are not repealed or varied hereby—shall apply to and be deemed to be hereby again enacted for the purposes of this Act and be acted upon accordingly Provided that the said sections and other enactments so far as they apply to the Legislative Assembly or to the Speaker or Clerk thereof or to the Committee of Elections and Qualifications shall for the purposes of this Act apply respectively to the Legislative Council the President thereof to the Clerk of the Parliaments and to the Judicial Committee of Elections And so far as they apply to the Electoral Districts and Electoral Rolls shall for the purposes of this Act apply respectively to Electoral Provinces and the Council Rolls thereof Provided also that every ballot-paper under this Act shall be in the form of the Fourth Schedule hereto and that the declaration of scrutineers under this Act shall be in the form of the Fifth Schedule hereto Provided further that if any person being able to read and write shall state to the Presiding Officer at any election that he is not so able and shall thereupon express his wish to have the names of certain candidates struck out from his ballot-paper such person shall be deemed guilty of a misdemeanor And provided lastly that whenever in accordance with the forty-third section of the said Electoral Act it shall be the duty of the Presiding Officer himself to strike out from the ballot-paper of any elector unable to read or blind the names of such candidates as such elector shall express his wish to have struck out such Presiding Officer shall do so openly in the presence of all persons then lawfully present in the booth or polling-place.

Deposit by candidate.

24. The Returning Officer shall before the nomination of candidates require every candidate to be nominated to deposit in his hands the sum of fifty pounds to be forfeited to Her Majesty unless there shall be polled for such candidate on the day of election a number of votes not being less than one-seventh of the number polled for that candidate at the same election who shall be elected by the lowest number of votes And in the event of any such sum not being so forfeited the same shall on application to the Colonial Treasurer be returned to the candidate Provided that in case of the death of any candidate at such election after nomination and before the poll be taken the money paid by him shall be returned to such candidate's legal representatives on application as aforesaid.

25. At the first election held under this Act in any Electoral Province the three candidates who shall have received the highest number of votes shall be declared elected for the following periods that is to say—The candidate who shall have received the highest number of votes shall be declared to be elected for six the candidate who shall have received the next highest number for four and the candidate who shall have received the third highest number for two years And at every subsequent election to fill vacancies caused by the retirement of Members by rotation the persons elected to serve in the said Council shall until the number of the Members thereof mentioned in the Third Section hereof shall have been reduced to or below sixteen be elected to sit for a period of six years And in the event of the number of votes being found at such election or at any election under this Act to have been equal for any two or more candidates the Returning Officer shall in every such case decide by a casting vote which candidate shall be elected but no Returning Officer shall vote at any election for the Electoral Province of which he is the Returning Officer except in cases of equality of votes as aforesaid.

Duration of office of Members elected at first and periodical elections.

Subsequent periodical elections.

26. At every election for an Electoral Province to fill a vacancy in the representation thereof caused otherwise than by the retirement of a Member by rotation and hereinafter termed an "extraordinary vacancy" the candidate or candidates who shall have received the highest number of votes shall be declared elected for the term or terms respectively for which the Member or Members causing the vacancy was or were competent to sit.

Duration of office of Members elected to fill vacancies.

27. When the said number of Members of the Council shall have been so reduced as aforesaid and the provision of the fifth section hereof in regard to additional Members shall have come into operation the first election for the additional Member for each Electoral Province shall be holden on that day of the first year which intervenes between the two next ensuing biennial retirements of Members by the system of rotation which will come into operation under this Act which corresponds with the date of the first election of Members under the twenty-sixth section hereof And at every such election the candidate who shall receive the highest number of votes shall be declared by the Returning Officer to be elected to sit as a Member of the said Council for the term of six years And at every subsequent election every Member of the said Council who shall be elected at the periodical elections consequent upon any retirement of Members by rotation as hereinafter provided shall be elected to sit for the term of eight years But nothing herein contained shall affect elections to fill extraordinary vacancies as provided in the next preceding section hereof.

Duration of office after reduction of numbers of existing Members.

28. Whensoever Parliament shall be dissolved by the Governor in pursuance of the powers conferred on him in that behalf such dissolution shall operate to vacate twelve seats in the Legislative Council And the seats so to be vacated shall be determined in the following manner *i.e.* the President of the said Council shall not later than three days from the date of the Proclamation declaring Parliament to be dissolved cause the "Judicial Committee of Elections" hereinbefore mentioned to be convened by summons signed by the said President stating the time and place of the meeting of the said Committee and addressed to each Member thereof And on the occasion and for the purpose of such meeting but not otherwise the said Committee shall be styled the "Judicial Committee of Elections in its Directory Jurisdiction" and the said President shall act as the Chairman thereof And at such meeting the said Committee shall proceed to determine by lot which Member for each Electoral Province shall vacate his seat in the said Council and shall for that purpose commence and continue the drawings

Effect of dissolution of Parliament on Legislative Council.

drawings in the alphabetical order of the Provinces determining by a several drawing each seat to be so vacated. Provided always that if in the course of any such drawing the lot shall fall on the said President to vacate his seat a second third or further drawing shall be made until the seat to be vacated shall be otherwise allotted. And immediately upon the completion of the said drawings the President shall declare the twelve seats so to be vacated as aforesaid and shall within twenty-four hours of such declaration cause the results of such drawings as so declared by him to be published in the *Government Gazette*. And the President shall within seven days from the date of the said Proclamation of Dissolution issue new writs for an election in each of the said Provinces in respect of which a seat has been so declared vacant. Provided that if any elective Member of such Council shall accept any office of profit under the Crown he shall vacate his seat but may by Proclamation by the Governor be qualified to be re-elected.

Penalties on non-performance of duties by President and Committee.

29. If the President or any Member of the said Committee shall neglect or refuse or shall fail to perform the several duties hereinbefore imposed upon them respectively within the time so prescribed as aforesaid for the performance of such duties such President and each such Member so making default shall incur a penalty not exceeding *one hundred* pounds recoverable in the name of Her Majesty's Attorney General by action of debt in the Supreme Court.

Appointment of Judicial Committee of Elections.

30. The Judicial Committee of Elections shall be appointed by the President by warrant under his hand in the manner and be invested with the powers and be subject to the provisions *mutatis mutandis* contained in the sixty-sixth and eight following sections of the "Electoral Act of 1858" and not being inconsistent with this Act and such Committee shall consist exclusively of elective Members.

President.

31. The office of President of the Legislative Council shall be vacated by reason of the completion of the first election of Members of such Council under this Act and the Members of the said Council shall upon their first assembling after such election forthwith by vote elect one of their number to be President and shall upon any and every extraordinary vacancy caused by the death resignation or removal of the President in like manner elect another of their number to be President. And the President shall be capable of holding office for the term of six years and shall preside at every meeting of the said Council except as provided for by the Standing Rules and Orders of such Council. Provided always that all elections of a President after such first election and not being elections consequent on an extraordinary vacancy as aforesaid shall take place not less than three nor more than six months before the expiration of the term of office of the President for the time being who shall in all cases be eligible for re-election. And the day of holding such election shall be determined by a majority of the said Council on motion made on that behalf.

Quorum &c.

32. The presence of at least fifteen Members of the Legislative Council exclusive of the President shall be necessary for the despatch of business. And every question shall be decided by the majority of votes of the Members present exclusive of the President. Provided that in case of equality of votes he shall decide the same by his casting vote.

Provision for delayed return of writs or non-election.

33. The Legislative Council may proceed to despatch of business at any time appointed by the Governor for that purpose notwithstanding the non-return of any writs not exceeding three or the failure of the electors in any Electoral Province to have elected a Member to serve in the said Council.

Parliament not to sit during period between periodical retirement and election of Members of Council.

34. During the period which shall elapse between any periodical retirement of Members of the Legislative Council as hereinbefore mentioned and the return of the writs certifying the election of Members

Members to the seats vacated in consequence of any such retirement neither the Legislative Assembly nor the Legislative Council shall meet for the despatch of business.

35. Any Member of the Legislative Council may after the time Registration of seat.
5 allowed by law for Petitions against his return by writing under his hand addressed to the President resign his seat and upon receipt of such resignation by the President such seat shall become vacant Provided that if there be no President a like resignation addressed to the Governor shall have the like effect.

10 36. If any Member of the Legislative Council shall for one Grounds of vacating seats.
whole Session of Parliament without the permission of the said Council entered upon its Journals fail to give his attendance his seat in the said Council shall thereby become vacant.

15 37. Any person who shall take any oath or make any declaration Grounds of incapacity.
of allegiance to any Foreign Prince or Power or become a subject or citizen of any Foreign State or a bankrupt or insolvent debtor under the laws relating to bankrupts or insolvent debtors or a public defaulter or be attainted of treason or convicted of felony or any infamous crime shall be incapable of sitting in or being elected a
20 Member of the Legislative Council.

38. All the enactments of the Constitution Act relating to the Powers of Legislative Council.
Legislative Council as constituted thereunder except as repealed or varied hereby shall apply to the Legislative Council as constituted under this Act And the said Council shall except as herein otherwise
25 enacted possess and may exercise all the powers vested in the Legislative Council by the said Constitution Act Provided that the powers of the said Council in relation to Bills originated in the Legislative Assembly for appropriating any part of the Public Revenue or for remitting or imposing any rent of Crown property or any rate tax or
30 impost shall extend to the rejection only and not to the alteration of any such Bill.

39. No prosecution or other legal proceeding for any offence Limitation of prosecution.
alleged to be committed or for the recovery of any penalty alleged to be incurred under this Act shall be commenced after the expiration of
35 six months from the commission of such offence or the incurring of such penalty.

40. It shall be lawful for the Governor with the advice afore- Regulations for matters in detail.
said to make regulations for carrying into complete effect all the provisions of this Act in any particular not expressly provided for by
40 enactment And all such regulations and details so far as they are not repugnant to or inconsistent with any provision of this Act shall when published in the *Gazette* have the force of law And copies thereof shall be laid before both Houses of Parliament forthwith if then sitting and if not then within fourteen days next after the opening of
45 the next Session.

41. Whenever any matter or thing shall by this Act be directed Postponement of matters &c. falling on Sundays or holidays.
to be done or to take place on a certain day and that day happen to be Sunday Good Friday Christmas Day or any public holiday such matter
50 or thing may be done or take place on the next day not being any such as aforesaid And all further changes of time rendered necessary by any such alteration may also lawfully be made.

SCHEDULES.

FIRST SCHEDULE.

1.—WENTWORTH.

That portion of the Colony of New South Wales included within the following boundaries Bounded on the west from the junction of Larras Lake with the Bell River by the western boundaries of the Police Districts of Orange Carcoar and Cowra southerly on the south by the southern and part of the eastern boundary of the Police District of Cowra to the junction of the Boorowa and Lachlan Rivers thence by the southern boundary of the Police District of Carcoar easterly to Kangaloola Creek on the east by the eastern boundary of the Police Districts of Carcoar and Bathurst northerly to the junction of Williwa Creek with the Turon River and on the north by the northern boundaries of the Police Districts of Bathurst and Orange westerly to the point of commencement. 5 10

2.—GLADSTONE.

That portion of the Colony of New South Wales within the following boundaries Bounded on the north by the Hawkesbury River from Cowan's Creek to Wiseman's Ferry on the west by the western boundary of the County of Cumberland southerly to the junction of the Warragamba and Nepean Rivers thence by the northern and the western boundaries of the Police Districts of Camden Narellan and Picton westerly and southerly on the south by the southern boundary of that Police District easterly and on the east by the western and northern boundaries of the Police District of Wollongong northerly and easterly to the sea and on the east by the sea northerly to Botany Bay thence by Botany Bay and the eastern and northern boundary of the Parish of St. George northerly and westerly to Cook's River and thence by Cook's River and the western and northern boundaries of the Parish of Petersham westerly and northerly to the Parramatta Road thence by that road easterly to Long Cove Creek thence by Long Cove Creek and Long Cove northerly to the Parramatta River and crossing that river to its northern shore thence by that river easterly to Lane Cove and by Lane Cove and the western boundaries of the Parishes of Gordon and Broken Bay northerly to the point of commencement including the islands in Broken Bay and the Hawkesbury River. 15 20 25 30

3.—COOK.

That portion of the Colony of New South Wales within the following boundaries Bounded on the north by the twenty-ninth parallel of south latitude being the boundary dividing the Colonies of New South Wales and Queensland from the Irara Creek Warrego River easterly to the back boundary of Cawwell Run on the Culgoa River thence on the east by the back boundaries of all the runs fronting to the Culgoa River southerly excluding those runs to the boundary dividing Block A or Cockellireena and Kunreebeeree Run thence by the boundary dividing those runs to the confluence of the Culgoa and Birie River thence by the boundary dividing Birie number one east and Kunreebeeree east Runs south-easterly about five miles thence by a line bearing south to the north boundary of Mohenia Run thence by the north and the east boundaries of that run easterly and southerly to the confluence of the Bokhara with the Darling or Barwon Rivers thence by the Darling or Barwon Rivers upwards to the boundary dividing the pastoral districts of Bligh and Liverpool Plains thence by that boundary south-easterly to the western boundary of the county of Bligh thence by that boundary south-westerly to within ten miles of the Town of Wellington thence by the boundary of the Settled Districts westerly being a curved line including all lands within ten miles from any point of the outward limits of the Town of Wellington thence by that boundary westerly and southerly and easterly to the western boundary of the County of Wellington thence by the western boundaries of the Police Districts of Wellington Orange Carcoar and Cowra to the Lachlan River by the Lachlan River downwards to the confluence of Kangaroo Creek thence by that creek upwards to its source at the Sugar-loaf Mountain in the range dividing the waters falling to the Lachlan River and Crowther or Koroowatha Creek from those falling to the Tyagong or Burrangong Creeks thence by that range being part of the boundary dividing the Counties of Monteagle and Forbes easterly and southerly to a box-tree in that range marked broad-arrow MF conjoined 34 thence by the southern and part of the eastern boundaries of the Police District of Cowra easterly and northerly to the confluence of the Boorowa and Lachlan Rivers thence by the Lachlan River upwards to Old Man Creek at Walla Walla thence by that creek to its head in the range dividing the waters of the Boorowa and Lachlan Rivers by that range southerly and the southern watershed of Pudman's Creek and the range dividing the waters of Kangaroo and Laing's Creeks to a point on the Boorowa River one mile below the north-west corner of N. R. Besnard's three hundred and twenty-six acres thence by the Boorowa River upwards to the confluence of Hassall's Creek thence by Hassall's Creek to its source in the range dividing the Boorowa and Yass Rivers thence by that range to the point where it joins the range dividing the Yass and Jugiong Creek Falls thence by that range to the point where the spur branches which terminates on the Murrumbidgee River at the confluence of the Yass River and thence by that spur to the said confluence thence on the south 35 40 45 50 55 60 65

south by the Murrumbidgee River downwards to the confluence of Jugiong Creek thence on the west by the spur range and the range dividing the waters of Jugiong Creek from those of Kitticarrara and Mutta Muttama Creeks thence on the west by that range north-westerly to the range dividing the waters falling into the Murrumbidgee from those falling into the Lachlan River thence by that range westerly to a point south-west from the junction of a small creek with the Lachlan River within the Boabungril Reserve from lease cancelled under notice of 31st of August 1865 thence by a line north-west to that confluence and by the Lachlan River upwards to the confluence of Kalingalungaguy Creek with that river thence by a line north-westerly to Fort Bourke on the Darling River thence by that river to the Warrego River and thence by the Warrego River and Irara Creek upwards to the point of commencement.

4.—COBDEN.

That portion of the Colony of New South Wales included within the following boundaries Bounded on the east from the boundary dividing the Colonies of New South Wales and Victoria by the Coast Range northerly and the western boundary of the Police District of Braidwood northerly and the southern and eastern boundaries of the Police District of Goulburn easterly and northerly on the north by the northern boundaries of the Police Districts of Goulburn and Yass westerly on the west by the western boundary of the Police District of Yass southerly to the junction of Jeremiah Creek with the Murrumbidgee River thence by the north-eastern and northern boundaries of the Police District of Gundagai north-westerly and westerly on the west by the western boundaries of the Police Districts of Gundagai and Tumut southerly to the Great Dividing Range thence by the Great Dividing Range southerly to the boundary dividing the Colonies of New South Wales and Victoria on the south by that boundary easterly to the point of commencement.

5.—PEEL.

That portion of the Colony of New South Wales included within the following boundaries Bounded on the east by the sea from Point Dangar southerly to the entrance of Wallis' Lake about four miles north-westerly from Cape Hawke on the south by the southern and part of the western boundaries of the Police District of Manning River westerly and northerly to the confluence of the Manning and Gloucester Rivers and thence by the Manning River upwards to its source at the north-western corner of the County of Gloucester on the west by the eastern boundary of the Police District of Scone northerly to the Liverpool Range thence by the Liverpool Range north-easterly to the western boundary of the pastoral district of New England thence by that boundary northerly to the Dumaresq River and on the north by the boundary dividing the Colonies of New South Wales and Queensland easterly to the point of commencement.

6.—CANNING.

That portion of the Colony of New South Wales within the following boundaries Bounded on the east by the sea northerly from Botany Bay to Broken Bay on the north by Broken Bay westerly to Cowan's Creek on the west by the western boundaries of the Parishes of Broken Bay and Gordon southerly to Lane Cove by Lane Cove to the Parramatta River by the Parramatta River westerly and by a line south to Long Cove by Long Cove and Long Cove Creek to the Parramatta Road by the Parramatta Road westerly and the northern and western boundaries of the Parish of Petersham to Cook's River thence on the south by that river and Botany Bay to the sea at the point of commencement including all the islands in Port Jackson and the Parramatta River but exclusively of the City of Sydney.

7.—STANLEY.

That portion of the Colony of New South Wales included within the following boundaries Bounded on the east from the Liverpool Range by the eastern boundaries of the Police Districts of Cassilis and Rylstone southerly to the northern boundary of the Police District of Windsor thence by the northern boundary of that Police District easterly to Mount McQuoid thence on the east by the eastern boundary of that Police District southerly to Wiseman's Ferry thence by the western boundary of the County of Cumberland southerly to the Warragamba River thence by the northern and the western boundaries of the Police Districts of Camden Narellan and Picton westerly and southerly on the south by the southern boundary of the Police District of Hartley westerly on the west by the western boundary of that Police District northerly to the junction of Williwa Creek with the Turon River thence again on the south by the southern boundary of the Police District of Rylstone north-westerly to the eastern boundary of the Police District of Wellington thence by the eastern and southern boundaries of that Police District southerly and westerly to the western boundary of that Police District on the west by the western boundary of that Police District and the western boundary of the Police District of Cassilis northerly to the north-western corner of the County of Bligh and on the north by part of the southern boundary of the pastoral district of Liverpool Plains easterly to the point of commencement.

8.—

8.—RUSSELL.

That portion of the Colony of New South Wales within the following boundaries Bounded on the east from the Dumaresq River by the western boundary of the pastoral district of New England southerly to the Liverpool Range by that range to the eastern boundary of the Police District of Scone thence by that boundary and the eastern 5 boundary of the Police District of Patrick's Plains southerly on the south by the southern boundaries of the Police Districts of Patrick's Plains and Muscleebrook and Merton westerly on the west by the western boundaries of the Police Districts of Muscleebrook and Merton and Scone northerly to the southern boundary of the Pastoral District of Liverpool Plains thence by that boundary and the boundary dividing the Pastoral Dis- 10 tricts of Liverpool Plains and Bligh westerly and north-westerly to the Barwon or Darling River thence by that river downwards to the junction of the Bokhara River thence by the western boundary of the Police District of Walgett northerly to the twenty-ninth parallel of south latitude and thence on the north by the boundary dividing the Colonies of New South Wales and Queensland easterly to the point of commencement. 15

9.—CARLYLE.

That portion of the Colony of New South Wales within the following boundaries Bounded on the north from the sea at the entrance to Wallis Lake by the northern boundary of the Police District of Port Stephens westerly on the west by the western boundary of that Police District and the eastern boundaries of the Police Districts of 20 Scone and Patrick's Plains southerly again on the north by the southern boundaries of that Police District and Muscleebrook and Merton westerly on the west and on the south by the western and southern boundaries of the Police District of Wollombi southerly and easterly and the western and southern boundaries of the Police District of Brisbane Water southerly and easterly to the sea and on the east by the sea northerly to the point 25 of commencement.

10.—CHATHAM.

That portion of the Colony of New South Wales within the following boundaries Bounded on the east by the sea from Cape Howe northerly to the north boundary of the Police District of Wollongong on the north by that boundary westerly and part of the 30 western boundary of that Police District southerly and the northern boundary of the Police District of Berrima westerly on the west by the eastern and southern boundaries of the Police District of Goulburn southerly and westerly and the western boundaries of the Police Districts of Braidwood Broulee Bega and Eden southerly to the boundary dividing the Colonies of New South Wales and Victoria and on the south by that 35 boundary easterly to the point of commencement.

11.—SYDNEY.

Commencing in the centre of Parramatta-street at its junction with Bay-street thence on the west by a straight line along the centre of Bay-street and its prolongation to the eastern shore of Blackwattle Cove thence again on the west and on the north-west 40 north-north-east and east by the waters of Port Jackson to the centre of the bridge at the foot of William-street east thence on the east by the stream entering Rushcutter's Bay to a culvert on the South Head Old Road at the north-west corner of Sydney Common thence again on the east by the centre of Dowling-street to a point where it intersects the southern boundary of the Borough of Paddington thence on the north by that 45 boundary to its intersection with the centre of Regent-street thence by the centre of Leinster-street to the centre of Gordon-street thence by the centre of that street to the north side of Park Road thence by the north side of that road to the south-eastern angle of St. Matthias's Church land thence by the south-eastern and eastern boundaries of that land to the southern alignment of the South Head Old Road thence by the southern 50 alignment of that road easterly to its intersection with the line laid down marked out by stone posts and deemed to be the dividing-line between the Sydney Common and the Water Reserve thence again on the east by the said dividing-line to its intersection with the southern boundary of the Sydney Common thence by that boundary to the south-west angle of the said Common thence in a northerly direction by the western boundary of 55 the said Common to its intersection with the centre of Cleveland-street thence by the centre of that street and a prolongation thereof to a land-mark on the road to Cook's River thence on the west by the western side of that road to the north-eastern angle of the University Reserve thence by a straight line from that angle to the point of commencement in the centre of Parramatta-street opposite the centre of Bay-street. 60

12.—PALMERSTON.

That portion of the Colony of New South Wales within the following boundaries Bounded on the west from the Hume or Murray River by the boundary dividing the Colonies of New South Wales and South Australia being the 141st meridian of east 65 longitude northerly to the 29th parallel of south latitude on the north by that parallel easterly to the Irara Creek on the east by that creek and the Warrego River southerly to the Darling River thence by that river upwards to Fort Bourke thence by a line south-easterly to the confluence of Kalingalungaguy Creek with the Lachlan River thence by that river downwards to the small creek which joins it from Lake Cadjalagong in 70 the Boabungril Reserve from lease cancelled by notice 31st August 1865 thence by a line south-east to the range dividing the waters falling to the Murrumbidgee River from those falling to the Lachlan River thence by that range easterly to the western boundary of the Police District of Gundagai thence by the western boundaries of that Police District and the Police District of Tumut southerly to the Great Dividing Range and thence by 75 that range southerly to the source of the Indi River on the south by that river and the Murray or Hume River which divides the Colonies of New South Wales and Victoria downwards to the point of commencement.

SECOND SCHEDULE.

Electoral Province Name of person to whom issued Residence 5 Qualification (If in respect of property &c.—situation thereof) (A.B.) Registrar. (C.D.) Person to whom issued.	<p style="text-align: center;"><i>Certificate of Registration.</i></p> Electoral Province of THE holder hereof of whose name is signed hereunder is entitled being duly enrolled to vote at Elections of Members of the Legislative Council in the above Province in respect of the following qualification (<i>here state nature of qualification.</i>) (A.B.) Registrar. (C.D.) Person to whom issued.
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THIRD SCHEDULE.

Declaration of Returning Officers &c.

I do hereby declare that I accept the office of Returning Officer (*or other office as the case may be*) for the Electoral Province of and I do hereby promise and declare that I will faithfully perform the duties of my office to the best of my understanding and ability that I will not attempt to ascertain for whom any Elector shall vote and that I will not by any word or action directly or indirectly aid in the 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 unless in answer to any question which I am legally bound to answer.

20 Declared before me at this day of 187 .
 (Signature)

Justice of the Peace.

25

FOURTH SCHEDULE.

BALLOT-PAPER.

ELECTORAL PROVINCE OF
Polling-day the day of
 NAMES OF CANDIDATES.

30 A.B. of
 C.D. of
 E.F. of
 G.H. of
 &c. &c.

35

FIFTH SCHEDULE.

Declaration to be made by Scrutineers.

I a Scrutineer appointed by a Candidate for Election to serve in the Legislative Council for the Electoral Province of do hereby declare that I will faithfully assist at such Election and that I will not attempt to ascertain from whom any Elector shall vote and that I will not by any word or action directly or indirectly aid in discovering 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 unless in answer to any question which I am legally bound to answer.

45 Declared before me at this day of 187 .
 (Signature)

Justice of the Peace.

