



This Act has been declared void as it was not reserved for the signature of His Majesty. It has been declared void by the Imperial Act. C. 11 - which gives the Legality of the Acts passed by the Parliament in altering the Constitution of 1855-6. Enforce of Elections which were previously void!

No. 10.

An Act to provide for the Election of Members to serve in the Parliament of South Australia.

101 * [Assented to, April 2, 1856.]

** I read this act? I have been reserved? See S. 31 - 5th Vict. C. 76. S. 32 - 13th & 14th Vict. C. 59. I put out in effect of the Act of the 1st of April 1856. I have been reserved by the Imperial Act of 1855-6.*

WHEREAS an Act "To establish a Constitution for South Australia, and to grant a Civil List to Her Majesty," hath passed the Legislative Council of the Province of South Australia, whereby it is proposed to substitute for the present Legislative Council of the said Province a Parliament consisting of a Legislative Council and a House of Assembly, to be severally constituted and elected as therein mentioned, and such Act hath been reserved by the Governor for the signification of Her Majesty's pleasure: And whereas it is expedient to make provision for the issuing, executing, and returning the necessary Writs for the election of Members of the said Parliament, the appointing of Returning Officers, the taking of the votes, the place and time of elections, the completion and revision of the lists of persons entitled to vote, and for ensuring the orderly and efficient conduct of such elections, and also for determining the validity of disputed returns—Be it therefore Enacted by the Governor-in-Chief of the Province of South Australia, with the advice and consent of the Legislative Council thereof, as follows:

Preamble: See also note at the end of that act.

1. This Act, so far as regards all matters relating to the formation of the first Electoral Rolls for the several Electoral Districts and Divisions, hereinafter constituted, shall come into operation from and after the passing hereof; and, as regards all other matters, shall commence and come into operation so soon as the said Act, "To establish a Constitution for South Australia and to grant a Civil List to Her Majesty," shall commence and come into operation.

Commencement of Act. I have been reserved by the Imperial Act of 1855-6. I put out in effect of the Act of the 1st of April 1856. I have been reserved by the Imperial Act of 1855-6.

2. For the purpose of electing Members to the Legislative Council, the said Province shall form one Electoral District; and the several Electoral Districts specified in Schedule A, to this Act annexed, shall

Province to form one Electoral District for Legislative Council, and seventeen for House of Assembly. I have been reserved by the Imperial Act of 1855-6. I put out in effect of the Act of the 1st of April 1856. I have been reserved by the Imperial Act of 1855-6.

form electoral divisions of such district; and for the purpose of electing Members to the House of Assembly, the said Province shall be divided into seventeen Electoral Districts, which shall have the names and boundaries, and shall return the number of Members specified in the Schedule A, to this Act annexed.

Appointment of
Returning Officer.

3. The Governor shall appoint a fit and proper person to be the Returning Officer of each and every Electoral District, and in case of absence from the Province, death, sickness, or other cause disabling any Returning Officer from acting, it shall be lawful for the Governor at any time to appoint some other person to act in the stead of such Returning Officer, and every appointment of a Returning Officer made as aforesaid shall be good and valid until such appointment shall be cancelled and some other person appointed to be Returning Officer; and every such Returning Officer may appoint such clerks, deputies, and other subordinate officers as may be necessary to carry this Act into execution.

Returning Officer for
House of Assembly to
be Deputy Returning
Officer for Legislative
Council.

4. The Returning Officer for each Electoral District named in Schedule A, shall be a Deputy Returning Officer for the same as an Electoral Division, for the election of Members to serve in the Legislative Council, and shall, within such division, have and exercise all the powers and perform the duties of a Returning Officer with regard to the formation and revision of lists of voters, and claimants, and of the electoral roll, and of all matters relating or incident thereto, (the appointment of voting places,) and the appointment of clerks and deputies, and other officers.

not in act 1957. 2

Voting places.

5. For each of the Electoral Districts and Divisions, there shall be within such district or division such voting places as shall be appointed by any Returning Officer as hereinafter provided.

Notice to voters to be
given by Returning
Officer.

6. On or before the first day of the second calendar month after the passing of this Act, every Returning Officer, for the Electoral Districts named in Schedule A, shall cause to be affixed, in the most public and conspicuous situations within his district, a notice according to the form of Schedule B, hereto annexed, requiring all persons resident within such district who may be entitled to vote in the election of Members to serve in the Legislative Council, and also a notice, in the form of Schedule C, to this Act annexed, requiring all persons resident within the said district, who may be entitled to vote in the election of Members to serve in the House of Assembly for such district, to deliver or transmit to such Returning Officer, on or before the twentieth day of such last-mentioned month, a notice of their claim as such voters according to the form of the Schedule hereto annexed marked D, or to the like effect.

✓
Electoral lists to be
printed or fairly trans-
scribed, and hung up.

7. The Returning Officer shall, on or before the first day of the month next following the publication of such notice, make out a list, to be called the "Electoral List," according to the form of the Schedule hereto annexed, marked E, of all persons resident within his district entitled to vote in elections for Members of the Legislative Council,
and

and a like list of all persons resident within such district entitled to vote in elections for Members of the House of Assembly for his district, and shall sign such lists; and shall cause the same to be either printed or fairly and legibly transcribed, and hung up for the period of seven days ending on the ninth day of such last-mentioned month, at the Court House, or place of meeting of the Local Court, if there be any such, and in such conspicuous places in the Electoral District to which the same relate as he shall think fit.

8. Any person having made such claim as aforesaid whose name shall not have been inserted in any such electoral list, and who shall claim to have his name inserted therein, shall, on or before the tenth day of such last-mentioned month, give notice thereof to the Returning Officer in the form of the Schedule to this Act annexed, marked D, or to the like effect; and any person whose name shall have been inserted, or who shall claim to have his name inserted, in any such Electoral List may object to any other person as not entitled to have his name retained therein; and any person so objecting shall, on or before the day so fixed as last aforesaid for giving notice of claims, give, or cause to be given, to the Returning Officer, and also to the person objected to, or leave at his place of abode notice thereof, in writing, according to the form in the Schedule to this Act annexed, marked F, or to the like effect; and the said Returning Officer shall include the names of all persons so claiming to be inserted on each Electoral List, in separate lists, according to the form in the Schedule to this Act annexed, marked G; and the names of all persons objected to in separate lists, according to the form of the Schedule to this Act annexed, marked H; and shall cause copies of such several lists to be fixed on the outer doors or walls of the public or conspicuous buildings or places aforesaid, during the four days next preceding the holding of the first Court of Revision under the authority hereof; and the said Returning Officer shall likewise keep separate lists of the names of all persons so claiming as aforesaid, and also separate lists of the names of all persons so objected to as aforesaid, to be perused by any person without payment of any fee, at all reasonable hours during such four days (Sunday excepted), and shall allow any person desiring the same to take a copy of each of such lists, on payment of a sum of One Shilling for each copy so taken.

Claim of persons to have their names inserted on electoral lists.

List of claimants.

List of persons objected to.

9. On some day between the twentieth and twenty-eighth day of such last-mentioned month of which due notice shall be given, the nearest Special Magistrate (not being such Returning Officer) or such Special Magistrate as may be appointed for that purpose by the Governor, and two Justices of the Peace for the said Province, shall, at such place, within each Electoral District, as may be for that purpose appointed, by Proclamation published in the *South Australian Government Gazette*, hold an open Court for the revision of such Electoral Lists, and may continue such Court by adjournment, and the Returning Officer shall, at the opening of the Court, produce the said Electoral Lists, and

Courts for Revision of electoral lists.

and a copy of the lists of the persons so claiming, and of the persons so objected to, made out in the manner aforesaid; and all collectors of rates and others shall, on being thereto summoned, attend the Court, and shall answer upon oath all such questions as the Court may put to them or any of them, touching any matter necessary for revising such Electoral Lists, or either of them; and the said Court shall insert in such lists respectively the name of every person who, having claimed, shall make proof to the satisfaction of the Court that he is entitled to be inserted therein, and shall retain on the said lists the names of all persons to whom no objection shall have been duly made, and shall also retain on the said lists the name of every person who shall have been objected to by any person, unless the party so objecting shall appear by himself, or by some one on his behalf, in support of such objection; and when the name of any person inserted in any Electoral List shall have been duly objected to, and the person objecting shall appear by himself, or by some one on his behalf, in support of such objection, the Court shall require proof of the qualification of the person so objected to; and in case the qualification of such person shall not be proved to the satisfaction of the Court, the said Court shall expunge the name of every such person from the said list, and shall also expunge therefrom the name of every person who shall be proved to the Court to be dead, and shall correct any mistake, or supply any omission which shall be proved to the Court to have been made in any such list, in respect of the name or place of abode of any person who shall be included therein, or in respect of the local description of his property, and the Magistrate presiding shall in open Court write his initials against the names struck out or inserted, and against any part of any list in which any mistake shall have been corrected, and shall sign his name to every page of the list so settled.

Revised lists to be kept by the Returning Officer.

Electoral roll to be corrected.

10. The Returning Officer shall keep the Electoral Lists so revised and signed as aforesaid, and shall cause each of the same to be fairly and truly copied into an alphabetical list in a separate book to be by him provided for that purpose, leaving such spaces as may be necessary for any subsequent additions thereto; and shall cause each of such books to be completed within fourteen days from the holding of the first Court of Revision, and shall cause such books, together with the lists, to be preserved among the records of his office, and shall, from time to time, produce such book, and every future book, into which the said Electoral Roll may, from time to time, be transcribed, at any Quarterly Court of Revision hereinafter authorized to be held; and every such book shall, after the said Constitution Act shall have commenced and come into operation, be the roll of the electors of the Electoral District or Division to which the same relates; and shall also transmit a copy of such book, containing the names of persons entitled to vote at elections of Members to serve in the Legislative Council, to the Returning Officer for the said Province forming one Electoral District.

Claims to be inserted upon the electoral roll may be made at any time.

11. Any person whose name shall not appear in any Electoral Roll, and who shall claim to have his name inserted therein, may, at any

any time, give notice thereof to the Returning Officer, in the forms respectively of the Schedule to this Act annexed, marked D, or to the like effect; and any person whose name shall have been inserted in any electoral roll may, at any time, object to any other person as not entitled to have his name retained therein; and any person so objecting shall give or cause to be given to the Returning Officer, and also to the person objected to, or leave at his place of abode notice thereof, in writing, according to the form in the Schedule to this Act annexed, marked F, or to the like effect; and the Returning Officer shall, fourteen days before the holding of every Quarterly Court of Revision, include the names of all persons so claiming to be inserted on the Electoral Roll, in two lists—one for persons claiming to be placed on the roll of electors of Members to serve in the Legislative Council, and the other of persons claiming to be placed on the roll of electors of Members to serve in the House of Assembly, according to the form in the Schedule to this Act annexed, marked G; and the names of all persons objected to in two lists, as aforesaid, according to the form of the Schedule to this Act annexed, marked H; and shall cause copies of such several lists to be fixed on the outer doors or walls of the public or conspicuous buildings or places aforesaid, during the eight days next preceding the holding of such Quarterly Court of Revision, as hereinafter provided; and shall likewise keep separate lists of the names of all persons so claiming as aforesaid, and also of the names of all persons so objected to as aforesaid, to be perused by any person without payment of any fee, at all reasonable hours during the eight days (Sunday excepted) next preceding the said Quarterly Court of Revision, and shall allow any person desiring the same to take a copy of each of such lists, on payment of a sum of One Shilling for each copy so taken.

Objections.

List of claims and objections to be made out.

12. It shall be lawful for the Returning Officer to object to any person as not entitled to have his name retained on any Electoral Roll, giving or causing to be given such notice of objection as aforesaid; and he is hereby required so to object in the case of all persons whom he shall have reason to believe are not entitled to be retained on such roll.

Returning Officer may object to names upon electoral roll.

13. The nearest Special Magistrate, or such Special Magistrate as shall be for that purpose appointed by the Governor, and two Justices of the Peace for the said Province, shall, once in every three calendar months, hold an open Court within every Electoral District, for the purpose of revising the electoral rolls of such district and division; and such Court shall be held at such time and place as may be appointed by Proclamation in the *South Australian Government Gazette*: Provided that it shall be lawful for the Governor from time to time to alter the time and place for holding any of such Courts by Proclamation in the *South Australian Government Gazette* published four weeks at the least before the day upon which such Court would otherwise be holden; and at every such Court the Returning Officer or his clerk shall produce the Electoral Rolls, for such

Special Magistrate and two Justices to hold Quarterly Courts of Revision.

district and division respectively, and a copy of the lists of the persons so claiming, and of the persons so objected to, made out in the manner aforesaid; and all collectors of rates and others, shall, on being thereto summoned, attend the Court, and shall answer upon oath all such questions as the Court may put to them, or any of them, touching any matter necessary for revising the electoral rolls, or either of them; and the said Court shall insert in such rolls respectively, the name of every person who, having duly claimed, shall be proved to the satisfaction of the Court to be entitled to be inserted therein, and shall retain thereon the names of all persons to whom no objection shall have been duly made, and shall also retain the name of every person who shall have been objected to unless the person objecting shall appear by himself, or by some one on his behalf, in support of such objection; and when the name of any person shall have been duly objected to, and the person objecting shall appear by himself or by some one on his behalf in support of such objection, or whenever such objection shall have been made by the Returning Officer, the Court shall require proof of the qualification of the person so objected to; and in case the qualification of such person shall not be proved to the satisfaction of the Court, the said Court shall expunge the name of every such person from the said roll, and shall also expunge therefrom the name of every person who shall be proved to the Court to be dead, or to have become disqualified or incapacitated, and after every election of Members for the said Legislative Council, or of Members for the said House of Assembly, for such district, shall also expunge the names of every person who shall not have voted thereat, and who shall not, before the holding of such Court, have forwarded to the Returning Officer his claim to be retained in the said roll, and shall correct any mistake, or supply any omission which shall be proved to the Court to have been made in any such Electoral Roll, in respect of the name or place of abode of any person who shall be included therein, or in respect of the local description of his property.

Expunging Power

Power of Courts of Revision.

14. Every Court of Revision, or such Special Magistrate shall have power to require any person having the custody of any book containing any rate made for any such Electoral District or Division, or any part thereof, during that or the preceding year, to produce the said book and allow the same to be inspected at any such Court, and shall have power to administer oaths or affirmations as the case may be to all persons who may be required or tendered to be examined, and any person who shall answer falsely to any lawful question put to him at such examination shall be liable to be prosecuted for perjury; and the Magistrate presiding shall in open Court write his initials against the names struck out, or inserted, and against any part of the said rolls respectively in which any mistake shall have been corrected, and shall deliver the same to the Returning Officer.

Returning Officer to furnish copies of the electoral roll

15. The Returning Officer or his clerk shall furnish copies of any Electoral Roll to all persons applying for the same on payment of a reasonable price, not exceeding sixpence for every folio of seventy-

two

two words, for each copy, and shall forward, by post, a copy of every such Electoral Roll to the Colonial Secretary; and shall also, in like manner, forward a copy of all corrections of such roll of electors for Members of the Legislative Council to the Returning Officer of the said Province forming one Electoral District.

16. No elector claiming to register his vote in any Electoral District or Division shall be obliged to appear in person to make proof of the nature and sufficiency of his qualification, unless required by the Court at which he shall apply to be registered to attend in person: Provided, however, that if such personal attendance be rendered requisite on the application of any party objecting as aforesaid, such party, if his objection be disallowed, shall defray such expenses as the Court shall award for claimants' attendance, which expenses so awarded, shall be recoverable in any Court of competent jurisdiction in which the party entitled thereto shall sue for the same.

Personal attendance of electors not necessary to prove qualification to vote, unless required by the Court.

17. Every person whose name shall be standing on the Electoral Roll of any Electoral District or Division shall be entitled to obtain from the Returning Officer of such District, or Deputy Returning Officer of such Division, respectively, a certificate in the form in the Schedule to this Act annexed, marked I, and at every election such certificate shall be produced to the Returning Officer, or Deputy Returning Officer, as the case may be, who shall mark thereon the day and place of voting of the elector named therein, and no person shall be allowed to vote at any election unless he shall produce such certificate to the Returning Officer, or Deputy Returning Officer as aforesaid, nor unless it shall appear on the production of such certificate, that the elector named therein hath been registered as a voter for the period of six months prior to such election.

Certificate to be granted to electors, and produced at elections.

18. No candidate for election in any electoral district shall be competent to act as a Returning Officer at such election: Provided further, that in the event of the inability or incompetency of any person appointed to act as Returning Officer or at any such Court, or to perform any office or duty in execution of this Act, the Governor may appoint such other persons as he may deem fit, to perform any of the duties herein directed to be performed by such persons.

Proviso in case of Returning Officers being candidates, or other deficiency of officers.

19. It shall be lawful for the Governor, from and after the passing of this Act, from time to time, to appoint fit and proper persons to perform the duties of Returning Officers for the several Electoral Districts and Divisions, so far as regards the formation of the said first Electoral Rolls, and every Act by such person done in pursuance of such appointment, shall have the like validity as though they had been, respectively, duly appointed Returning Officers under this Act.

Governor may appoint persons to perform duties of Returning Officers in preparation of first Roll.

20. Writs for the election of Members to serve in the said Legislative

Writs to be issued by the Governor, and to be returnable to him.

lative Council and House of Assembly respectively shall be issued by the Governor, directed to the Returning Officer of each electoral district, in which writs shall be named the day of nomination for such elections, and, in the event of such elections being contested, the day for taking the votes at the different voting places, and also the day on which such writs shall be made returnable to the said Governor: Provided always, that no such writs shall be dated or issued less than sixteen nor more than forty-two days previous to the days respectively named therein for the nomination for such election.

This provision is omitted in 20 - 1861 - 1839.

Writs issued to supply vacancies only on warrant of Speaker.

21. All writs directed to be caused to be issued by the President or Speaker, for the purpose of electing a Member to fill any seat in the Legislative Council or House of Assembly, vacant by the death, resignation, acceptance of office, or other incapacity of any Member, shall be issued by the Governor only upon the receipt from the President or Speaker of the said Legislative Council or House of Assembly, respectively, of a notification of such vacancy.

Form of writs.

22. All writs to be issued for the election of Members of the said Parliament under this Act shall be framed in any manner and form which may be necessary and sufficient for carrying the provisions hereof into effect.

Returning Officer, and Deputy Returning Officer, for Legislative Council, to give notice of writs, &c.

23. Upon the receipt of any writ for the election of Members to serve in the said Legislative Council, the Returning Officer shall endorse thereon the day of receiving the same, and shall, within two days from the receipt thereof, forward a copy thereof to the Deputy Returning Officer for each division of his district; and every Deputy Returning Officer shall, upon the receipt of such copy, endorse thereon the day of receiving the same, and shall, within seven days from the receipt of such copy, give the like notices, and affix the same, together with a copy of the electoral roll for the said division, in the like manner and upon the same places as are hereinafter directed and prescribed with regard to writs for the election of Members to serve in the House of Assembly.

Returning Officer for House of Assembly to give notice of day of nomination, and of Court of Revision.

Return -

24. Upon the receipt of any writ for the election of Members to serve in the House of Assembly, the Returning Officer shall endorse thereon the day of receiving the same, and shall, within seven days from the receipt thereof, give notice thereof and of the day of nomination and of taking votes fixed therein, and of the chief voting place and other voting places, if any, for taking the votes at such elections, and shall affix such notice, on the outer door of the Court House or place of holding the Local Court, if there be any such, and on the outer door of the place of meeting of the District Councils, if there be any such, and upon all Post Offices, and in such other public and conspicuous places within the district as he shall think fit.

Booths may be erected or hired for taking votes.

25. At every election, the Returning Officer, if it shall appear to him expedient for taking the votes at such election, may cause booths to

to be erected, or rooms to be hired and used as such booths in one place or in several places, not being a house licensed for the sale of wine, beer, or spirituous liquors, or within one hundred yards of the same, at each voting place as occasion may require; and the same shall be so divided and allotted into compartments, as to the Returning Officer shall seem most convenient, and the Returning Officer shall appoint a Clerk to take the votes at each compartment, and shall before the day fixed for taking of votes, if there be a contest, cause to be furnished for the use of each booth or voting place, a copy of the electoral roll of the district or division, and shall under his hand certify such copy to be a true copy.

26. The Returning Officer of each electoral district shall preside at the election within his district or division, and may appoint a deputy to act for him and take the votes at each voting place: Provided that such deputy be appointed by writing under the hand of the said Returning Officer.

Returning Officer to preside, and appoint deputies to preside at the voting places.

27. Where the proceedings at any election shall be interrupted or obstructed by any riot or open violence, whether such proceeding shall consist of the nomination of candidates or of the taking the votes, the Returning Officer, or the deputy of any Returning Officer, shall not for such cause terminate the business of such nomination, nor finally close the voting, but shall adjourn the nomination or the taking the votes at the particular voting place at which such interruption or obstruction shall have happened, until the following day, and if necessary, shall further adjourn such nomination or voting, as the case may be, until such interruption or obstruction shall have ceased, when the Returning Officer or his deputy shall again proceed with the business of the nomination or with the taking the votes, as the case may be, at the place at which the same respectively may have been interrupted or obstructed; and the day on which the business of the nomination shall have been concluded shall be deemed to have been the day fixed for the election, and the commencement of the voting shall be regulated accordingly; and any day whereon the voting shall have been so adjourned, shall not as to such place be reckoned the day of taking of votes at such election within the meaning hereof; and whenever the voting shall have been so adjourned by any deputy of any Returning Officer, such deputy shall forthwith give notice of such adjournment to the Returning Officer, who shall not finally declare the state of the voting, or make Proclamation of the Member chosen, until the voting so adjourned at such place shall have been finally closed, and the boxes containing the votes delivered or transmitted to such Returning Officer.

Adjournment of nomination, or of voting, in case of riot.

28. It shall be lawful for any two electors of any Electoral District, before or at the time fixed for nomination, to address and forward or deliver to the Returning Officer of such District, a letter, signed by such two electors as proposer and seconder of a person to be therein named as a candidate to represent the District, the person also proposed as a candidate, signifying his assent, in writing, to act if

Mode of nomination.

electd;

*Suppose the number
say 17 only by Legislative
Council - what is to
be done?
The Returning officer is
bound to obey the writ
& return neither fewer
nor more than he is
thereby commanded -
see Warren's manual
of Election Law p. 224.*

electd; and on the day of nomination named in the writ, the Returning Officer shall attend at noon at the chief voting-place of the Electoral District, and shall then open the letters so addressed to him; and if there shall not be a greater number of Candidates so proposed and seconded, and consenting as aforesaid, than are by such writ required to be elected, the Returning Officer shall declare such Candidate or Candidates to be duly elected, and make his return accordingly; and, in the event of there being more Candidates so proposed and seconded, and consenting as aforesaid, than are by such writ required, the Returning Officer shall give notice at such chief voting place of the names of the Candidates, and of the persons by whom they have been proposed and seconded, and the voting shall commence at the different voting-places for the District as nearly as may be at nine o'clock in the forenoon of the day appointed in the writ for taking the vote, and shall cease at four o'clock in the afternoon.

**Elections to be before
Returning Officers
and their Deputies.**

**Hours when elections
shall commence and
terminate.**

Manner of voting.

29. The election of Members of the Legislative Council and House of Assembly at each voting place shall be held before the Returning Officer or his deputy, and the voting at every such election shall commence at nine o'clock in the forenoon, and shall finally close at four o'clock in the afternoon of the same day, and shall be conducted in manner following, that is to say—every elector entitled to vote, and who shall vote in the election of Members of the Legislative Council or House of Assembly, as the case may be, shall be furnished by the Returning Officer, or his Deputy, with a white printed voting paper, marked with the initials of the Returning Officer or his Deputy, containing the Christian name and surname of each Candidate, and no other matter or thing; and there shall be provided separate apartments or places forming part of the polling booth, into which the voter shall immediately retire, and there, alone, and in private, without interruption, obliterate the name of the Candidate or Candidates for whom he does not intend to vote; and shall then fold the same paper, and immediately deliver it, so folded, to the Returning Officer, or to his Deputy, who shall forthwith publicly, and without opening the same, deposit it in a box to be provided for that purpose; and no voting paper, so deposited in any box, shall, on any account, be taken therefrom, unless in the presence of scrutineers, after the close of the election: Provided that no voting paper shall be received unless it be so folded so as to render it impossible for the Returning Officer or any other person to see for what Candidate or Candidates the vote is given; and any voter wilfully infringing any of the provisions of this clause, or obstructing the voting by any unnecessary delay in performing any act within the polling booth or room, shall be deemed guilty of a misdemeanor.

*See act 2: 8-1856
which provides that in the
event of 2 or more Candidates
to represent any Electoral
District being of the same
name the voting paper
shall contain the description
of each such Candidate, in
addition to his Christian
and surname.*

**No inquiry of a voter
except as to his iden-
tity, whether he has
voted before on the
same election, and as
to qualification.**

30. No inquiry shall be permitted at any election as to the right of any person to vote, except only as follows, that is to say—the Returning Officer or his deputy shall, if required by any two electors entitled to vote in the same Electoral District, put to any voter, at the
time

time of his tendering his vote, and not afterwards, the following questions, or any of them, and no other:—

FIRST—Are you the person whose name appears as A.B. in the electoral roll now in force for this Electoral District [or Division, being registered therein for property described to be situated in (here specify the street or place described in the electoral roll)?]

Form of questions to be put as to these points.

SECOND—Have you already voted at the present election?

THIRD—Had you, at the time of being registered, the qualification for which your name now stands in the electoral roll for the district of (specifying in each case the particulars of the qualification as described in the electoral roll), and are you still possessed of the same qualification? [or as the case may be. Are you of the age of twenty-one years, and did you at the time of being registered, and do you still reside within the District of ?]

And no person required to answer any of the said questions shall be permitted or qualified to vote until he shall have answered the same, and if any person shall wilfully make a false answer to any of the questions aforesaid, he shall be deemed guilty of a misdemeanor, and may be indicted and punished accordingly. *

Punishment for false answer.

31. Each Deputy Returning Officer shall immediately on the close of the voting, publicly close and seal the box containing the voting papers which have been taken at the voting-place whereat he presided, and shall, with the least delay possible, deliver or cause the same to be delivered to the Returning Officer of the Electoral District, or to the Deputy Returning Officer for the Electoral Division, as the case may be: And in cases of elections of members to serve in the Legislative Council the Deputy Returning Officers for each division shall, with the least delay possible, deliver or cause to be delivered the whole of such boxes to the Returning Officer for the said Province. *

Deputies to seal box and voting papers and deliver them forthwith to Returning Officers.

32. The Returning Officer of each Electoral District shall at the place of nomination, and as soon as may be practicable after the election shall have been held, in the presence of two or more scrutineers, whereof each candidate shall name one, open all the boxes containing the voting papers delivered in at such election, and shall examine the same, and shall reject all voting papers which shall contain the names of more persons than are required to be elected at any such election, or shall contain any matter or thing other than such names, and shall openly declare the general state of the votes at the close of the election, as the same shall have been made up by him from the voting papers taken at the several voting-places; and he shall at the same time and place declare the name of the person or persons who may have been duly elected at such election; and in the

Names of persons elected to be declared by Returning Officer.

Returning Officer not to vote except in case of equality of votes.

the event of the number of votes being found to have been equal for any two or more candidates he shall by his casting vote decide which of the same candidates shall be elected: Provided, however, that no Returning Officer shall vote at any election for the Electoral District of which he is the Returning Officer, except in case of an equality of votes as aforesaid: Provided also, that it shall and may be lawful for the deputy of any Returning Officer to vote at any election for the Electoral District, in like manner as if he had not been appointed and acted as such deputy.

Return of writs with names of elected persons endorsed thereon.

33. The name of the person or persons so elected shall be inserted in or endorsed on the writ by the Returning Officer, and the writ returned to the Governor within the time by which the same may be returnable.

Voting papers to be destroyed by the Returning Officer.

34. All voting papers shall be destroyed by the Returning Officer forthwith, after the declaration of the names of the persons duly elected.

And whereas it is expedient and necessary to provide a Court for the trial of any complaints which may be made against the validity of any returns made by the Returning Officers of the several electoral districts hereby created—Be it Enacted as follows:

Formation of Court for trial of complaints against the validity of returns by Returning Officer.

Handwritten notes:
The provisions of this Act shall be construed as if they were contained in the Act of the 1st of the 1st session of the 1st Parliament of the United Kingdom of Great Britain and Ireland.

35. For the purpose of forming such Court the Legislative Council, within one week after its first meeting, and thereafter within one week after its first meeting subsequent to each election, to supply the place of Members who shall retire by rotation, and the House of Assembly, within one week after the first meeting subsequent to every general election, shall elect, each out of its own body respectively, four persons to be Members of the said Court, and the junior or the sole acting Judge of the Supreme Court shall be the President of such Court.

Governor to appoint Members of Court, if Legislative Council or House of Assembly fail to elect.

36. If the said Legislative Council or House of Assembly shall fail to elect the said four Members of the said Court within the said one week, such four Members may be nominated at any time afterwards by the President or Speaker, as the case may be; and if any Member shall be incapacitated to attend a meeting of the Court by reason of death, sickness, or any other impediment, his place shall be supplied by a person nominated for that purpose by the Legislative Council or House of Assembly respectively, or, in default of such nomination for the period of one week, by the President or Speaker.

Nomination of Members of Court to supply vacancies.

Record of nomination of Members to be proof of proper constitution of Courts.

37. The record of the election or nomination of the said Members of the said Courts respectively shall be entered by the Clerk of the Legislative Council or House of Assembly on the proceedings of the Houses; and proof of such entry having been made shall be sufficient authority for the proper constitution of such Courts.

38. The

38. The said Courts respectively shall not proceed to any business unless convened by order of the Legislative Council or House of Assembly, nor until each Member thereof shall take the following oath or affirmation, as the case may be, which shall be administered by the President to each of the Members, and afterwards by any Member to the President:—

Courts not to proceed to business unless convened by the Legislative Council or House of Assembly.

“I, A.B., do swear (or affirm, as the case may be) that I will duly administer justice in all matters which may be brought before this Court, and that I will decide in all such matters according to the principles of good faith and equity, without partiality, favor, or affection, and according to the best of my understanding.
“So HELP ME GOD.”

Oath to be taken by Members of the Courts.

39. The Courts thus constituted shall have power to inquire into all cases which may be brought before each Court by the House by which it shall have been appointed, respecting disputed returns of Members to serve in the said House, whether such disputes arise out of an alleged 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 allegation calculated to affect the validity of the return.

Powers of Courts.

40. In the trial of any complaints as aforesaid, the Members of the said Courts 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 that they can procure, or that is laid before them, whether the same be such evidence as the law would require in other cases or not.

Courts to be guided only by the real justice and good conscience of each case.

41. Each of the said Courts shall be an open Court, and shall have power to adjourn its sitting from time to time, as in its discretion it may think proper, provided that the interval of adjournment shall not in any instance exceed four days, and shall be competent to regulate the form of its own proceedings; but such proceedings shall in no one case extend beyond the period of five sitting days, unless by leave of the House by which it shall have been appointed; and that if no decision be adopted by a majority within five sitting days, or any enlarged period as aforesaid, the President of the Court shall, on such evidence as may then be before the Court, pronounce a decision; and that every decision, whether so pronounced by the President or by the Court, shall be final and conclusive, without appeal.

Courts to be guided only by the real justice and good conscience of each case.

Decisions to be given within five days, and to be final, without appeal.

42. The said Courts shall not have power to inquire into the correctness of any electoral roll, or into the qualifications of persons whose votes may on the day of election have been either admitted or rejected, but simply into the identity of the persons, and whether their votes were improperly admitted or rejected, assuming the roll to be correct.

Inquiries by Court to be restricted to identity of voters, and propriety of admission or rejection of votes.

Costs may be awarded.

43. It shall be lawful for the said Courts respectively to award to the party petitioning, or to the candidate against whom the petition shall have been presented, such reasonable costs and expenses as such Court may deem fit; and such costs and expenses, when awarded under the hand of the President, shall be recoverable by action of debt from the party by such award made liable to pay the same.

Complaints of undue returns to be by petition to the Legislative Council or House of Assembly.

44. All complaints of the undue return of Members to serve in the said Legislative Council or House of Assembly shall be addressed in the form of a petition to the said Legislative Council and House of Assembly respectively; and no petition shall be noticed, nor any proceedings had thereon, unless it shall have been so presented by a person who was a candidate at the election whereof it may be alleged that an undue return has been made, or by a number of persons who either voted or were qualified to have voted at the said election, amounting to not less than one-tenth of the whole number on the roll of electors; and no petition shall be noticed which shall not be presented within twenty-one days from the day of election, or one week from the meeting of Parliament which shall last happen.

Petition to be referred to Court.

45. Any such petition shall, within ten days after the same shall have been duly received, be referred to the Court above-mentioned, appointed by the House to which the said petition shall be addressed.

Proceedings of Courts on petitions.

46. The said Courts respectively, in hearing and deciding on the merits of every such petition, shall be guided by the principles of good faith and equity, and shall receive or reject at their discretion any evidence that may be tendered to them, and shall have power to compel the attendance of witnesses and to examine them on oath; and if any such Court shall declare that any person was not duly elected who was returned as elected by the Returning Officer of any Electoral District, the person so declared to have been not duly elected shall cease to be a Member of the Legislative Council or House of Assembly, as the case may be; and if such Court shall declare any person to have been duly elected who was not returned by any Returning Officer, the person so declared to be duly elected shall be sworn a Member of the said Legislative Council or House of Assembly, as the case may be, and take his seat accordingly; and if such Court shall declare any election to have been absolutely void, the President, or Speaker, on the same being certified to him by the President of the Court, shall forthwith cause to be issued a new writ for the holding of another election for such district.

And for the prevention of bribery and corruption—Be it Enacted as follows:

What shall be deemed acts of bribery and corruption.

7 & 8 Geo. IV., cap. 37, s. 2.

47. All and each of the following acts shall be deemed and taken to be acts of bribery and corruption on the part of any candidate, whether committed by such candidate or by any agent authorized to act for him, that is to say—the giving of money or any other article

article whatsoever, cockades included, to any elector, with a view to influence his vote, or the holding out to him any promise or expectation of profit, advancement, or enrichment in any shape, in order to influence his vote, or making use of any threat to any elector, or otherwise intimidating him in any manner with a view to influence his vote; the treating of any elector, or the supplying him with meat, drink, lodging, or horse or carriage hire, or conveyance by steam or otherwise, whilst at such election, or whilst engaged in coming to or going from such election; the payment to any elector of any sum of money for acting or joining in any procession during such election, or before or after the same; the keeping open, or allowing to be kept open, any public-house, shop, booth, or tent, or place of entertainment, whether liquor or refreshment of any kind be distributed at such place of entertainment or not; the giving of any dinner, supper, breakfast, or other entertainment, at any place whatsoever, by a candidate to any number of electors, with a view of influencing their votes.

48. The commission of any one of the above-mentioned acts shall, on proof thereof, by the decision of the above-mentioned Court, be held to render void the election of the person committing such act, and to disqualify him from sitting and voting in the said Parliament, during the whole period that may intervene between the commission of the same and the time of the next periodical or general election.

Any of the above acts to disqualify.

49. The acts of all authorized agents of a candidate or member shall, in matters connected with elections, be held to be the acts of their principal, provided that it shall be proved to the satisfaction of the above-mentioned Courts, that such acts were committed with his knowledge or consent.

Principals bound by acts of their agents.

50. If any of the above-mentioned acts, hereby declared to be acts of bribery and corruption, shall be committed by any person not the authorized agent of any candidate or member, the person so committing, or having committed them, shall be deemed guilty of a misdemeanor, and may be indicted for such act as for a misdemeanor in the Supreme Court, and punished with fine not exceeding Two Hundred Pounds, or imprisonment not exceeding six calendar months, at the suit or on the complaint of Her Majesty's Attorney or Advocate-General, or of any registered elector of the district wherein such act of bribery or corruption shall be alleged to have been committed.

Acts of bribery and corruption by persons not being the authorized agents.

51. If any person who shall have, or claim to have, any right to vote in any election of a Member of the Legislative Council or House of Assembly for any Electoral District shall, directly or indirectly, ask receive, or take any money or other reward by way of gift, employ, ment, or other reward whatsoever, for himself or for any of his family or kindred, to give his vote or to abstain from giving his vote in any such election; or if any person, by himself, his friends, or by any person employed by him, shall, by any gift or reward, or by any promise and agreement, or security for any gift or reward, procure any

Penalty on persons receiving or offering reward for voting or withholding vote.

any person to give his vote in any such election, or to abstain from giving the same, such offender shall, for such offence, forfeit the sum of Fifty Pounds sterling to the person who shall first sue for the same, to be recovered, with full costs, by action of debt, bill, plaint, or information, in the Supreme Court.

✓ Candidate not to canvass personally, or attend election meetings.

52. It shall not be lawful for any candidate for election as a Member of the said Legislative Council or House of Assembly, to solicit personally the vote of any elector, or to attend any meeting of electors, convened or held for the purposes of election, after the issue of a writ for the election of a Member for any Electoral District, and before the return of any such writ; and the attendance of any candidate at any such meeting, or his personal solicitation of the vote of any elector, shall have the same effect as the acts of bribery and corruption hereinbefore mentioned.

No action against candidate for cost or expenses of election.

53. No action, suit, or other proceeding shall be maintainable in any Court of the said Province against any persons who may have been a candidate at any election for or in respect of any costs or expenses whatsoever in or about or relating to such election.

Punishment for voting twice, or personating voters.

54. Every person who shall vote a second time, or offer to vote a second time, at the same election, for any Electoral District, or who shall personate any other person for the purpose of voting at such election, shall be guilty of a misdemeanor; and upon being thereof convicted, shall be imprisoned for any term not more than two years, at the discretion of the Court who shall try such person.

Remuneration to Returning Officers.

55. For the remuneration of the Returning Officers, and Special Magistrates, there shall be paid to them, in respect to the several matters and things by this Act directed to be performed by them, the several sums mentioned in the Schedule K to this Act annexed, and such payments shall be made by the Colonial Treasurer, in pursuance of warrants under the hand of the Governor.

Payment of other expenses incurred.

56. All necessary and reasonable expenses which shall be incurred by any Returning Officer or other person appointed under and by virtue of this Act, for the purpose of carrying into effect the several provisions hereof, and not otherwise provided for, shall, if allowed by the Governor, be paid and discharged out of the General Public Revenues of the said Province, by warrants under the hand of the Governor, directed to the Colonial Treasurer.

Provision in the event of impediments of a formal nature.

57. No election shall be held to be void in consequence solely of any delay in the holding of such election at the time appointed, or in the return of the writ, or the absence of the Returning Officer, or any deputy, or any error on the part of any Returning Officer or deputy, which shall not affect the result of the election, or of any error or impediment of a mere formal nature, and within the period of twenty days before or after the day appointed for the holding of any election it shall be lawful for the said Governor, with the advice
of

of the Executive Council, to extend the time allowed for the holding of such election, or for the return of the writ issued for the same, and to adopt or cause to be adopted such measures as may be necessary to remove any obstacle by which the due course of any election may be impeded, and to supply any deficiency that may otherwise affect the same: Provided that any measures so adopted by the Governor, with the advice of the Executive Council, shall be duly notified in the *South Australian Government Gazette*.

58. Every person who may, under the provisions hereof, be appointed a Returning Officer, or Deputy Returning Officer, shall, before he enters on the performance of any duty under the same, make and subscribe, before a Justice of the Peace, the following declaration, and the Justice before whom such declaration may be made, is hereby required to transmit the same, by the first convenient opportunity, to the Chief Secretary of South Australia—

Declarations to be made by officers before a Justice, and be transmitted to Colonial Secretary.

“ I (A. B.) do hereby declare that I accept the office of
and I do hereby promise and
declare that I will faithfully perform the duties of the
same, to the best of my understanding and ability, and
that I will not reveal or disclose any knowledge that I
may acquire in the discharge of my said office touching
the vote of any elector.”

59. If any Returning Officer, or any Deputy Returning Officer, after having accepted office as such, shall neglect or refuse to perform any of the duties which by the provisions hereof he is required to perform, every such Returning Officer or Deputy Returning Officer, shall, for every such offence, forfeit and pay any sum not less than Ten, nor exceeding Two Hundred Pounds; and, in like manner, if any clerk or other officer or person appointed under or by virtue of this Act, shall neglect or refuse to perform any of the duties which by the provisions hereof he is required to perform, every such clerk or other officer or person shall, for every such offence, forfeit and pay any sum not less than Five, and not exceeding Fifty Pounds.

Penalty on officers refusing or neglecting duty.

60. The respective penalties before mentioned shall be recovered, with full costs of suit, by any person who shall sue for the same within three calendar months after the commission of such offence, by action, in the Supreme Court of the said Province; and the money so recovered shall, after payment of the costs and expenses attending the recovery thereof, be paid and apportioned as follows, that is to say—one moiety thereof to the person so suing, and the other moiety thereof to Her Majesty for the public uses of the Province and support of the Government thereof.

Recovery and application of penalties.

61. All appointments hereinbefore authorized to be made by the Governor after this Act shall have wholly come into operation shall be made with the advice and consent of the Executive Council.

Appointments to be made with advice and consent of Executive Council.

Where matters to be done fall on a holiday.

62. When any matter or thing shall be hereby directed to be performed on a certain day, and that day happen to be Sunday, Good Friday, Christmas Day, or other public holiday, the said matter or thing may be performed on the next succeeding day.

Repeal of Ordinance No. 1, 1851.

63. An Ordinance No. 1, 1851, "To establish the Legislative Council of South Australia, and to provide for the election of members to serve in the same," shall be and the same is hereby repealed.

64. In referring to this Act it shall be sufficient to make use of the expression "The Electoral Act."

What is the effect of this repeal?
Short title.

SCHEDULES REFERRED TO.

A

BOUNDARIES OF ELECTORAL DISTRICTS.

- | | <i>Members for each District.</i> |
|--|-----------------------------------|
| No. 1. CITY OF ADELAIDE.—Composing the whole of North and South Adelaide, and the Park Lands bounding the same | Six Members. |
| No. 2. PORT ADELAIDE.—Bounded on the south by a line commencing at a point on the sea coast due west of the north-west angle of Section 1006, Hundred of Yatala; thence easterly, along the north boundary of same Section, to the Port Adelaide Creek; thence northerly, along centre of said creek, to a point opposite the south-west angle of Section 929; thence easterly by the south boundaries of Sections 929 and 924; northerly by the road between Sections 924 and 2073 to the north-west angle of the latter Section; south-easterly in a straight line to the southern angle of Section 418; easterly by the south boundary of Section 417; northerly by the east boundary of Section 417 to the Port Road; south-easterly to the southern angle of Section 405; north-easterly by the boundary between Sections 405 and 398; north-westerly by the road to the southern angle of Section 422, and northerly by the east boundary of the said Section; thence easterly by the road to the north-east corner of Section 360; thence northerly by the road to the Gawler River, between Sections 7568 and 7569, in the Hundreds of Port Adelaide and Munno Para respectively; thence westerly along the centre of the River Gawler, to a point where it cuts the dividing line of Sections 7523 and 7513; thence west, by the south boundary of 7523, 7522, and 7521, to a point where the Gawler River cuts the boundary between Sections 7500 and 7510; thence by the centre of the aforesaid River Gawler, to the sea at Port Gawler; thence southerly by the sea coast to the point of commencement; together with the whole of Yorke's Peninsula lying south of a line from Port Wakefield to Point Riley | Two Members. |
| No. 3. WEST TORRENS.—Bounded on the west by the sea coast, between the Bay Road and the north-west angle of Section 1006; thence by the District of Port Adelaide as far as the north-east corner of Section 360; thence south by the North Road to the Park Lands, between Sections 2064 and 460; thence west-south-west, and south, by the north-north-west and west boundaries of the Park Lands, to their south-west angle; thence south-westerly and westerly by the Bay Road to the sea coast, at the point of commencement | Two Members. |
| No. 4. YATALA.—Bounded on the west by the District of Port Adelaide; on the north by the centre of the Gawler River; on the east by the South Para and its south branch, to its intersection with the road running through Section 1685, Hundred of Para Wirra, thence by the road running southerly to the Little Para River; on the south by the said river to the centre of the road between 2136 and 2144; thence, along centre of said road, to the south-east angle of 3045; thence southerly, to the north-east angle of 3002; thence south, by a straight line, to the east boundary of 1566 at its point of intersection with the Dry Creek; thence, along the said creek, to its intersection with the east boundary of Section 313; thence southerly, in a straight line, to the south-east angle of 504; thence, across the road; thence, along the northern boundary of 508, easterly, to its north-east angle; thence south, along the east side of said section, to the centre of the River Torrens; thence westerly, by the centre of the said River Torrens, to its point of intersection with the eastern boundary of the Park Lands; thence northerly and westerly, by the boundary of the Park Lands, to the point of commencement | Two Members. |
| No. 5. GUMERACKA.—Bounded on the west by the east boundary of the District of Yatala; on the south by the centre of the River Torrens between east side of Preliminary Section 508 and Section 5521, Hundred of Para Wirra, by Kangaroo Creek to the Stringy-bark Trigonometrical Station, by the Range to Mount Torrens, and by the spur of the said Mount Torrens to the Main Range, and by the north boundaries of the Hundreds of Kanmantoo, and Monarto; on the east by a straight line from the north-east angle of the Hundred of Monarto, to the south-east angle of the Reedy Creek | Survey |

Survey, Section 960; thence to the north-east angle of the said Survey; thence due north to the County boundary between Sturt and Eyre; thence west to Keyne's Hill Trigonometrical Station; thence westerly, by the north boundary of the County of Sturt, to its north-west angle; thence, by a line in a south-westerly direction to a point where the South Para River enters the north boundary of Section 669 in the Barossa Special Survey; thence, following the course of the South Para River generally, in a westerly direction, to the point of commencement *Members for each District.*
Two Members.

No. 6. EAST TORRENS.—Bounded on the south by the main South-eastern Road commencing at the point of intersection of the north side of said road with the south boundary of the Park Lands, and continuing by the said road to the boundary between the Hundreds of Adelaide and Onkaparinga; thence northerly by the said boundary to the Torrens; thence westerly by the centre of the River Torrens to its intersection with the eastern boundary of the Park Lands; thence southerly and westerly by the eastern and southern boundaries of the Park Lands, to the point of commencement Two Members.

No. 7. THE STURT.—Bounded by a line commencing at the south-west angle of the Park Lands; thence in an easterly direction by the south boundary line of the Park Lands to the main South-eastern Road; thence by the south-west side of the said road, to the boundary between the Hundreds of Adelaide and Noarlunga; thence westerly, by the boundary between the Hundreds of Adelaide and Noarlunga to its intersection with the north boundary of Section 81; thence westerly to the South Road, passing through Section 123, Hundred of Noarlunga; thence southerly by the South Road to its intersection with the north boundary of Section 524; thence westerly to the road along the east side of Section 572; thence northerly to its north-eastern angle; thence westerly by the boundary between Sections 569 and 572 to the sea coast; thence north, by sea coast to the Bay Road; thence by the Bay Road to the point of commencement Two Members.

No. 8. NOARLUNGA.—Bounded on the north by the southern boundary of the District of the Sturt, and by the main South-eastern Road, from the east angle of the last-named District to the Onkaparinga River; and on the west by the sea coast; on the east by the centre of the Onkaparinga River, from Section 3816 to the crossing of a road which forms the south boundary of Section No. 820, and the north boundary of Section No. 834; thence along the centre of this road to the south-west corner of Section No. 821; thence by a direct line, following a direction nearly south-east, to a trigonometrical station, known as Wickham's Hill; thence following the summit of the range about south-west, passing by another trigonometrical station, M'Leod's Hill, and crossing the Encounter Bay Road at the summit level above Willunga; thence continuing along the same range, passing Mount Terrible; and thence following that feature of the range, which terminates at the south-west corner of Section No. 674. Two Members.

No. 9. MOUNT BARKER.—Bounded on the east by the River Bremer, commencing at its outlet into Lake Alexandrina; thence northerly by the centre of the said river to its junction with the Mount Barker Creek; thence following the centre of said creek to a point due south of Mount Barker Trigonometrical Station; thence north, by a straight line to Mount Barker Trigonometrical Station; thence north-west, along the main range to the north-west angle of Section 4411; thence along the range leading to Mount Magnificent south-westerly as far as the southern corner of Section 3827; thence north-westerly, along the main South-eastern Road to its crossing of the River Onkaparinga; bounded on the west by the District of Noarlunga to that point of the summit of the Willunga Range cut by the Encounter Bay Road; thence easterly to Mount Magnificent, and southerly to the range between Mount Compass and Mount Observation; thence easterly, along the most direct spur to Mount Observation; thence by the boundary of the Hundred of Ngankita and Kondoparinga, to the north-west corner of Section 2363; thence by the centre of the Finniss River, following the south-west boundary of the Hundred of Alexandrina, to the county boundary of Hindmarsh and Sturt, near the east point of Hindmarsh Island; thence north-easterly to Point Sturt; thence northerly, to the mouth of the River Bremer, the point of commencing. (This District comprises the Hundreds of Kondoparinga, Bremer, Alexandrina, Strathalbyn, Macclesfield, and Kuitpo) Two Members.

No. 10. ONKAPARINGA.—Bounded on the west by the east boundary of the District of East Torrens; on the south, by the Districts of Noarlunga and Mount Barker, on the east by a line in a southerly direction from Mount Beevor Trigonometrical Station to the north-east angle of Section 1789 (on the Bremer); thence, along

along the east and south boundaries of that Section to the River Bremer; thence, by the River Bremer to its junction with the Mount Barker Creek; on the north by the District of Gumeracka *Members for each District.*
Two Members.

No. 11. ENCOUNTER BAY.—Bounded on the south and north-west by the sea coast, from the sea-mouth of the Murray, to the south angle of the District of Noarlunga; bounded on the north and north-west by the Districts of Noarlunga and Mount Barker, to the southern angle of the last named District; thence by the boundary between the Counties of Hindmarsh and Sturt, passing the east side of Mundoo Island, to the point of commencement; together with the whole of Kangaroo Island and Troubridge Shoal Two Members.

No. 12. BAROSSA.—Bounded on the north and west by the Moorundee road, from the point where it crosses the main range between Hawker's Hill and Mount Despond to its intersection with the North Para River, between Sections 141 and 142, and by the north branch of the said river to its junction with the South Para River; on the south, by the South Para, and that branch of the river running through Section 669, Barossa Special Survey, and by a line thence north-easterly to the main range; thence east, by the north boundary of the County of Sturt, to the south-east angle of the Hundred of North Rhine, nine miles from the County boundary; thence due north, about fifteen and a-half miles; thence due west, to Hawker's Hill Trigonometrical Station; thence southerly, by the main range, to the point of commencement. (This District comprises the Hundreds of Barossa, Moorooroo, and North Rhine, and the Town of Gawler) Two Members.

No. 13. THE MURRAY.—Commencing at the sea mouth of the Murray; thence northerly, by the east boundary of the Districts of Encounter Bay, Mount Barker, the Hundred of Kanmantoo; thence south-easterly, by the south boundary of the Hundred of Tungkillo; thence northerly, by the east boundaries of the Hundreds of Tungkillo and South Rhine; thence east, by the south boundary of the Hundred of North Rhine; thence north, by the east boundary of the said Hundred; thence west, by the north boundary of the said Hundred; thence northerly, by the east boundary of the County of Light; bounded on the north by the south boundary of the County of Burra, and the northern limit of the Province; on the west, by a due north line from the Great Bend of the River Murray; on the east, by the eastern boundary of the Province, from its northern limit to a point due west of the southern angle of the County of Russell, in about latitude $36^{\circ} 12'$ south; thence west to the sea coast, at the south point of the County of Russell; thence north-west by the sea coast to the point of commencement. One Member.

No. 14. LIGHT.—Bounded on the west by the County of Gawler; on the north-west by the County of Stanley; on the north-east by the County of Burra; on the east by the County of Eyre; and on the south by the District of Barossa .. Two Members.

No. 15. VICTORIA.—Bounded on the north by the south boundary of the District of Murray; on the east by the east boundary of the Province, from about latitude $36^{\circ} 12'$ south to its southern limit; on the west and south-west by the sea coast. One Member.

No. 16. THE BURRA AND CLARE.—Bounded on the south by the Districts of Yatala, Port Adelaide, and the Murray; on the west by Gulf St. Vincent, and by a line running due north from the mouth of the Wakefield to the River Broughton; on the north by the River Broughton, and by the north boundary of the County of Burra; and on the east by the Districts of Murray and Light. This district comprises the whole of the Counties of Gawler, Stanley and Burra Three Members.

No. 17. FLINDERS.—Comprises the County of Flinders, and all those portions of the Province to the westward of the west coast of Spencer's Gulf, and all the remaining portions of the Province lying to the north of the Districts of Port Adelaide, and the Burra and Clare; bounded on the east by the District of Murray; together with all Islands being west of the meridian of Cape Jervis, with the exception of Kangaroo Island, and Troubridge Shoal One Member.

B

NOTICES BY THE DEPUTY-RETURNING OFFICER.

I hereby give notice, that I shall, on or before the twentieth day of this month (or of the month of _____ next), make out a list of all persons, resident within the division, entitled to vote in the election of a Member of the Legislative Council for the Province of South Australia: And every person so entitled is hereby required to deliver or transmit to me, on or before the said twentieth day of this (or of the said) month, a claim in writing, containing his Christian name and surname, place of abode, the nature of his qualification, and the name of the place, and number of the Sections, wherein the property in respect of which he claims to vote is situate: Persons omitting to deliver or transmit such claim will be excluded from the register of voters for the said division.

C

NOTICE BY THE RETURNING OFFICER.

I hereby give notice, that I shall, on or before the twentieth day of this month (or of the month of _____ next), make out a list of all persons entitled to vote in the election of a Member of the House of Assembly, to serve for the district of _____: And every person so entitled is hereby required to deliver or transmit to me, on or before the said twentieth day of this (or of the said) month, a claim in writing, containing his Christian and surname, and place of abode: Persons omitting to deliver or transmit such claim will be excluded from the register of voters for such district.

D

NOTICES OF CLAIM.

LEGISLATIVE COUNCIL.

To the Deputy-Returning Officer for the Division of

I hereby give you notice, that I claim to have my name inserted in the electoral list (or electoral roll) for the division of _____ in virtue of the property which I possess at _____ (or of the dwelling-house which I occupy at _____, or as the case may be).

Dated _____ day of _____ in the year 18
(Signed) JOHN STILES, of (place of abode).

HOUSE OF ASSEMBLY.

To the Returning Officer of the District of

I hereby give you notice, that I claim to have my name inserted in the electoral list (or electoral roll) in the district of _____

Dated at _____ day of _____ 18
(Signed) JOHN STILES, (place of abode).

E

LISTS OF ELECTORS.

LIST OF ELECTORS FOR THE ELECTORAL DIVISION OF _____

Christian name and surname of each person at full length.	Place of abode.	Nature of Qualification.	Where the property affording the qualification is situated.

Dated at _____ this _____ (Signed) A. B., Deputy Returning Officer.
day of _____

LIST OF ELECTORS FOR THE ELECTORAL DISTRICT OF

Christian name and surname of each person at full length.	Place of abode.	Profession or occupation.

Dated at _____ day of _____ (Signed) A. B., Returning Officer.

F

NOTICE OF OBJECTION.

To the Returning Officer of _____ (and to the person objected to).

I hereby give you notice, that I object to the name of _____ of _____ (name and describe the person objected to as in the electoral list or roll), being retained on the electoral list (or roll) of the electoral district (or division), of _____

Dated this _____

(Signed) JOHN STILES, of (here state the place of abode or property for which he is, or claims to be, included in the electoral list or roll).

G

LIST OF CLAIMANTS.

The following persons claim to have their names inserted in the electoral list (or roll) of the electoral division of _____

Christian name and surname of each claimant.	Place of abode.	Nature of the property or qualification in respect of which he prefers his claim.	Place where the property or qualification is situated.

Dated at _____ this _____ (Signed) A. B., Deputy Returning Officer. day of _____

The following persons claim to have their names inserted in the electoral list (or roll) for the district of _____

Christian name and surname of each person at full length.	Place of abode.	Profession or occupation.

Dated at _____ (Signed) A. B., Returning Officer. day of _____

H

H

LIST OF PERSONS OBJECTED TO.

The following persons have been objected to as not being entitled to have their names retained on the electoral list (or roll) for the electoral division of

Christian name and surname of each person objected to.	Place of abode.	Nature of the property or qualification for which his name is on the electoral list.	Place where the property or qualification is situated.

Dated at _____ this _____ day of _____ (Signed) A. B., Deputy Returning Officer.

The following persons have been objected to as not entitled to have their names retained on the electoral list (or roll) for the electoral district of

Christian name and surname of each person at full length.	Place of abode.	Profession or occupation.

Dated at _____ day of _____ (Signed) A. B., Returning Officer.

SCHEDULE I.

I, A. B., Returning Officer for the District of _____ (or Deputy Returning Officer for the Division of _____), do hereby certify that C. D. of _____ was registered as a voter upon the Electoral Roll for such _____ District (or Division), on the _____ day of _____ [and that the said C.D. had been previously registered as an elector for the Electoral District of _____]

(Signed) A. B.,
Returning Officer, or
Deputy Returning Officer.

K

	£	s.	d.
Travelling, for each day, in addition to a mileage of One Shilling per mile	1	1	0
Holding Court of Revision, for each day (one guinea to be paid to each Magistrate attending such Court) - - - - -	5	5	0
Clerk of Court of Revision, for each day - - - - -	1	1	0
Receiving and entering claims, for each name - - - - -	0	1	0
Making and copying lists, for the first copy, per each folio of seventy-two words - - - - -	0	1	0
For the second, and each succeeding copy, per folio - - - - -	0	0	6
Attending at day of nomination and day of taking votes - - - - -	2	2	0
Deputy-Returning Officer taking votes - - - - -	2	2	0
Voting Clerk - - - - -	1	1	0