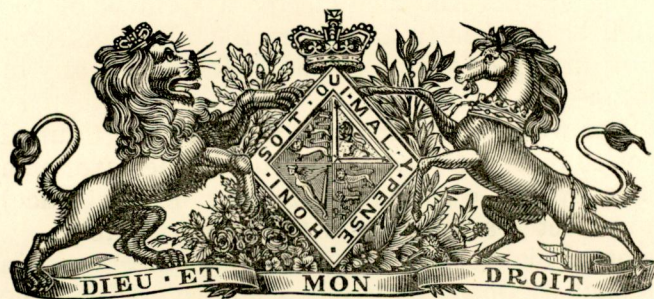


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 25 January, 1884.* }

STEPHEN W. JONES,
Clerk of Legislative Assembly.

New South Wales.



ANNO QUADRAGESIMO SEPTIMO

VICTORIÆ REGINÆ.

No. .

An Act to amend the Law relating to the incapacity of persons holding Offices of profit under the Crown to be elected or sit or vote as Members of the Legislative Assembly and to declare the elections of certain persons holding such Offices to have been valid and for other purposes.

WHEREAS it is expedient to amend the Law relating to the Preamble.
incapacity of persons holding Offices of profit under the Crown to be elected or sit or vote as Members of the Legislative Assembly and to declare the elections of certain persons holding such Offices to be valid and in connexion with the said purposes to enact as hereinafter provided 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:—

10 1. This Act may be cited as the "Constitution Act Amendment Short title &c.
Act of 1884" and in its construction the expression "Constitution Act" means the Act contained in the Schedule to the Imperial Act eighteenth and nineteenth Victoria chapter fifty-four And from and after the passing of this Act all statutory or other references to the
15 eighteenth or nineteenth sections of the Constitution Act shall be read as references to the said Act as amended by this Act.

Constitution Act Amendment.

2. After the passing of this Act no person holding an office of profit under the Crown other than one or more of the offices enumerated in the Schedule hereto and no person having a pension from the Crown during pleasure or for any term of years shall be capable of being elected or of sitting or voting as a Member of the Legislative Assembly but the holders for the time being of the offices enumerated in the Schedule shall be so capable. Provided always that the holder of any office of profit under the Crown created by Act of Parliament or by Resolution of both Houses thereof as an office of the Executive Government shall be capable of being elected and of sitting or voting as a Member of the said Assembly.

As to offices of profit &c.

3. Notwithstanding anything to the contrary contained in the eighteenth section of the Constitution Act (hereinafter repealed) no person who while holding an office of profit under the Crown has at any time before the passing of this Act been elected a Member of the Legislative Assembly shall be deemed to have been illegally elected or to have been incapable of sitting or voting as such Member on any of the following grounds viz. :—

General validating provisions.

(I.) That the Governor with the advice of the Executive Council did not by a notice in the *Government Gazette* declare such person (whether by his own name or that of his office) capable of being elected a Member of the said Assembly.

(II.) That at the time of his election five additional officers within the meaning of such section had already been declared capable by any such notice of being elected Members of the said Assembly or that at any such time the power of the Governor with the advice of the Executive Council to declare from time to time by a notice in the *Government Gazette* any additional officer capable of being elected a Member of the Legislative Assembly had been exhausted.

(III.) That in consequence of the abeyance or discontinuance of the offices of Auditor-General and Solicitor-General as Offices constituting their holders official Members of the Government the maximum number of Official Members capable of being elected Members of the said Assembly had been reduced below the aggregate number limited by the said section.

4. Whereas it was referred to the Committee of Elections and Qualifications on the thirteenth day of December one thousand eight hundred and eighty-three to inquire and report whether George Houston Reid Esquire one of the Members for East Sydney and Francis Bathurst Suttor Esquire the Member for Bathurst were not incapable of being elected or of sitting or voting as Members of the Legislative Assembly no notice declaring them capable of being elected having been published in the *Government Gazette* on their acceptance respectively of the office of Minister of Public Instruction and the said Committee in pursuance of the powers in them vested by the "Electoral Act of 1880" did thereupon present to the Legislative Assembly a report to the effect that the said George Houston Reid and the said Francis Bathurst Suttor were incapable of being so elected. And whereas it is expedient and right that the election of the said George Houston Reid and the election of the said Francis Bathurst Suttor whilst successively holding the office of Minister of Public Instruction hereinbefore referred to should not be invalidated it is hereby enacted that the provisions of the third section of this Act shall be held to apply to and validate the return of the said George Houston Reid and the said Francis Bathurst Suttor elected as aforesaid and nothing in the said Report or in the sixty-second section of the said Electoral Act or in the twenty-ninth section of the Constitution Act shall be held to have made the elections and returns aforesaid void or voidable or to

Special validating provision.

have

Constitution Act Amendment.

have rendered the said George Houstoun Reid or the said Francis Bathurst Suttor incapable of being elected as aforesaid or of sitting or voting as a Member of the Legislative Assembly.

5 5. The provisions of this Act shall be deemed and taken to indemnify and save harmless every holder of any office enumerated in the Schedule hereto against and from all pains penalties and liabilities whatsoever which may have been incurred by him by reason of his having sat or voted or voting as a Member of the said Assembly although incapable by the eighteenth section of the Constitution Act of
10 being elected thereto or of sitting or voting therein.

6. The eighteenth section and so much of the nineteenth section of the Constitution Act as is contained in the proviso thereto are hereby repealed but without prejudice to their past operation save as hereinbefore enacted.

SCHEDULE.

15

The Colonial Secretary.
The Colonial Treasurer.
The Attorney-General.
The Secretary for Works.
20 The Secretary for Lands.
The Minister of Justice.
The Minister of Public Instruction.
The Secretary for Mines.
The Postmaster-General.

[3d.]

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CONSTITUTION ACT AMENDMENT BILL.

SCHEDULE of the Amendments referred to in Message of 7th February, 1884.

- Page 1, Title. *Omit* "and to declare the elections of certain persons holding such offices
" to have been valid"
- „ Preamble, lines 4 and 5. *Omit* "and to declare the elections of certain persons
" holding such offices to be valid"
- „ clause 1, line 13. *After* "fifty-four" *omit* remainder of clause.
- Page 2, clause 2, line 9. *Omit* "or by Resolution of both Houses thereof"
- „ clause 2, line 10. *Omit* "or" *insert* "and"
- „ *After* clause 2 *insert* new clause 3.
- „ clause 3, 4, lines 23 to 25. *Omit* "Notwithstanding anything to the contrary
" contained in the eighteenth section of the Constitution Act (hereinafter
" repealed) no person who while holding an office of profit under the Crown"
insert "No Member of the Executive Council either now or in the past
" other than the Minister of Public Instruction who"
- Pages 2 and 3, clause 4. *Omit* clause 4.
- Page 3, clause 6, line 25. *After* "eighteenth" *omit* "section"
- „ „ line 25. *Omit* "so much of the"
- „ „ line 25. At end of line *add* "s" "to section"
- „ „ line 26. *Omit* "as is contained in the proviso thereto"
-

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 25 January, 1884.* }

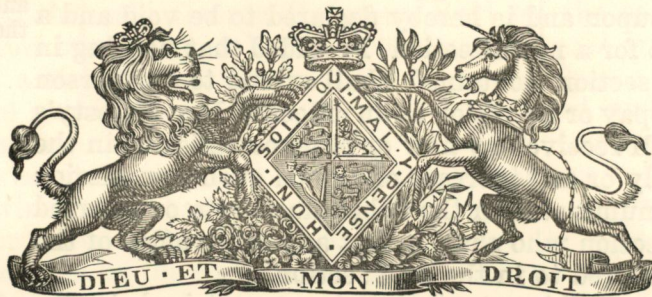
STEPHEN W. JONES,
Clerk of Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

*Legislative Council Chamber,
Sydney, 7th February, 1884.* }

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO QUADRAGESIMO SEPTIMO

VICTORIÆ REGINÆ.

No. .

An Act to amend the Law relating to the incapacity of persons holding Offices of profit under the Crown to be elected or sit or vote as Members of the Legislative Assembly and to declare the elections of certain persons holding such Offices to have been valid and for other purposes.

WHEREAS it is expedient to amend the Law relating to the ^{Preamble.} incapacity of persons holding Offices of profit under the Crown to be elected or sit or vote as Members of the Legislative Assembly ~~and to declare the elections of certain persons holding such Offices to~~ ^{be valid} and in connexion with the said purposes to enact as hereinafter provided 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:—

10 1. This Act may be cited as the "Constitution Act Amendment ^{Short title &c.} Act of 1884" and in its construction the expression "Constitution Act" means the Act contained in the Schedule to the Imperial Act eighteenth and nineteenth Victoria chapter fifty-four ~~And from~~ and after the passing of this Act all statutory or other references to the ¹⁵ eighteenth or nineteenth sections of the Constitution Act shall be read as references to the said Act as amended by this Act.

352—

2.

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Constitution Act Amendment.

2. After the passing of this Act no person holding an office of profit under the Crown other than one or more of the offices enumerated in the Schedule hereto and no person having a pension from the Crown during pleasure or for any term of years shall be capable of being elected or of sitting or voting as a Member of the Legislative Assembly but the holders for the time being of the offices enumerated in the Schedule shall be so capable. Provided always that the holder of any office of profit under the Crown created by Act of Parliament or by Resolution of both Houses thereof as an office of the Executive Government shall be capable of being elected and of sitting or voting as a Member of the said Assembly.

As to offices of profit &c.

3. If any Member of the said Assembly shall accept any office of profit or pension from the Crown during pleasure or for term of years his election shall be thereupon and is hereby declared to be void and a writ shall forthwith issue for a new Election. Provided that nothing in this or the last preceding section contained shall extend to any person in receipt only of pay half-pay or a pension as an officer in Her Majesty's Navy or Army or who shall receive any new or other commission in the Navy or Army respectively or any increase of pay on such commission or to any of the Officers enumerated in the Schedule hereto or referred to in the last preceding section who shall accept any other office of the Executive Government referred to in the said section.

Further disqualifications and exceptions therefrom.

4. Notwithstanding anything to the contrary contained in the eighteenth section of the Constitution Act (hereinafter repealed) no person who while holding an office of profit under the Crown No Member of the Executive Council either now or in the past other than the Minister of Public Instruction who has at any time before the passing of this Act been elected a Member of the Legislative Assembly shall be deemed to have been illegally elected or to have been incapable of sitting or voting as such Member on any of the following grounds viz. :—

General validating provisions.

(I.) That the Governor with the advice of the Executive Council did not by a notice in the *Government Gazette* declare such person (whether by his own name or that of his office) capable of being elected a Member of the said Assembly.

(II.) That at the time of his election five additional officers within the meaning of such section had already been declared capable by any such notice of being elected Members of the said Assembly or that at any such time the power of the Governor with the advice of the Executive Council to declare from time to time by a notice in the *Government Gazette* any additional officer capable of being elected a Member of the Legislative Assembly had been exhausted.

(III.) That in consequence of the abeyance or discontinuance of the offices of Auditor-General and Solicitor-General as Offices constituting their holders official Members of the Government the maximum number of Official Members capable of being elected Members of the said Assembly had been reduced below the aggregate number limited by the said section.

4. Whereas it was referred to the Committee of Elections and Special validating provisions. Qualifications on the thirteenth day of December one thousand eight hundred and eighty-three to inquire and report whether George Houstoun Reid Esquire one of the Members for East Sydney and Francis Bathurst Suttor Esquire the Member for Bathurst were not incapable of being elected or of sitting or voting as Members of the Legislative Assembly no notice declaring them capable of being elected having been published in the *Government Gazette* on their acceptance respectively of the office of Minister of Public Instruction and the said Committee in pursuance of the powers in them vested by the

“Electoral

Constitution Act Amendment.

“Electoral Act of 1880” did thereupon present to the Legislative Assembly a report to the effect that the said George Houston Reid and the said Francis Bathurst Suttor were incapable of being so elected. And whereas it is expedient and right that the election of the said George Houston Reid and the election of the said Francis Bathurst Suttor whilst successively holding the office of Minister of Public Instruction hereinbefore referred to should not be invalidated it is hereby enacted that the provisions of the third section of this Act shall be held to apply to and validate the return of the said George Houston Reid and the said Francis Bathurst Suttor elected as aforesaid and nothing in the said Report or in the sixty-second section of the said Electoral Act or in the twenty-ninth section of the Constitution Act shall be held to have made the elections and returns aforesaid void or voidable or to have rendered the said George Houston Reid or the said Francis Bathurst Suttor incapable of being elected as aforesaid or of sitting or voting as a Member of the Legislative Assembly.

5. The provisions of this Act shall be deemed and taken to indemnify and save harmless every holder of any office enumerated in the Schedule hereto against and from all pains penalties and liabilities whatsoever which may have been incurred by him by reason of his having sat or voted or voting as a Member of the said Assembly although incapable by the eighteenth section of the Constitution Act of being elected thereto or of sitting or voting therein.

6. The eighteenth section and so much of the nineteenth sections of the Constitution Act as is contained in the proviso thereto are hereby repealed but without prejudice to their past operation save as hereinbefore enacted.

SCHEDULE.

The Colonial Secretary.
 The Colonial Treasurer.
 The Attorney-General.
 The Secretary for Works.
 The Secretary for Lands.
 The Minister of Justice.
 The Minister of Public Instruction.
 The Secretary for Mines.
 The Postmaster-General.

CHAPTER I

The first part of the book is devoted to a description of the country and its inhabitants. The author describes the various tribes and their customs, and also the natural resources of the country. He mentions the abundance of game and fish, and the fertility of the soil. He also describes the various rivers and lakes, and the beauty of the scenery. The author's description is very detailed and interesting, and gives a good idea of the country and its people.

The second part of the book is devoted to a description of the various tribes and their customs. The author describes the different languages spoken by the tribes, and the different religions and customs. He also describes the different forms of government and the different laws of the tribes. The author's description is very detailed and interesting, and gives a good idea of the various tribes and their customs.

The third part of the book is devoted to a description of the various forms of government and the different laws of the tribes. The author describes the different forms of government, and the different laws of the tribes. He also describes the different forms of property and the different forms of inheritance. The author's description is very detailed and interesting, and gives a good idea of the various forms of government and the different laws of the tribes.

The fourth part of the book is devoted to a description of the various forms of property and the different forms of inheritance. The author describes the different forms of property, and the different forms of inheritance. He also describes the different forms of trade and the different forms of commerce. The author's description is very detailed and interesting, and gives a good idea of the various forms of property and the different forms of inheritance.

The fifth part of the book is devoted to a description of the various forms of trade and the different forms of commerce. The author describes the different forms of trade, and the different forms of commerce. He also describes the different forms of industry and the different forms of agriculture. The author's description is very detailed and interesting, and gives a good idea of the various forms of trade and the different forms of commerce.

The sixth part of the book is devoted to a description of the various forms of industry and the different forms of agriculture. The author describes the different forms of industry, and the different forms of agriculture. He also describes the different forms of art and the different forms of science. The author's description is very detailed and interesting, and gives a good idea of the various forms of industry and the different forms of agriculture.

The seventh part of the book is devoted to a description of the various forms of art and the different forms of science. The author describes the different forms of art, and the different forms of science. He also describes the different forms of literature and the different forms of music. The author's description is very detailed and interesting, and gives a good idea of the various forms of art and the different forms of science.

The eighth part of the book is devoted to a description of the various forms of literature and the different forms of music. The author describes the different forms of literature, and the different forms of music. He also describes the different forms of drama and the different forms of poetry. The author's description is very detailed and interesting, and gives a good idea of the various forms of literature and the different forms of music.