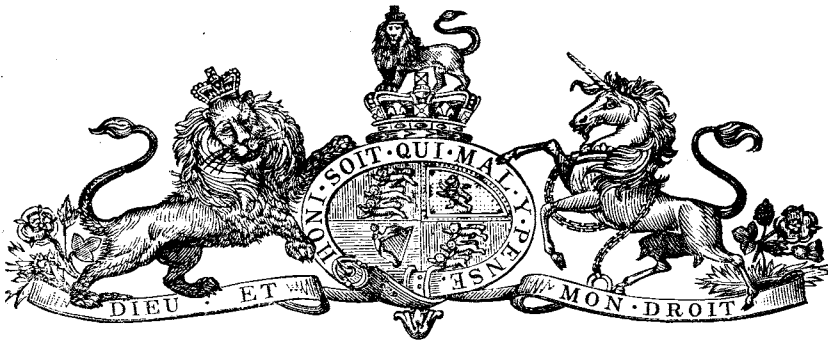


T A S M A N I A



1890.

ANNO QUINQUAGESIMO-QUARTO

VICTORIÆ REGINÆ,

No. 13.

57

Rep. by 60 Viet. No. 49

AN ACT to consolidate and amend the Law A.D. 1890.
relating to the Election of Members of
the Parliament of *Tasmania*.

[1 November, 1890.]

WHEREAS the Law relating to the Election of Members of the PREAMBLE.
Parliament of *Tasmania* requires consolidation and amendment :

Be it therefore enacted by His Excellency the Governor of *Tasmania*,
by and with the advice and consent of the Legislative Council and
House of Assembly, in Parliament assembled, as follows :—

1 This Act may be cited as "The Electoral Act, 1890." Short title.

2—(1.) The Acts mentioned in the Schedule (1.), to the extent Repeal.
to which the same are therein expressed to be repealed, shall be and the Schedule (1.)
same are hereby repealed.

(2.) Such repeal shall not affect anything duly done or suffered
before the commencement of this Act, or any right acquired or
accrued or any incapacity incurred before the commencement of this
Act, and any person subject to any incapacity under any enactment
hereby repealed shall continue subject thereto, and this Act shall
apply to him as if he had become so subject in pursuance of the pro-
visions of this Act.

(3.) Where in any Act any of the enactments hereby repealed are
referred to, this Act shall hereafter be deemed to be referred to.

(4.) All acts, proceedings, matters, and things which at the com-
mencement of this Act shall, under the enactments hereby repealed,

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or any of them, have been begun and be pending, shall and may respectively be continued, carried on, and completed under and in pursuance of the provisions of this Act in the like behalf.

(5.) All appointments of officers and other persons, and of polling-places lawfully made, and in force, and all lists and rolls and copies thereof respectively, and all cancellations, notices, advertisements, impressions of stamps, rules, regulations, declarations, and all other books, papers, writings, and documents whatsoever which at the commencement of this Act shall lawfully have been made, kept, issued, made out, used, signed, certified, transmitted, or otherwise howsoever of virtue under the said enactments or any of them, shall respectively, according to the tenor thereof, be and be deemed to be and to have been of the same force and effect to all intents and purposes as if made, kept, issued, made out, used, signed, certified, transmitted, or otherwise of virtue under the provisions of this Act in the like behalf.

Interpretation.

3 In the interpretation and construction of the provisions of this Act, the following words and terms shall have the respective meanings hereby assigned to them, unless inconsistent with or repugnant to the context ; that is to say,—

“ District.”

“ District ” shall mean Electoral District :

“ Council District.”

“ Council District ” shall mean an Electoral District for the return of a Member or Members to represent such District in the Legislative Council :

“ Assembly District.”

“ Assembly District ” shall mean an Electoral District for the return of a Member or Members to represent such District in the House of Assembly :

“ Roll.”

“ Roll ” shall mean the Electoral Roll of any Electoral District :

“ Candidate.”

“ Candidate ” shall mean any person duly nominated for Election under this Act as a Member for any District :

“ Gazette.”

“ Gazette ” shall mean *The Hobart Gazette* :

“ Alphabetical order.”

“ Alphabetical order ” shall be taken in reference to the initial letter of the Surname :

“ Clerk of the Peace.”

“ Clerk of the Peace ” shall, in respect of the Northern Districts, mean the Clerk of the Peace at *Launceston* ; and, in respect of the Southern Districts, the Clerk of the Peace at *Hobart* :

“ Corrupt practice.”

“ Corrupt practice ” shall mean any of the following offences ; namely,— bribery, treating, undue influence, personation as defined by Part IV. of this Act, and aiding, abetting, counselling, and procuring the commission of the offence of personation :

“ Rules of Court.”

“ Rules of Court ” mean Rules to be made as hereinafter mentioned :

“ Prescribed.”

“ Prescribed ” means prescribed by the Rules of Court.

Words in this Act referring to an officer, office, roll, list, election, district, or place shall be construed distributively as referring to each officer, office, roll, list, election, district, or place to whom or to which the provision is applicable.

Provision as to *Sunday, &c.*

4 Whenever any day provided or approved by or under this Act for any purpose shall in any year happen on a *Sunday, Good Friday, or Christmas Day*, or any day proclaimed by the Governor as set apart for a public fast or thanksgiving, or for a public holiday, then

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such provision or appointment shall take effect as for the day following, not being also one of the aforesaid days; and all further changes of time rendered necessary by any such alteration may also lawfully be made.

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5 This Act shall be divided into Seven Parts, as follows:—

Division of Act.

Part I.—Electoral Districts, Polling-places, and Officers.

Part II.—Preparation and Revision of Electoral Rolls.

Part III.—Mode of Election.

Part IV.—Prevention of Bribery and Corruption at Elections.

Part V.—Trial of controverted Elections.

Part VI.—Election Expenses.

Part VII.—Miscellaneous Matters.

PART I.**ELECTORAL DISTRICTS, POLLING-PLACES, AND OFFICERS.**

6 For the purpose of returning Members to serve in the Legislative Council and House of Assembly respectively, the Colony shall be divided into the Council Districts and Assembly Districts set forth in the Schedule, each of which Electoral Districts shall return the number of Members assigned to and set opposite the name of the District in the Schedule (2.)

Electoral Districts and Members.

Schedule (2.)

7 The said Electoral Districts shall be severally designated by the names specified in the Schedule (2.), and shall respectively consist of and include the places and be comprised within the boundaries which are respectively specified, described, and set forth in the Schedule (3.).

Names and boundaries of Districts.

Schedule (3.)

8 The Polling-places specified in the Schedule (4.) shall be the Polling-places for the several Electoral Districts; but it shall be lawful for the Governor in Council from time to time to alter, increase, or diminish the number of such Polling-places: Provided that every such alteration shall be made, and notification thereof be given in the *Gazette*, in sufficient time to enable the Courts of Revision to assign to each elector his proper Polling-place as hereinafter provided.

Polling-places.
Schedule (4.)

9 The Governor in Council is hereby empowered, save as is hereinafter provided, to appoint a fit and proper person as and to be the Returning Officer of and for each Electoral District; and from time to time to remove any such Returning Officer; and as often as any vacancy by death, removal, or resignation may occur, to appoint some other person to be Returning Officer in the place of the person so dying or being removed or resigning as aforesaid; and the same person may be appointed Returning Officer of any Two or more Districts; and every such appointment shall be notified in the *Gazette*.

Appointment of Returning Officers.

10 The Mayor of *Hobart* for the time being shall be the Returning Officer of and for the Council District of *Hobart* and the Assembly Districts of *North Hobart*, *South Hobart*, and *West Hobart*, and the Mayor of *Launceston* for the time being shall be the Returning Officer of and for the Council District of *Launceston* and the Assembly

Mayors of *Hobart* and *Launceston* Returning Officers for certain Districts.

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Districts of *North Launceston* and *South Launceston*; and in the event of a vacancy in the office of Mayor of *Hobart* or *Launceston*, as the case may be, at the time of any election of a Member of the Legislative Council or House of Assembly for any such District, or in the event of the Mayor being a candidate at any such election, or of his inability from sickness or absence to act at any such election, then the Town Clerk for the time being of *Hobart* or *Launceston* shall, for the purposes of such election, be the Returning Officer of the District of and for which the Mayor in whose place he acts is hereinbefore appointed Returning Officer.

Wardens of certain Municipalities Returning Officers for certain Districts Schedule (5.)

11 For the Council and Assembly Districts set forth in the Schedule (5.) the Wardens of the Rural Municipalities the names of which are set opposite such Districts respectively in the said Schedule shall be the Returning Officers of and for each such Electoral District; and in the event of a vacancy in the office of Warden of any such Rural Municipality at the time of any election of a Member of the Legislative Council or House of Assembly for any such District, or in the event of the Warden being a candidate at any such election, or of his inability from sickness or absence to act at any such election, then the Council Clerk for the time being of such Rural Municipality shall, for the purposes of such election, be the Returning Officer of the District of and for which the Warden in whose place he acts is hereinbefore appointed Returning Officer.

Appointment of Returning Officers where same person Returning Officer for several Districts.

12 In case elections should be appointed to be held on the same day in more Districts than one for which any Mayor or Town Clerk, or any Warden or Council Clerk, is Returning Officer, the Governor in Council may appoint such Returning Officers as may be necessary to preside and otherwise enable the Poll to be taken on the same day in such Districts.

Returning Officer's Declaration. Schedule (6.)

13 Every Returning Officer shall, on acquiring such office and before acting as such Returning Officer, make and subscribe before some Justice of the Peace a Declaration in the form contained in the Schedule (6.)

Resignation of Returning Officer.

14 No person being the Returning Officer of any District shall resign his office as such after the issue of any Writ for the election of a Member to serve in the Parliament of *Tasmania* for such District until such Writ is executed and returned by such Returning Officer, unless the Governor otherwise directs.

Resignation of Returning Officer after issue of Writ.

15 In case the Returning Officer of any District, after the issue of a Writ to him for the election of a Member to serve in the Parliament of *Tasmania* for such District, resigns with the consent of, or is removed by the Governor, then and in every such case it shall be lawful for the Governor to appoint some other fit and proper person to be Returning Officer in the place and stead of the Returning Officer who so resigned or is removed as aforesaid; and such Writ may, so far as the same may not be already executed, be executed and returned by the Returning Officer so to be appointed as aforesaid.

Places of business of and delivery of notices to Returning Officers.

16 Every Returning Officer shall, on or before the First day of *November* in every year, publish in the *Gazette* and in the District, and twice in a newspaper published in *Launceston* and twice in a

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newspaper published in *Hobart*, the situation of his office or place of business; and wherever any Notice is by this Act required to be given or sent to the Returning Officer of any District, it shall be sufficient if such Notice is delivered or left at such published office or other place of business, or is sent by the post addressed to such Returning Officer at such published office or place of business.

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PART II.

THE PREPARATION AND REVISION OF ELECTORAL ROLLS.

Publication of Documents.

17 Where by this Act any document is required or directed to be published in any Electoral District, a copy of such document shall be affixed on or near to the door of every Church, registered Chapel, Post Office and Police Office or place of holding Petty Sessions within such District; and in case there is no Church, registered Chapel, Post Office, Police Office or place of holding Petty Sessions within such District, then such document shall be affixed in such conspicuous places within such District as the Returning Officer thinks proper; and such document shall be kept affixed as aforesaid during the time prescribed in each case.

What shall be deemed publication of documents.

18 In case any document required by this Act to be published in any District is destroyed, mutilated, effaced, or removed before the expiration of the period for which the same is required to be published, the person required to publish such document shall, as soon as conveniently may be, publish in like manner in its place another document to the like purport and effect with the document so destroyed, mutilated, effaced, or removed.

Provision in case published documents are destroyed, &c.

19 Every person who wilfully destroys, mutilates, effaces, or removes any document required by this Act to be published in any District, during the period for which the same is required to be published, shall for every such offence forfeit a penalty not exceeding Ten Pounds.

Penalty for hindering publication.

20 No list or other document shall be invalidated by reason that it has not been affixed in every place and for the full time required by the Act for the publication thereof; but the person charged with the duty of publishing such list or other document who makes default in such publication shall forfeit a penalty not exceeding Ten Pounds.

Documents not invalidated by imperfect publication.

Lists of Electors.

21 On or before the First day of *November* in every year, the Clerk of the Peace at *Hobart* shall cause to be delivered to the Returning Officer of each Council and Assembly District a sufficient number of all Forms required by such Returning Officer for the purposes of this Part of this Act, and a printed copy of the Roll then in force for the District.

Clerk of the Peace to issue Forms, &c. to Returning Officers.

22 On or before the First day of *November* in every year, the Clerk of the Peace at *Hobart* shall cause to be published in the *Gazette*, and in at least One newspaper published in *Hobart* and One newspaper published in *Launceston*, a Notice, according to the form

Clerk of the Peace to publish an annual general Notice requiring Electors to send

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in their claims to
be registered.
Schedule (7.)

in the Schedule (7.), or to the like effect, signed by such Clerk of the Peace, requiring all persons entitled to vote in the Election of Members to represent the several Council and Assembly Districts whose names are not upon the Roll then in force for the District in respect of which they claim to vote, and also all persons entitled as aforesaid who being upon such Roll do not retain the same qualification or continue in the same place of abode as described in such Roll, and also all persons who claim to vote in respect of an income, salary, or wages qualification, if they are desirous to have their names inserted in the Roll about to be made, to deliver or transmit to the Returning Officer of the District in respect of which they claim to vote, on or before the Twenty-fourth day of *November* then next ensuing, Notices in writing signed by such persons of their claim to vote in such District:

Notice to be
published
annually by Re-
turning Officer of
Council Districts.
Schedule (8.)

23 On or before the First day of *November* in every year, the Returning Officer of each Council District shall cause to be published in such District, for the period of Twenty-three days then next ensuing, a Notice according to the form in the Schedule (8.), or to the like effect, signed by such Returning Officer, requiring every person entitled to vote in the Election of a Member or Members to represent such Council District whose name is not upon the Roll then in force for such District, and also every person entitled as aforesaid who, being upon such Roll, does not retain the same qualification or continue in the same place of abode as described in such Roll, to deliver or transmit to such Returning Officer, on or before the Twenty-fourth day of *November* then next ensuing, a Notice in writing, signed by such person, of his claim to vote as aforesaid; and every such person, and any person whose name being upon such Roll may be desirous to make a new claim, shall, on or before the said Twenty-fourth day of *November*, deliver or transmit to the said Returning Officer a Notice signed by him of his claim, according to the form in the said Schedule (8.), or to the like effect.

Notice to be
published
annually by
Returning Officer
of Assembly
Districts.
Schedule (9.)

24 On or before the First day of *November* in every year, the Returning Officer of each Assembly District shall cause to be published in such District for a period of Twenty-three days then next ensuing, a Notice according to the form in the Schedule (9), or to the like effect, signed by such Returning Officer, requiring every person entitled to vote in the Election of a Member or Members to represent such Assembly District whose name is not upon the Valuation or Assessment Roll then in force for the District, and who claims to be entitled to vote in respect of an income, salary, or wages qualification, to deliver or transmit to such Returning Officer, on or before the Twenty-fourth day of *November* then next ensuing, a Notice in writing of his claim to vote as aforesaid according to the form in Schedule (9.), or to the like effect, signed by such person in the presence of a witness.

Notice of claims
in respect of
income, &c. to be
given in every
year.

25 Every person claiming to be entitled to vote in the Election of a Member or Members to represent an Assembly District in respect of an income, salary, or wages qualification shall in every year deliver or transmit, on or before the 24th day of *November* in any such year, the Notice of Claim to vote as mentioned in the last preceding Section; and the Returning Officer is hereby expressly required to add the words "Objected to" before the name of every person on the copy of the Roll then in force for the District in respect of an income, salary,

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or wages qualification who shall not, on or before the 24th day of *November* preceding, have delivered or transmitted to such Returning Officer such Notice of Claim to vote.

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26 If any person wilfully makes a false Notice of Claim under this Act he shall be liable to a penalty not exceeding Fifty Pounds, to be recovered in a summary way before any Two Justices of the Peace in the mode prescribed by *The Magistrates Summary Procedure Act*.

Penalty for giving false Certificate.

19 Vict. No. 8.

27 Notices of claims to vote, required to be delivered or transmitted to the Returning Officers under Section Twenty-three, may be signed by any Two Electors whose names are on the Copy Roll for the District, stating on such Notices their place of abode and qualification as described on such Copy Roll.

Notices of claims may be signed by any Two Electors.

28 The Returning Officer of each Electoral District shall, on or before the Fourteenth day of *December* in every year, make out a List of all persons whose names appear upon any Valuation or Assessment Roll in force on the Twenty-fourth day of *November* then last past, as being the Owners or Occupiers of property of such description and value within such Electoral District as to entitle such persons to vote in respect of such Electoral District but whose names do not appear on the Electoral Roll in force for the District; and such List shall be deemed to form, and shall in all respects be dealt with, as part of the List of Claimants to vote under this Act.

Returning Officer to make out List of Claimants from Valuation and Assessment Rolls.

29 The Returning Officer of each District shall, on or before the Fourteenth day of *December* in every year, make out, according to the form in the Schedule (10.), an alphabetical List of all persons who on or before the Twenty-fourth day of *November* then next preceding have claimed as aforesaid; and in every such List the surname and Christian name of every Claimant, with the place of his abode, the nature of his qualification, with the local or other description of the property, and the name of the occupying tenant thereof, shall be written as the same are stated in the claim; and the said Returning Officer is hereby expressly required, if he has reasonable cause to believe that any person whose name appears in such List of Claimants, or in the copy of the Roll then in force for the District received by him from the Clerk of the Peace, is not entitled to have his name upon the Roll then next to be made, to add the words "objected to" before the name of every such person on the margin of such List of Claimants or of the said Copy Roll; and the said Returning Officer is also hereby expressly required to add the word "dead" before the name of any person in the said Copy Roll whom he has reasonable cause to believe to be dead.

Returning Officers to prepare Lists of Claimants; Schedule (10.)

to object to persons not entitled;

to add the word "dead."

30 The Returning Officer shall cause a sufficient number of copies of such List of Claimants, and of the said Copy Roll, with all such marginal additions as aforesaid, to be printed or written, and shall, on or before the Fifteenth day of *December* in every year, sign such copies of such List of Claimants and of the said Copy Roll, and publish the same in the District until the First day of *January* then next ensuing; and the said Returning Officer shall likewise keep a copy of such List of Claimants, and of the said Copy Roll, with the marginal additions respectively as aforesaid, signed by him, to be perused by any person, without payment of any fee, at all reasonable hours, and shall deliver

Returning Officer to publish List of Claimants and copy of existing Roll with the marginal additions;

to keep copies of same for inspection and sale.

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printed or written copies thereof, signed by him, to all persons applying for the same, on payment of One Shilling for each copy.

Returning Officer to object to persons not appearing by Valuation Roll to be entitled.

31 Whenever the name of any person appears in the List of Claimants, or in the copy of the Electoral Roll in force for any Electoral District as claiming or being entitled to vote by virtue of being the Owner or Occupier of any property within such District, then the Returning Officer of such District shall, at the proper time, write the words "Objected to" opposite the name of every such person, unless he appears by the Valuation or Assessment Rolls in force within such District to be the Owner or Occupier, as the case may be, of property of sufficient value within the District to entitle him to have his name inserted or continued in such Electoral Roll.

Returning Officers may inspect, &c. Valuation and Assessment Rolls.

32 The Returning Officer of each Electoral District may, for the purposes of the last preceding Section, at all reasonable times, inspect and make copies and extracts of and from all the Valuation and Assessment Rolls in force within such Electoral District, without payment of any fee for so doing, anything contained in *The Property Valuation Act* to the contrary notwithstanding.

List of Electors.

33 The List of Claimants, if any, so to be made out by the Returning Officer of each District, together with the said Copy Roll received from the Clerk of the Peace, with the marginal additions respectively as aforesaid, shall be deemed to be the List of Electors for such District for the purposes hereinafter mentioned.

Provides for default in making out List of Electors.

34 In case no List of Electors is made out for any District in any year, or in case such List has not been published as required by this Act, the Roll then in force for that District shall be taken to be the List of Electors for that District for the year then next ensuing, and the provisions herein contained respecting any such List of Electors shall be taken to apply to such Roll as aforesaid.

Persons on existing Roll may object to persons named on List.

35 In every year every person whose name is upon the Roll for the time being in force for any District may object to any other person whose name is upon the List of Electors for such District as not having been entitled on the Fourteenth day of *December* then next preceding to have his name inserted in such List of Electors for such District; and every person so objecting, save and except Returning Officers objecting in the manner hereinbefore mentioned, shall, on or before the First day of *January* in every year, give or cause to be given to the Returning Officer of the District to which the List of Electors containing the name of the person so objected to relates, a Notice according to the form in the Schedule (11.), or to the like effect; and the person so objecting shall also, on or before the said First day of *January*, give or cause to be given to the person so objected to, or leave or cause to be left at his place of abode, as described in such List, a Notice according to the form in the Schedule (12.), or to the like effect; and every such Notice of Objection shall be signed by the party so objecting as aforesaid; and whenever the place of abode of the person objected to, as described in the said List, is not in the District to which such List relates, and the name of the occupying tenant of the whole or any part of the qualifying property, together with his place of abode, appears in such

Notice of objection to be given to Returning Officer;

Schedule (11.) and to person objected to.

Schedule (12.)

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List, the person so objecting shall also, on or before the same day, give to or leave, or cause to be given or left, at the place of abode of any such occupying tenant a duplicate Notice signed as aforesaid.

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36 The said Returning Officer shall in every year include the names of all persons against whom Notice of Objection has been given to him as aforesaid in that year in a List, according to the form in the Schedule (13.); and shall cause a sufficient number of copies of such List to be printed; and shall on or before the Fifth day of *January* in such year sign such copies of such List, and publish the same in the District until the holding of the Court of Revision hereinafter mentioned; and the said Returning Officer shall likewise keep a copy of such List, signed by him, to be perused by any person, without payment of any fee, at all reasonable hours, and shall deliver a copy of such List to any person requiring the same on payment of One Shilling for each copy.

Returning Officers to publish Lists of persons objected to. Schedule (13.)

37 Any person whose name is on the List of Electors for any District may, on or before the First day of *January* in every year, notify to the Returning Officer the name of the Polling-place in such District at which such person desires to vote, and the Returning Officer shall, before delivering such List of Electors to the Court of Revision as hereinafter mentioned, write opposite to the name of such person on such List of Electors the name of such Polling-place.

Any person may notify Polling-place at which to vote.

Delivery of Notices.

38 It shall be sufficient, in every case of Notice to any person objected to in any List of Electors, or to the occupying tenant whose name and place of abode appears in any such List of Electors as aforesaid, if the Notice so required to be given as aforesaid is sent by the post, directed to the person to whom the same is sent at his place of abode as described in the said List; and whenever any person is desirous of sending any such Notice of Objection by the post, he shall deliver the same, duly directed, open and in duplicate, to the Postmaster of any Post Office, who shall compare the said Notice and the duplicate, and, on being satisfied that they are alike in their address and in their contents, shall forward one of them to its address by the post, and shall date, sign, and return the other to the party bringing the same; and the production by the party who posted such Notice of such signed duplicate shall be evidence of the Notice having been given to the person at the place mentioned in such duplicate on the day on which such Notice would in the ordinary course of post have been delivered at such place; and if no place of abode of the person objected to is described in the said List, or if such place of abode is situate out of this Colony, then it shall be sufficient if Notice is given to the Returning Officer, and to such occupying tenant as aforesaid, if any.

Notices of objection may be sent by post.

39 Every Returning Officer shall publish in the *Gazette* and in the District the situation of his office or place of business; and wherever any Notice is by this Act required to be given or sent to the Returning Officer of any District, it shall be sufficient if such Notice is delivered or left at such published office or other place of business, or is sent by the post, addressed to such Returning Officer at such published office or place of business.

Places of business of, and delivery of Notices to, Returning Officers.

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Courts of Revision.

Places for holding
Courts of Re-
vision.
Schedule (14.)

40 The places opposite the respective Districts mentioned in the Schedule (14.) shall be the places within such Districts at which Courts of Revision shall be held under this Act for the purpose of revising the List of Electors for such respective Districts, provided that the Governor in Council may from time to time alter such places and appoint new places: Provided also, that one Court of Revision only shall be held for the Districts of *North Hobart*, *South Hobart*, and *West Hobart*, and one Court of Revision only for the Districts of *North Launceston* and *South Launceston*.

Justices to hold
Courts of
Revision.

41 On such day as the Returning Officer shall appoint, between the Twenty-second day of *January* and the Twenty-second day of *February* in every year, a Court of Revision shall be held at the places aforesaid by the Justices of the Peace resident within each District assembled in Special Sessions, for the purpose of revising the List of Electors for such District entitled to vote in the election of a Member or Members to represent such District in the Legislative Council or House of Assembly, as the case may be; and every such Court shall have power to adjourn from time to time, but so that no such adjourned Court shall be holden after the Tenth day of *March* in any year.

Returning
Officers to publish
time and place of
holding Courts of
Revision.

42 The Returning Officer shall, at least Seven days before the holding of the Court of Revision, publish in the District, and in the *Gazette*, and in at least one newspaper published in *Hobart* and one newspaper published in *Launceston*, notice of the time and place at which such Court of Revision will be held.

Chairman of
Court.

43 The Justices of the Peace who are present at the time and place appointed for the sitting or adjourned sitting of any Court of Revision hall, by a majority of votes, nominate one of their number to be Chairman of such Court of Revision during such sitting, or adjourned sitting, as the case may be; and if there is an equality of votes in the election of Chairman, it shall be decided by lot which of the Justices, having an equal number of votes, shall be Chairman.

Returning
Officers to attend
Courts of Re-
vision and produce
Lists of Electors,
&c. and answer
questions.

44 The Returning Officer shall attend every sitting of the Court of Revision, and shall, at the first opening of the Court, produce and deliver to the said Court the List of Electors for the District for the then current year, with the marginal additions as aforesaid, and List of persons objected to in the said year relating to the District, and also one or more printed copies of the Roll then in force for the District, and the original Notices of Claims and Notices of Objection given to him as aforesaid, and a Certificate under his hand that such List of Electors contains the names of all persons upon any Valuation or Assessment Roll who are entitled to vote for the District for the then current year; and the said Returning Officer shall, if required, answer upon oath all such questions as the Court may put to him, and produce all documents, papers, and writings in his possession, custody, or power touching any matter herein mentioned.

General powers
of Courts of
Revision.

45 Every Court of Revision shall have power to require the attendance of all such witnesses, and the production of all such documents, as appear to the Court to be material or necessary touching the matters in

Electoral.

question before the Court, and shall have all the same powers, authorities, and jurisdiction in summoning and compelling the attendance of witnesses, the production of documents, the administering of oaths, the examination of witnesses, and committing for contempt, as are now possessed by any Court of General Sessions of the Peace; and, for the purposes of this Act, the Returning Officer shall have the powers and authority of a Clerk of the Peace with respect to the process of such Court of Revision.

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46 It shall be lawful for any Court of Revision, by order in writing under the hand of the Chairman of the Court, to require any person who disobeys any lawful summons, order, or direction of such Court, or who misconducts himself, or is guilty of any improper behaviour in such Court, to pay a fine not exceeding Fifty Pounds.

Courts of Revision may fine person disobeying summons or misconducting himself.

47 If any person who has given to the Returning Officer of any District due notice of his claim to have his name inserted in the List of Electors for such District has been omitted by such Returning Officer from such List, it shall be lawful for the Court, upon the revision of such List, to insert therein the name of the person so omitted, in case it is proved to the satisfaction of such Court that such person gave due notice of such his claim to the said Returning Officer, and that he was entitled on the Fourteenth day of *December* then next preceding to be inserted in the said List of Electors.

Court may insert in List Names of Claimants omitted upon proof of Notice and Qualification.

48 It shall be lawful for any person whose name is on the List of Electors for any District to oppose the claim of any person so omitted as aforesaid to have his name inserted in such List; and such person intending to oppose any such claim shall, in the Court to be holden as aforesaid for the revision of such List, and before the hearing of the said claim, give notice in writing to the Court of his intention to oppose the said claim, and shall thereupon be admitted to oppose the same, by evidence or otherwise, without any previous or other notice, and shall have the same rights, powers, and liabilities as to costs, appeal, and other matters relating to the hearing and determination of the said claim, as any person who has duly objected to the name of any other person being retained on such List of Electors, and who appears and proves the requisite Notices as hereinafter mentioned.

Persons on Lists of Electors may object to Claimant.

49 The Court of Revision shall correct any mistake which is proved to have been made in the List of Electors, and shall expunge the name of every person whose qualification, as stated in the List, is insufficient in law to entitle such person to vote, and also the name of every person who is proved to be dead; and wherever the Christian name, or the place of abode, or the nature of the qualification, or the local or other description of the property of any person who is included in the List, and the name of the occupying tenant thereof, is wholly omitted in any case where the same is by this Act directed to be specified therein, or if any person whose name is included in the List, or his place of abode, or the nature or description of his qualification is, in the judgment of the Court, insufficiently described for the purpose of being identified, the Court shall expunge the name of every such person from such List, unless the matter or matters so omitted or insufficiently described be supplied to the satisfaction of the Court before the revision of the List is completed, in which case the Court shall then and there insert the

Corrections which may be made by Courts in the Lists of Electors.

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Qualification
stated in List not
to be changed.

same in such List ; and whether any person is objected to or not, no evidence shall be given of any other qualification than that which is described in the List of Electors or claim, as the case may be, nor shall the Court be at liberty to change the description of the qualification as it appears in the List, except for the purpose of more clearly and accurately defining the same.

Mode of proceed-
ing in cases of
objection.

50 Where the name of any person inserted in any List of Electors has been objected to by the Returning Officer, or by any other person, and such other person so objecting appears by himself, or by some one on his behalf, in support of such objection, and proves that he gave the Notice or Notices respectively required by this Act to be given by him, the Court shall then require it to be proved that the person so objected to was entitled on the Fourteenth day of *December* then next preceding to have his name inserted in the List of Electors in respect of the qualification described in the List ; and in case the same is not proved to the satisfaction of the Court, or in case it is proved that such person was then incapacitated by any Law from voting in the Election of a Member or Members to represent such District, the Court shall expunge the name of every such person from the List ; and where any person whose name appears on the List of Electors for any District is objected to on the ground of having changed his place of abode without having sent in a fresh Notice of Claim, it shall be lawful for the Court on revising such List to retain the name of such person on the List of Electors, provided that such person, or some one in his behalf, proves that he possessed on the Fourteenth day of *December* the same qualification in respect of which his name has been inserted in the List, and also supplies his true place of abode, which the Court shall insert in the List.

Provides for cer-
tain cases of
change of abode.

Courts to decide
validity of claims
and objections.

51 Every such Court shall, upon the hearing in open Court, finally determine upon the validity of the claims and objections ; and the Chairman shall in open Court write his initials against the names respectively expunged or inserted, and against any part of the List in which any mistake has been corrected, or any omission supplied, or any insertion made, and shall sign his name to every page of the List so settled.

Courts of Re-
vision to assign
Polling-place to
each Elector, and
to make out
Polling Lists.

52 The Court of Revision shall, if there are more Polling-places than One for the District, write opposite to the name of each Elector entitled to be upon the Roll the Polling-place at which such Elector shall vote ; and such Elector shall not be entitled to vote at any other Polling-place than that which is so assigned to him by the Court of Revision ; and the said Court shall cause to be made out for such District a List, to be called the Polling List of such District, in which List the names of the Electors of the District assigned to each Polling-place shall be arranged under the head of each Polling-place in alphabetical order ; and such List shall, for the purposes of identification, specify the places of abode of the Electors, and in the case of property situate in a City or Town the number of the house, if any ; and the Chairman of the Court shall sign his name to every page of such List, and shall transmit such List to the Clerk of the Peace with the List of Electors as hereinafter provided : Provided always that the Court of Revision shall in every case assign to any Elector the Polling-place at which such Elector shall have notified his desire to vote.

Electoral.

53 If in any year the Polling List of any District is omitted to be regularly made out, or is not perfected, then the Polling List for the preceding year shall, so far as the same can be applied, be the Polling List of such District for that year; and if the name of any person included in the Electoral Roll for the current year is omitted from such Polling List, then the Returning Officer shall determine where such person shall vote, and such person shall vote at that place and no other, anything in the said Act to the contrary notwithstanding.

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If Polling List omitted to be made out, preceding Polling List continued.

54 If in any case it appears to the Court of Revision that any person has under this Act made or attempted to sustain any groundless or frivolous and vexatious claim or objection or title to have any name inserted or retained in any List of Electors, it shall be lawful for the Court, in its discretion, to make such Order as it thinks fit for the payment by such person of the costs, or any part of the costs, of any person in resisting such claim or objection or title; and in every such case the Chairman of the said Court shall make an Order in writing, specifying the sum which the Court orders to be paid for such costs, and by, and to whom, and when, and where, the same sum shall be paid, and shall date and sign the said Order, and deliver it to the person to whom such sum is therein ordered to be paid: Provided always, that the said sum so ordered to be paid by way of costs shall not in any case exceed the sum of Ten Pounds.

Courts of Revision may give costs in certain cases to persons claiming or objecting.

55 Any such Order for the payment of costs as aforesaid may be made in any case notwithstanding any party gives notice of his intention to appeal against any decision of the Court in the same case as hereinafter provided; but in case of such appeal the said Order for the payment of costs shall be suspended, and shall abide the event of such appeal, unless the Court of Appeal otherwise directs: Provided that whenever any Court of Revision has made any such Order for the payment of any sum of money for costs by any person who has made any objection as aforesaid, it shall not be lawful for the said Court to hear or admit proof of any other objection or notice of objection made or signed by the same person until the sum of money so ordered to be paid by him for costs is paid to the person entitled to receive the same, or deposited in the hands of the Chairman in Court for the use of the person so entitled.

Order for costs may be made notwithstanding notice of appeal.

56 In case any sum of money, by the Order of any Court of Revision as aforesaid directed to be paid by any person by way of fine or for costs, is not paid according to the terms of such Order, such sum shall be recoverable in a summary way before any One or more Justice or Justices of the Peace in the mode prescribed by *The Magistrates Summary Procedure Act*.

Recovery of fines and costs.

19 Vict. No. 8.

Electoral Rolls.

57 The List of Electors for each District, signed as aforesaid, shall be forthwith transmitted by the Chairman of the Court of Revision to the Clerk of the Peace at *Hobart* if the District is one of the Southern Districts, and to the Clerk of the Peace at *Launceston* if the District is one of the Northern Districts; and the said Clerks of the Peace at *Hobart* and *Launceston* respectively shall forthwith cause each such List of Electors transmitted to him as aforesaid to be copied and printed

List of Electors to be transmitted to Clerk of the Peace and to be by him copied into a book.

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Schedule (15).

Clerk of the Peace to sign book and deliver it to Returning Officer of District to which it relates.

in a Book in the form in the Schedule (15.), with the names arranged in alphabetical order; and the Clerk of the Peace shall sign and deliver the said Book on or before the Tenth day of *April* in the then current year, to the Returning Officer of the District to which the same relates to be by him and his successors in the office of Returning Officer safely kept for the purposes hereinafter mentioned; and shall keep and preserve all original Lists so transmitted to him as aforesaid amongst the Records of his Office.

Book to be the Electoral Roll of the District.

58 The said printed Book, so signed as aforesaid by the Clerk of the Peace, and given into the custody of the Returning Officer of the District, shall be the Electoral Roll of such District; and the persons whose names are inserted therein shall be the persons entitled to vote at any Election of a Member or Members of the Legislative Council or House of Assembly, as the case may be, which takes place for such District between the Tenth day of *April* in the year wherein such Roll has been made and the Eleventh day of *April* in the succeeding year.

If Roll omitted to be made out preceding Roll continued.

59 If in any year the Roll of any District is omitted to be regularly made out, or is not perfected, then the Roll for the preceding year shall be the Roll of such District for that year.

Copies of Rolls and Polling Lists.

Copies of Rolls and Polling Lists to be printed for sale, &c.

60 The Clerk of the Peace shall cause the Polling Lists to be printed, and shall keep printed copies of the Electoral Roll and Polling List of each District, and shall supply the Returning Officer of each District with a sufficient number of copies of the Roll and Polling List of his District, and shall deliver copies of any such Roll or Polling List to any person applying for the same on payment of Two Shillings for each copy of the Roll, and One Shilling for each copy of the Polling List; and the Clerk of the Peace shall sign one printed copy of each of the Rolls and Polling Lists, and preserve the same as a Record of his Office.

Indemnity for delay.

61 The Clerks of the Peace at *Hobart* and *Launceston* are hereby freed and discharged from all suits and proceedings whatsoever, to which they or either of them might otherwise be liable by reason of any such delay as aforesaid in copying and printing any such List of Electors for any Electoral District in a Book, and signing and delivering such Book to the Returning Officer of such District on or before the Tenth day of *April*, One thousand eight hundred and ninety-one, or in any subsequent year, unless such delay in any case arises from the neglect or default of the said Clerks of the Peace respectively.

Electoral Rolls not invalidated by delay in printing same.

62 The Electoral Roll, or document purporting to be the Electoral Roll, of any Electoral District for the year commencing the Eleventh day of *April*, One thousand eight hundred and ninety-one, or for any subsequent year, shall not be deemed to be, or be, in any manner invalidated or be questioned by reason solely that the List of Electors for such District was not copied and printed in a Book, and such Book signed and delivered to the Returning Officer of such District on or before the Tenth day of *April* as required by this Act, anything in this Act to the contrary notwithstanding.

*Electoral.**Appeals from Courts of Revision.*

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63 It shall be lawful for any person who, under the provisions hereinbefore contained, has made any claim to have his name inserted in any List of Electors, or made any objection to any other person as not entitled to have his name inserted in any List of Electors, or whose name has been expunged from any List of Electors, and who in any such case is aggrieved by or dissatisfied with any decision of the Court of Revision on any point of law material to the result of such case, either himself or by some person on his behalf, to give to the Court before its rising, on the same day on which the decision is pronounced, a notice in writing that he is desirous to appeal, and in such notice shall shortly state the decision against which he desires to appeal; and the Chairman of the Court shall thereupon state in writing the facts which according to the judgment of the Court have been established by the evidence in the case, and which are material to the matter in question, and shall also state in writing the decision of the Court upon the whole case, and also the decision upon the point of law in question appealed against; and the Chairman shall read the said statement to the Appellant in open Court, and shall then and there sign the same.

Appeal from decisions of Courts of Revision on points of law.

Chairman to prepare a statement of facts.

64 The Appellant, or some one on his behalf, shall at the end of such statement as aforesaid make a declaration in writing under his hand to the following effect; that is to say, "I appeal from this decision;" and the Chairman shall then endorse upon every such statement the name of the District to which the same relates, and also the Christian name and surname and place of abode of the Appellant and of the Respondent in the matter of the said appeal, and shall sign and date such endorsement; and the Chairman shall deliver such statement, with such endorsement thereon, to the Appellant, to be by him transmitted to the Registrar of the Supreme Court in the manner hereinafter mentioned; and the Chairman shall also deliver a copy of such statement, with the said endorsement thereon, to the Respondent in such appeal who requires the same.

Appellant to make a declaration in writing.

Chairman to endorse on statement names of parties, &c.;

and deliver a copy to either party requiring it.

65 In the matter of every such appeal the party in whose favour the decision appealed against was given shall be the Respondent; but if there is no such party, or if such party or some one on his behalf in open Court declines, and states in writing that he declines, to support the decision appealed against as Respondent, then and in every such case it shall be lawful for the Court to name any person who may be interested in the matter of the said appeal and who consents, or the Returning Officer, to be, and such person so consenting, or such Returning Officer so named, shall be deemed to be, the Respondent in such appeal.

Who shall be Respondent on appeal.

66 If it appears to the Court of Revision that the validity of any number of such claims or objections determined by the Court depends, and has been decided by the Court upon the same point of law, and the parties or any of them aggrieved by or dissatisfied with the decision thereon have given notice of an intention to appeal therefrom, it shall in such case be lawful for the Court to declare that the appeals against such decision ought to be consolidated; and the Chairman shall in such case state in writing the case, and the decision thereon, in manner

Power to consolidate appeals.

Statement of facts.

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Appellant and Respondent to be named.

hereinbefore mentioned, and that several appeals depend upon the same decision and ought to be consolidated, and shall read such statement and sign the same as hereinbefore mentioned; and thereupon it shall be lawful for the Court to name any person interested, and consenting, for and on behalf of himself and all other persons in like manner interested in such appeals, to be the Appellant or Respondent respectively in such consolidated appeal, and to prosecute or answer the said appeal in like manner as any Appellant or Respondent might in his own case under the provisions of this Act.

Appellant's declaration.

67 The person so named Appellant in such consolidated appeal as aforesaid, or some one on his behalf, shall, at the end of the said statement, make and sign a declaration in the form or to the effect following; that is to say—

“I, for myself and on behalf of all other the persons who are interested as Appellants in this matter, and whose names are hereunder written, do appeal against this decision, and agree to prosecute this Appeal:”

Respondent's declaration.

And the person so named Respondent in such consolidated appeal, or some one on his behalf, shall in like manner make and sign a declaration in writing in the form or to the effect following; that is to say—

“I, for myself and on behalf of all other the persons who are interested as Respondents in this matter, and whose names are hereunder written, do agree to appear and answer this Appeal.”

Returning Officer may be named as Respondent.

And the name and, where necessary, the particulars of the qualification of every party intended to be joined in such consolidated appeal, shall be written under the aforesaid declaration of the Appellant or Respondent respectively to which they may respectively refer: Provided always that it shall be lawful for the Court, if necessary, in any case to name the Returning Officer to be, and such Returning Officer so named shall be, the Respondent in such consolidated appeal without any such declaration being made or signed by him as hereinbefore mentioned.

Consolidated appeals to be conducted as any single appeal.

68 In and with regard to every such consolidated appeal the like proceeding shall be had and taken, and the like rules and regulations shall apply, as in the case of any separate appeal under this Act; and every Order, Judgment, or Decision of the Supreme Court shall be equally valid and effectual for all the purposes of this Act, and binding and conclusive upon all the parties named in or referred to as parties to such consolidated appeal as aforesaid; and if in any case all or any of the parties to such consolidated appeal make or enter into any agreement as to the mode of contributing among themselves to the costs and expenses of such appeal, the said agreement may, upon the application of any party thereto, be made a Rule of the Supreme Court if the said Court thinks fit.

Agreement for contribution to costs may be made Rule of Court.

Conduct of appeal not duly prosecuted may be given to other persons.

69 If any such consolidated appeal is not duly prosecuted or answered, it shall be lawful for the Supreme Court, or for any Judge thereof, to give to any party interested in such appeal upon his application the conduct and direction of such appeal, or of the answer thereto, respectively as the case may require, instead of or in addition to any person named as aforesaid as Appellant or Respondent, and in such manner and upon such terms as the said Court or Judge

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may direct, or to make such other order in the case as may seem meet: Provided also, that if, after the said Court of Revision has as aforesaid declared that the appeal in any case ought to be with others consolidated, any party interested in such appeal objects or refuses to be a party to or to be bound by any such consolidated appeal, then and in such case the appeal in which such person is interested may proceed separately, but such person so objecting or refusing shall be liable to pay costs to the other party, but shall not be entitled to receive any costs of or in such appeal unless the Supreme Court otherwise orders.

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—
If person interested refuses to be a party, &c.

70 All appeals or matters of appeal from or in respect of any decision of any Court of Revision entertained in manner hereinbefore mentioned shall be prosecuted, heard, and determined in and by the Supreme Court of *Tasmania* according to the ordinary Rules and Practice of the said Court with respect to special cases, so far as the same may be applicable, and not inconsistent with the provisions of this Act, or in such manner and form, and subject to such Rules and Regulations, as the said Court from time to time, by any Rule or Order made for regulating the practice and proceedings in such appeals, orders and directs.

Appeals to be heard by the Supreme Court.

71 Every Appellant who intends to prosecute his appeal shall, within the first Four days of the Term next after the decision to which such appeal relates, transmit to the Registrar of the Supreme Court the statement in writing so signed by the Chairman of the Court of Revision as aforesaid, and shall also therewith give or send a notice, signed by him, stating therein his intention to prosecute the said appeal; and the said Appellant shall also give or send a notice signed by him to the Respondent in the said appeal stating his said intention duly to prosecute such appeal in the said Court; and the Registrar shall forthwith enter every appeal of which he has received due notice from the Appellant as aforesaid in a book to be kept by him for that purpose.

Notice of appeal to be given by Appellant to Registrar of Supreme Court and Respondent.

Appeals to be entered in a book.

72 The Judges of the Supreme Court shall make arrangements for hearing the appeals entered as aforesaid, and shall appoint such certain day or days either in Term time or in time of Vacation as they may think fit and necessary, but as early as conveniently may be, for the purpose of hearing and deciding such appeals; and the said Judges shall cause public notice to be given of the time and place appointed by them for that purpose, and of the order in which such appeals will be heard.

Court to give notice of time and place of hearing appeals.

73 No appeal or matter of appeal whatsoever shall in any case, except where the conduct and direction of the appeal, or of the answer thereto, has been given by order of the Supreme Court, or of a Judge thereof, to any person, be entertained or heard by the said Court unless notice has been given by the Appellant to the Registrar at the time and in the manner hereinbefore mentioned; and no appeal shall be heard by the said Court in any case where the said Respondent does not appear, unless the said Appellant proves that due notice of his intention to prosecute such appeal was given or sent to the said Respondent Ten days at least before the day appointed for the hearing of such appeal: Provided always, that if it appears to the said Court that there has not been reasonable time to give or send such notice in

No appeal to be entertained unless notice given.

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any case, it shall be lawful for the said Court to postpone the hearing of the appeal in such case as to the Court seems meet.

No appeal on questions of fact or admissibility of evidence.

Court may remit case to be more fully stated.

74 No appeal or notice of appeal under this Act shall be received or allowed against any decision of the Court of Revision upon any question of fact only, or upon the admissibility or effect of any evidence or admission adduced or made in any case to establish any matter of fact only: Provided always, that if the Supreme Court is of opinion in any case that the statement of the matter of the appeal is not sufficient to enable such Court to give judgment in law, it shall be lawful for the said Court to remit the said statement to the Chairman of the Court of Revision by whom it was signed, in order that the case may be more fully stated.

No appeal against order for payment of costs.

75 No appeal shall be allowed or entertained against or only in respect of any order by a Court of Revision for the payment of costs as hereinbefore provided.

Decisions of Supreme Court to be final.

76 Every judgment or decision of the Supreme Court shall be final and conclusive in the case upon the point of law adjudicated upon, and shall be binding at the trial of any Election Petition as hereinafter provided.

Decision of Supreme Court to be notified to Returning Officer, and Electoral Roll altered conformably.

77 Whenever by any Judgment or Order of the Supreme Court any Decision or Order of any Court of Revision is reversed or altered so as to require any alteration or correction of the Electoral Roll of any District, notice of such Judgment or Order of the said Court shall be forthwith given by the said Court to the Returning Officer having the custody of such Roll; and the said notice shall be in writing under the hand of the Registrar of the said Court, and shall specify exactly every alteration or correction to be made, in pursuance of the said Judgment or Order, in the said Roll; and such Returning Officer shall, upon the receipt of the said notice, alter or correct the said Roll, and the Polling List for such District, accordingly, and shall sign his name against every such alteration or correction in the said Roll and Polling List, and shall forthwith send a copy of such notice and of such alteration in the Roll and Polling List to the Clerk of the Peace, and shall safely keep and hand over to his successor every such notice received by him from the Supreme Court as aforesaid, together with the said Roll and Polling List.

Copies of decisions on appeals to be admissible in evidence.

78 A copy of any Order or Decision of the said Supreme Court, such copy purporting to be signed by the Registrar of the said Court, shall be sufficient evidence in all cases, without proof of the signature of the said Registrar, and shall have the like force and effect as any entry made in any List of Electors or Electoral Roll under this Act.

Pending appeal not to affect right of voting.

79 No right of voting at any Election of a Member or Members shall be affected by any appeal pending in the Supreme Court at the time of the issuing of the Writ for such Election, but it shall be lawful for every person to exercise the right of voting at such Election as effectually, and every vote tendered thereat shall be as good, as if no such appeal were pending; and the subsequent decision of any appeal which is pending in the said Court at the time of the issuing of the Writ for any such Election shall not in any way whatsoever alter or affect the Poll taken at such Election, nor the return made thereat by the Returning Officer.

Decision after Election not to affect result of Election.

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80 It shall be lawful for the Supreme Court to make such Order respecting the payment of the costs of any appeal, or of any part of such costs, as the Court thinks fit: Provided always, that it shall not be lawful for the said Court in any case to make any Order for costs against or in favour of any Respondent, or person named as Respondent as aforesaid, unless he appears before the said Court in support of the decision of the Court of Revision in question.

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Court of Appeal may give costs.

PART III.**MODE OF ELECTION.**

81 When the House of Assembly of the Parliament of *Tasmania* shall cease to continue, or shall be dissolved by the Governor, the Poll for the Assembly Districts shall, as to all the said Districts in respect of which the Election is contested, be taken on the same day.

When Assembly dissolved, Poll for all contested districts to be taken on the same day.

82 When and so often as the House of Assembly of *Tasmania* shall cease to continue, or shall be dissolved by the Governor, the Writs for the Election of the Members of the House of Assembly shall be issued with as much expedition as the same can be done; and every Writ issued as aforesaid shall be forthwith forwarded by the Chief Secretary to the Returning Officer of the District in respect of which such Writ is issued, and such Writ shall be made returnable to the Governor within the period of Fifty days after the House of Assembly ceased to continue or was dissolved, anything contained in any Act to the contrary notwithstanding.

When House of Assembly dissolved, new Writs to be returnable within 50 days.

83 Not more than Ninety days shall elapse between the dissolution of the House of Assembly and the next meeting of the Parliament of *Tasmania*.

Period between dissolution and meeting of Parliament.

84 The Writ for the Election of any Member to serve in the Parliament of *Tasmania* for any District shall be issued by the Governor, directed to the Returning Officer of such District, and shall be returnable within Thirty days from the date thereof.

Governor to issue Writs for Elections.

Every such Writ shall specify the following particulars:—

- (1.) The period within which Candidates may be nominated for election at such Election.
- (2.) Some Polling-place to be the principal Polling-place for the purposes of such Election.
- (3.) The day for taking the Poll at the different Polling-places in the event of the Election being contested.
- (4.) The day on which the Writ is made returnable by the Governor. Provided that in the case of any vacancy arising in the Legislative Council or the House of Assembly, the Writ shall be issued within Seven clear days after the happening of such vacancy.

85 All such Writs may be framed in any manner and form which is sufficient for carrying the provisions of this Act into effect.

Form of Writs.

86 The Chief Secretary shall, so soon as may be practicable after the issue of any Writ, give public notice by advertisement in the *Gazette*, and at least One newspaper published in *Hobart* and One

Notice by advertisement to be given of period

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for nomination
and for taking
the Poll.Returning Officer
to give notice of
nomination and
Poll.

Schedule (16.).

newspaper published in *Launceston*, and one published in or nearest to the District for which such Writ is issued, of the period for Nomination and the day for taking the Poll named in such Writ.

87 The Returning Officer of each District shall endorse on the Writ the day on which he received it, and shall also forthwith, on receipt of such Writ, give public notice of the period of Nomination and day for taking the Poll named in such Writ, and such notice shall be in the form in the Schedule (16.), and shall be published by advertisement in the *Gazette*, and, as regards the Southern Districts, once in a newspaper published in *Launceston* and not less than twice nor more than three times in a newspaper published in *Hobart*, and, as regards the Northern Districts, by advertisement once in a newspaper published in *Hobart* and not less than twice nor more than three times in a newspaper published in *Launceston*.

Period for
nomination.

88 The commencement of the period within which Candidates may be nominated for election at any Election shall not be less than Three clear days, nor more than Six clear days, after the Writs shall have been issued for such Election; and the duration of such period shall not be less than Three clear days, nor more than Eight clear days, from the commencement of such period, and shall expire at Four o'clock in the afternoon of the last day named in the Writ for such purpose.

Day for taking
Poll.

89 The day for taking the Poll at the different Polling-places in the event of any Election being contested shall not be less than Four clear days, nor more than Twelve clear days, from the last day of the period of Nomination.

Mode of
nomination.

Schedule (17.)

90 Any two or more Electors of any District may at any time during the period of Nomination for any Election for such District named in the Writ, by writing under their hands in the form of the Schedule (17.), stating the particulars mentioned in the said Schedule (17.), nominate to the Returning Officer any person or any number of persons named and described in such writing, not exceeding the number of Members then to be elected, as a Candidate or Candidates at such Election, and there shall be written at the foot of such Nomination a statement under the hand of the person or persons nominated, in the form of the Schedule (17.), declaring the consent of such person or persons to become a Candidate or Candidates at such Election, and such Nomination, together with the consent written thereon, shall be delivered to the Returning Officer; and no other persons than those so nominated and consenting as aforesaid, and by or for whom, or on whose behalf such sum as is hereinafter mentioned has been paid, shall be eligible to be elected at such Election.

Provided that in the event of any person so nominated being absent from the Colony at the time of such nomination no such written consent shall be necessary: Provided also, that the said form in the Schedule (17.) may be in writing or printed, or partly written or partly printed, but shall be signed by the persons nominating and consenting respectively.

Publication of
Names of Candi-
dates and Nomi-
nators.

91 So soon as may be after the expiration of the period of Nomination, and until and on the day of Election, there shall be published in the District, under the hand of the Returning Officer, a List

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specifying the names and descriptions of all Candidates so put in Nomination as aforesaid, and the names and descriptions of their proposers respectively. A.D. 1890.

Provided that in case any person is nominated to the Returning Officer as a Candidate for election at any Election by more than Five persons, such Returning Officer shall publish the names and descriptions of not more than Five of the persons who so nominated such Candidate.

92 If at any Election, other than the Periodical Election of a Member of the Legislative Council, there is not a greater number of Candidates so put in Nomination than the number of Members then to be elected, the Returning Officer, upon the closing of the period of Nomination, shall at the principal Polling-place declare the Candidates so nominated to be duly elected, and shall make his Return accordingly. Mode of proceeding if no more persons nominated than Members to be elected.

93 In the event of more Candidates being so put in Nomination as aforesaid at any Election than the number of Members then to be elected, a Poll shall take place at the different Polling-places for the District on the day appointed in the Writ for that purpose, in order to ascertain which of the Candidates so put in Nomination shall be declared elected. Poll to be had if more persons nominated than Members to be elected.

94 The Returning Officer shall upon the expiration of the period of Nomination, in the event of more Candidates being so put in Nomination than the number of Members to be elected, cause the names of all the Candidates so put in Nomination to be written in a clear round hand or printed on each of the Ballot-papers; and such names shall be written or printed in alphabetical order, and shall be numbered in figures in regular succession, and the Returning Officer shall also cause such names to be painted or printed on placards, one or more of which placards shall be placed in each room of each Polling-place, and also in some conspicuous position on the outside of each Polling-place. Candidates' names to be printed on Ballot-papers; and published.

95 Each Candidate may appoint any number of persons, not exceeding Three at each Polling-place, to be Scrutineers at the Election, who shall be entitled to be present in the room in which the Ballot-papers are received, and who shall, before acting as such Scrutineers, make and subscribe in the presence of the Returning Officer or a Deputy Returning Officer a Declaration in the form contained in the Schedule (18.) Scrutineers. Scrutineer's Declaration. Schedule (18.)

96 The power of appointing Scrutineers may, in default of appointment by any Candidate who has been nominated without his previous authority and consent, be exercised by the persons nominating such Candidate. Persons nominating may appoint Scrutineers in default of Candidate.

97 The Clerk of the Peace shall, before and in time for the Poll at any Election, forward to the Returning Officer of the Electoral District for which the Election is about to take place a number of Ballot-papers equal to the number of Electors upon the Roll of the District; and such Ballot-papers shall contain the words "Ballot-paper" as a heading, and no other matter or thing, according to the form in the Schedule (19.); and such Ballot-papers shall be signed or stamped on the back Clerk of the Peace to furnish Returning Officer with Ballot-papers. Schedule (19.)

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thereof by the Clerk of the Peace, and shall also, immediately upon their receipt, be countersigned or stamped on the back thereof by the Returning Officer.

Returning Officer to preside at one Polling-place, and appoint Deputies to preside at others.

98 The Returning Officer shall preside at the principal Polling-place, and shall appoint a Deputy to act for him and take the Poll at each of the other Polling-places; and such Deputy shall be appointed by writing under the hand of the Returning Officer.

Deputy Returning Officer's Declaration. Schedule (20.)

99 Each Deputy Returning Officer shall, before the day of Poll at any Election, make and subscribe before the Returning Officer or some Justice of the Peace a Declaration in the form contained in the Schedule (20.)

Returning Officer to provide booths at each Polling-place;

100 At every Election the Returning Officer shall cause booths to be erected, or rooms to be hired or otherwise obtained at each Polling-place as occasion requires; and the same shall be so divided and arranged as to the Returning Officer seems best adapted for carrying out the provisions of this Act, but so that at each Polling-place there shall be as many inner rooms or compartments as may be necessary, opening only into the room in which the Ballot-box is kept, and sufficiently supplied with writing materials, in which the persons voting shall be enabled to fill up the Ballot-papers as hereinafter provided, in perfect secrecy, and with perfect security from interruption; and the Returning Officer shall cause to be furnished for the use of each Polling-place a sufficient number of copies of the Electoral Roll and Polling List of the District, and shall under his hand certify such copies to be true; and shall also provide for each Polling-place a sufficient number of Ballot-boxes, with secure locks, which shall be duly sealed, and with apertures through which the Ballot-papers are to be put into such Ballot-boxes; and shall appoint such Polling Clerk or Clerks for each Polling-place as may be necessary.

and writing materials;

and copies of Electoral Roll and Polling List;

and Ballot-boxes;

and appoint Polling Clerks.

Election to be held before Returning Officer and Deputies. Hours of voting.

101 The Election at each Polling-place shall be held before the Returning Officer or Deputy Returning Officer; and the voting at such Election shall commence at Eight o'clock in the forenoon and shall finally close at Six o'clock in the evening of the same day, unless adjourned by reason of riot or interruption as hereinafter provided.

Provided that every Elector who is within the booth or room in which the Returning Officer or Deputy Returning Officer is presiding at Six o'clock in the evening, and who has not voted, shall be allowed to vote.

Ballot-box to be exhibited and sealed.

102 The Returning Officer or the Deputy Returning Officer, as the case may be, shall immediately before the commencement of the voting at any election exhibit the Ballot-box open to such of the Scrutineers as choose to attend, and in their presence shall then seal such Ballot-box, which seal shall not be broken until the Ballot-box is opened after the election as is hereinafter provided.

Mode of Election.

103 Every Election under this Act shall be conducted in the manner following:—Each Elector shall enter unattended into the room appointed for the ballot at such Election, and in which the Ballot-box is kept; and shall first sign his name, or place his mark opposite to his name, upon a certified copy of the Electoral Roll; and the Returning Officer or Deputy

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Returning Officer presiding at the Polling-place shall then check or mark off upon a certified copy of the Roll such Elector's name as having voted, and shall then deliver such Ballot-paper to the Elector, who shall immediately take such Ballot-paper into one of the inner rooms or compartments provided for the purpose, and shall there without delay expunge the name or names of the Candidate or Candidates for whom he does not intend to vote, but so that if only One Member is to be returned at the Election he only leaves One name not struck out, and if more than One Member is to be returned at the Election he does not leave the names of more Candidates not struck out than there are Members to be returned at the Election; otherwise such Ballot-paper shall be invalid; and when the Elector has expunged the name or names of such Candidate or Candidates, he shall fold up such Ballot-paper in such manner that the signature or stamp of the Returning Officer or Clerk of the Peace shall appear on the outside of the folded Ballot-paper, and shall immediately take the same into the room in which the Ballot-box is kept, and, after exhibiting to the Returning Officer the signature or stamp on the back of such Ballot-paper, shall place the Ballot-paper in the Ballot-box; and immediately the Elector has so placed his Ballot-paper in the Ballot-box he shall leave the room, and shall not re-enter during the same Election; and no Two persons shall remain in the inner room at the same time, nor shall any person take any Ballot-paper out of the room in which the Ballot-box is kept excepting into the said inner room or compartment, and then only for the purpose of striking through the name or names of the Candidate or Candidates for whom he does not intend to vote; and any person wilfully contravening any of the provisions herein contained shall be guilty of a Misdemeanor, and may be punished accordingly.

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104 No person other than the Elector who is for that time tendering his vote shall be entitled to be present in the inner room in which the Ballot-papers are filled up by the Electors; and any person other than such Elector actually recording his vote who intrudes into such room shall be guilty of a Misdemeanor.

Only Elector to be in inner room.

105 In the case of any Elector who is blind, the Returning Officer or Deputy Returning Officer presiding at the Polling-place shall write such Elector's name in the Elector's signing-place on the certified copy of the Electoral Roll, and attest the same under his hand, and openly in the Ballot-room expunge from such Elector's Ballot-paper the names of all Candidates except such as the Elector declares his intention of voting for.

Provides for blind men voting.

106 At every Election of a Member or Members to serve in Parliament for any District, the Electoral Roll so made as aforesaid shall be deemed and taken to be conclusive evidence that the persons therein named continue to have the qualifications which are annexed to their names respectively in the Roll in force at such Election.

Roll to be evidence of Electors retaining qualification.

107 No enquiry 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 Deputy Returning Officer shall, if he thinks fit, or if required by any Scrutineer, put to any person tendering himself as an Elector, before or at the time the Ballot-paper is delivered to him, and

No enquiry at Elections except questions set forth in Schedule (21.)

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- A.D. 1890. not afterwards, the questions contained in the Schedule (21.) or either of them, and no other.
- Oaths to be administered to Electors. **108** The Returning Officer or Deputy Returning Officer shall, if he thinks fit, or if required by any Scrutineer, at the time aforesaid, administer an Oath to any person so claiming to vote, in relation to his identity, and to his having previously voted, in the form in the Schedule (22.); and the Returning Officer or Deputy Returning Officer shall likewise, if he thinks fit, or if required by any Scrutineer, administer the Oath against Bribery in the form in the Schedule (23.).
- Schedule (22.)
- Schedule (23.)
- Persons not entitled to vote unless questions answered or Oaths taken. **109** No person so required to answer either of such questions, or take any such Oath as aforesaid, shall be qualified or permitted to vote until he has answered such question, or taken such Oath.
- Persons answering falsely guilty of a Misdemeanor. **110** If any person willfully makes a false answer to either of such questions, such person shall be deemed guilty of a Misdemeanor, and may be punished accordingly.
- No other Oaths to be taken. **111** No Elector shall at any Election be required to take any Oath, except as aforesaid, in proof of his right to vote, or otherwise; and no person claiming to vote at any such Election shall be excluded from voting thereat except by reason of its appearing to the Returning Officer, or Deputy Returning Officer, upon putting such questions as aforesaid, or either of them, that the person so claiming to vote is not the person whose name appears on the Electoral Roll, or that he has previously voted at the same Election, or except by reason of such person refusing to answer the questions, or take the Oaths aforesaid, or any of them.
- Deputy Returning Officers on close of Poll to make out Abstract and deliver Ballot-papers, &c. to Returning Officer. **112** Each Deputy Returning Officer shall, immediately on the close of the Poll, and not before, in the presence of such of the Scrutineers as choose to attend, open the Ballot-box at the Polling-place at which such Deputy Returning Officer presided, and make out and sign an Abstract of the result of the Ballot at such Polling-place, and collect and seal up all the Ballot-papers which have been taken at such Polling-place, and, with the least possible delay, deliver the said Abstract and the Ballot-papers, or cause the same to be delivered, together with the copy of the Electoral Roll so signed by the Electors who have voted, to the Returning Officer; and shall also return to the Returning Officer such of the Ballot-papers as are not used at such Election.
- Returning Officer to make out a general Abstract of result of Poll; and declare state of Poll; and to have a casting vote in case of equal numbers; **113** The Returning Officer shall, in the presence of such of the Scrutineers as choose to attend, open the several Packets so forwarded by the Deputy Returning Officers, and also the Ballot-box at the Polling-place at which the Returning Officer presided, and make out and sign an Abstract of the result of the Ballot at the Poll taken throughout the whole of the Polling-places for the District, and shall at the principal Polling-place, and as soon as may be practicable after the Election, openly declare the general state of the Poll at the close of the Election as the same has been so made up and ascertained by him from the Ballot-papers taken at the several Polling-places, and at the same time and place declare the name or names of the person or persons who have been duly elected at such Election; and in the event of the number of votes being found to be equal for any Two or more Candi-

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dates, such Returning Officer shall, by his casting vote, decide which of the said 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 the case of an equality of votes as aforesaid. Provided also, that it shall be lawful for any Deputy Returning Officer to vote at any Election for the Electoral District for which he is registered as an Elector in like manner as if he had not been appointed and acted as Deputy Returning Officer for such Electoral District; and such Returning Officer shall return to the Clerk of the Peace such of the Ballot-papers as are not used at such Election.

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otherwise not to vote;

Deputy Returning Officers may vote.

Ballot-papers not used to be returned.

114 The name of the person so elected, together with the date of his election, shall be inserted in or endorsed on the Writ by the Returning Officer, and such Writ shall be returned to the Governor within the time for that purpose specified therein.

Name of person elected and date to be endorsed on Writ, and Writ returned to Governor.

115 The Returning Officer, in ascertaining the state of the Poll from the Ballot-papers taken at the several Polling-places at any Election, shall reject as invalid every Ballot-paper which is wilfully written upon, defaced, or in any way distinguished or marked otherwise than is by Law required.

Ballot-papers marked defaced, &c. to be rejected.

116 Where the proceedings at any Election are interrupted or obstructed by any riot or open violence, the Returning Officer or Deputy Returning Officer, as the case may be, shall not for such cause finally close the Poll, but shall adjourn the taking the Poll at the particular Polling-place at which such interruption or obstruction has happened until the following day, and if necessary shall further adjourn such Poll until such interruption or obstruction has ceased, when the Returning Officer, or Deputy Returning Officer, as the case may be, shall again proceed with the taking the Poll at the Polling-place at which the same has been interrupted or obstructed; and whenever the Poll has been so adjourned by any Deputy Returning Officer, such Deputy shall forthwith give notice of such adjournment to the Returning Officer, who shall not finally declare the state of the Poll or make proclamation of the Member chosen until the Poll so adjourned at such Polling-place as aforesaid has been finally closed, and the Abstract of the Poll and the Ballot-papers delivered or transmitted to such Returning Officer.

Adjournment of Election in case of riot.

117 All Ballot-papers taken at the Election of a Member of the Legislative Council, together with the said Abstracts and Copies of the Electoral Roll, shall be sealed up by the Returning Officer and transmitted to the Clerk of the Legislative Council, and all Ballot-papers taken at the Election of a Member of the House of Assembly, together with the said Abstracts and copies of the Electoral Roll, shall be in like manner sealed up by the Returning Officer and transmitted to the Clerk of the House of Assembly, who severally shall safely keep the same for the period of Five years from the receipt thereof; and the sealed packets containing the same shall on the outside thereof be described to be the Election papers of the Elections to which they respectively relate, specifying in each case the Electoral District and the date of the Election, and be signed by the Returning Officer; and in case any question at any time arises touching any Election, such

Ballot-papers, &c. to be sealed up and transmitted to the Clerk of the House for which the Member is elected;

and kept for Five years;

and produced in the Supreme

Electoral.

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Court and in
Courts of Justice.

papers, or any of them, relating to such Election shall upon production thereof, and proof either by evidence, or by a certificate thereon under the hand of the Clerk for the time being of the Legislative Council or House of Assembly, as the case may be, that the same came to and then were in his custody as such Clerk, be received in evidence in the Supreme Court and in any Court of Justice in this Colony.

When Writ may
be issued in
Legislative
Council elections.
49 Vict. No. 8.

118 For the purposes of the Periodical Elections of Members of the Legislative Council appointed by "The Constitution Amendment Act, 1885," to be held in every year, the Writ for every such Election may be issued before the Member to retire by rotation shall have retired.

Issue of Writs for
Council post-
poned in certain
cases.

119 In the event of any vacancy occurring in the Legislative Council by death, resignation, disqualification, or otherwise, at any time within One month immediately before the latest day upon which the Writs for the purposes of the Periodical Elections hereinbefore mentioned are by law required to be issued, the Writ for the return of a Member to fill the said vacancy in the Legislative Council shall not be issued until the day upon the Writs for the said Periodical Elections shall be issued, anything to the contrary in this Act contained notwithstanding; and the election of a Member to fill such vacancy shall be held on the day appointed for such Periodical Election.

Mode of proceed-
ing if no more
persons nominated
than Members to
be elected at
Periodical
Elections of
Legislative
Council.

120 If at any such Periodical Election hereinbefore mentioned there is not a greater number of Candidates put in nomination than the number of Members to be elected thereat, the Returning Officer, upon the day appointed for taking the Poll for such Election, shall at the principal Polling-place declare the Candidates so nominated to be duly elected, and shall make his return accordingly.

Deposit of money
to be made by
candidates.

121 At the time of the nomination to the Returning Officer of any person or persons as a Candidate or Candidates for any Election for any Electoral District, there shall be paid to the Returning Officer by or on behalf of every person nominated the sum of Twenty-five Pounds, in gold, bank notes, or marked cheque, to be dealt with as hereinafter provided; and no person by or for whom or on whose behalf such payment shall not have been so made shall be or be deemed to be a Candidate at any Election.

Appropriation of
moneys paid
under preceding
Section.

122 Where a Poll shall take place at any Election the Returning Officer shall apply the moneys so paid to him as aforesaid by all such Candidates as shall not afterwards have received at the same election a number of votes equal at least to One-fourth part of the votes received by the successful Candidate, if only One, or by such One of the successful Candidates, if there shall be more than One, as shall have received the smallest number of votes, in and towards defraying the necessary expenses (whether incurred before or after such payment) of all such acts and things relating to such Election as he may reasonably and properly do or provide, and the balance of such moneys, if any, shall be paid into the Consolidated Revenue Fund. And after every Election the Returning Officer shall repay to each of the Candidates who shall have been returned without a Poll, or who shall so have received a number of votes equal at least to such Fourth part, whether declared elected or not, or to the person or persons who have made such payments on behalf, all moneys so paid by or for him or them respectively.

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123 Every Returning Officer shall keep a separate account for each Election held by him of all moneys received and expended or repaid by him at and about such Election; and shall, not less than Three nor more than Six months after the declaration of the Poll at such Election, forward to the Auditor-General a copy of such account certified under his hand, together with all receipts, accounts, and vouchers relating to the same; and the said Auditor shall forthwith examine and compare the same respectively, and shall immediately after such examination and comparison make and sign a report of the result thereof respectively in such form as the Governor in Council from time to time directs, and shall sign an acquittance for so much of such moneys as shall be ascertained by the said Auditor to have been duly and properly expended; and for the said purposes the Auditor-General shall have all the powers conferred upon him by "The Audit Act, 1888."

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Separate accounts to be kept of such moneys, and copy sent to Auditor-General.

52 Vict. No. 43.

PART IV.

BRIBERY AND CORRUPTION.

Bribery.

124 The following persons shall be deemed guilty of Bribery under this Act, and shall be punishable accordingly:— Bribery defined.

1. Every person who, directly or indirectly, by himself or by any other person on his behalf, gives, lends, or agrees to give or lend, or offers, promises, or promises to procure or to endeavour to procure, any money or valuable consideration to or for any Elector, or to or for any person on behalf of any Elector, or to or for any other person, in order to induce any Elector to vote or refrain from voting, or corruptly does any such act as aforesaid, on account of such Elector having voted or refrained from voting at any Election under this Act:
2. Every person who, directly or indirectly, by himself or by any other person on his behalf, gives, or procures, or offers, promises, or promises to procure or to endeavour to procure, any office, place, or employment to or for any Elector, or to or for any person on behalf of any Elector, or to or for any other person in order to induce such Elector to vote, or refrain from voting, or corruptly does any such act as aforesaid, on account of any Elector having voted or refrained from voting at any Election under this Act;
3. Every person who, directly or indirectly, by himself or by any other person on his behalf, makes any such gift, loan, offer, promise, procurement, or agreement as aforesaid, to or for any person, in order to induce such person to procure or endeavour to procure, the Return of any person as a Member of the Parliament of *Tasmania*, or the vote of any Elector at any Election under this Act:
4. Every person who, upon or in consequence of any such gift, loan, offer, promise, or procurement or agreement, procures or engages, promises, or endeavours to procure, the Return of any person as a Member of the Parliament of *Tasmania*, or the vote of any Elector at any Election under this Act:

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5. Every person who advances or pays, or causes to be paid, any money to or to the use of any other person, with the intent that such money, or any part thereof, shall be expended in bribery at any Election under this Act, or who knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any such Election :

Provided always, that the aforesaid enactment shall not extend or be construed to extend to any money paid or agreed to be paid for or on account of any legal expenses *bonâ fide* incurred at or concerning any such Election.

Bribery further defined.

125 The following persons shall also be deemed guilty of Bribery under this Act, and shall be punished accordingly :—

1. Every Elector who, before or during any Election under this Act, directly or indirectly, by himself, or by any other person on his behalf, receives, agrees, or contracts for any money, gift, loan, or valuable consideration, office, place, or employment, for himself, or for any other person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting at any such Election :
2. Every person who, after any such Election, directly or indirectly, by himself or by any other person on his behalf, receives any money or valuable consideration on account of any person having voted or refrained from voting, or having induced any other person to vote or to refrain from voting at any such Election.

Personation, &c.

126 If any person not entitled to vote by virtue of this Act votes or offers to vote at any Election under this Act, or if any person votes or offers to vote a second time at the same Election, or personates or attempts to personate any other person, whether such other person is then living or dead, for the purpose of voting at any such Election, such person shall be guilty of a Misdemeanor, and shall, on conviction thereof, be liable to be imprisoned with or without hard labour for any term not exceeding Two years at the discretion of the Court ; and if, at any such Election, it appears to the Returning Officer, or Deputy Returning Officer presiding, that there is reasonable ground to suspect that any person having voted or offered to vote at any such Election has been guilty of any such offence as aforesaid, he may thereupon, without warrant, commit the person so offending for examination before some Justice of the Peace upon such charge ; and all Constables are hereby required to take such person into custody upon such committal, and to convey him as soon as may be before some Justice for examination, and in the meantime to confine such person in some watch-house.

Persons offending may be given in charge.

Aiders and abettors to be punished as principals.

127 Every person who aids, abets, counsels, or procures the commission of any such last-mentioned Misdemeanor shall be liable to be indicted and punished as a principal offender.

Refreshments illegal.

128 The giving or causing to be given to any Elector on the day of polling at any Election under this Act, any meat, drink, or entertainment by way of refreshment, or any money or ticket to enable such Elector to obtain refreshment, on account of such Elector having voted or being about to vote at such Election, shall be deemed an illegal act ;

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and the person so offending shall forfeit the sum of Fifty Pounds for each offence to any person who sues for the same, together with full costs of suit.

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129 The following persons shall be deemed guilty of Treating, and shall be punished accordingly:—

What is Treating.
46 & 47 Vict.
c. 51, s. 1.

1. Any person who corruptly, by himself or by any other person, either before, during, or after an Election under this Act, directly or indirectly gives or provides, or pays wholly or in part the expense of giving or providing, any meat, drink, entertainment, or provision to or for any person for the purpose of corruptly influencing that person or any other person to give or refrain from giving his vote at the Election, or on account of such person or any other person having voted or refrained from voting, or being about to vote or refrain from voting at such Election, shall be guilty of Treating:
2. And every elector who corruptly accepts or takes any such meat, drink, entertainment, or provision shall also be guilty of Treating.

130 Every person who shall directly or indirectly, by himself or by any other person on his behalf, make use of or threaten to make use of any force, violence, or restraint, or inflict or threaten to inflict, by himself or by any other person, any temporal or spiritual injury, damage, harm, or loss upon or against any person in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any such Election, or who shall by abduction, duress, or any fraudulent device or contrivance, impede or prevent the free exercise of the right to vote of any Elector, or shall thereby compel, induce, or prevail upon any Elector either to give or to refrain from giving his vote at any such Election, shall be guilty of undue influence.

What is undue
influence.
Ib., s. 2.

131 Where upon the trial of an Election Petition respecting an Election for the Legislative Council or the House of Assembly the Supreme Court declares that any corrupt practice other than treating or undue influence has been proved to have been committed in reference to such Election by or with the knowledge and consent of any candidate at such Election, or that the offence of treating or undue influence has been proved to have been committed in reference to such Election by any Candidate at such Election, that Candidate shall not be capable for a period of Five years of being elected to or sitting in the Legislative Council or the House of Assembly, as the case may be, and if he has been elected his election shall be void; and he shall further be subject to the same incapacities as if at the date of the said trial he had been convicted on an information of a corrupt practice.

Punishment of
Candidates found
on Election
Petition guilty
personally of
corrupt practices.
Ib., s. 4.

132 Upon the trial of an Election Petition respecting any such Election, in which a charge is made of any corrupt practice having been committed in reference to such Election, the Supreme Court shall declare whether any of the Candidates at such Election has been guilty by his Agents of any corrupt practice in reference to such Election; and if any Candidate at such Election is so declared guilty by his Agents of

Punishment of
Candidates found
on Election
Petition guilty by
Agents of corrupt
practices.
Ib., s. 5.

Electoral.

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Punishment of person convicted on indictment of corrupt practices. 46 & 47 Vict. c. 51, s. 6.

any corrupt practice in reference to such Election, that Candidate shall not be capable of being elected to or sitting in the Legislative Council or the House of Assembly for the Electoral District in respect of which the Election was held for Seven years after the date of the trial, and if he has been elected his election shall be void.

133—(1.) A person who commits any corrupt practice other than personation, or aiding, abetting, counselling or procuring the commission of the offence of personation, shall be guilty of a Misdemeanor, and on conviction on information shall be liable to be imprisoned, with or without hard labour, for a term not exceeding One year, or to be fined any sum not exceeding Two hundred Pounds.

(2.) A person who commits the offence of personation, or of aiding, abetting, counselling, or procuring the commission of that offence, shall be guilty of Felony, and any person convicted thereof on information shall be punished by imprisonment for a term not exceeding Two years, with or without hard labour.

(3.) A person who is convicted on information of any corrupt practice shall (in addition to any punishment as above provided) be not capable during a period of Seven years from the date of his conviction—

(a.) Of having his name inserted in any list of Electors, and voting at any Election.

(b.) Of holding any public, judicial, or municipal office, and if he holds any such office, the office shall be vacated.

(4.) Any person so convicted of a corrupt practice in reference to any Election shall also be incapable of being elected to and of sitting in the Legislative Council or the House of Assembly during the Seven years next after the date of his conviction; and if at that date he has been elected to the Legislative Council or House of Assembly, his election shall be vacated from the time of such conviction.

Illegal Practices.

Certain expenditure to be illegal practice. *Ib.*, s. 7.

134—(1.) No payment or contract for payment shall, for the purpose of promoting or procuring the election of a Candidate at any Election, be made—

(a.) To an Elector on account of the use of any house, land, building, or premises for the exhibition of any address, bill, or notice, or on account of the exhibition of any address, bill, or notice; or—

(b.) On account of any committee-room in any public-house.

(2.) Subject to such exception as may be allowed in pursuance of this Act, if any payment or contract for payment is knowingly made in contravention of this Section, either before or during or after an Election, the person making such payment or contract shall be guilty of an illegal practice; and any person receiving such payment, or being a party to any such contract, knowing the same to be in contravention of this Act, shall also be guilty of an illegal practice.

(3.) Provided, that where it is the ordinary business of an Elector, as an advertising agent, to exhibit for payment bills and advertisements, a payment to or contract with such Elector, if made in the ordinary

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course of business, shall not be deemed to be an illegal practice within the meaning of this Section. A.D. 1890.

135—(1.) If any person votes, or induces or procures any person to vote, at any Election, knowing that he or such person is prohibited, whether by this or any other Act, from voting at such Election, he shall be guilty of an illegal practice. Voting by prohibited persons and publishing of false statements of withdrawal to be illegal.

(2.) Any person who, before or during an Election, knowingly publishes a false statement of the withdrawal of a Candidate at such Election for the purpose of promoting or procuring the election of another Candidate, shall be guilty of an illegal practice. 46 & 47 Vict. c. 51, s. 9.

(3.) Provided, that a Candidate shall not be liable, nor shall his election be avoided, for any illegal practice under this Section committed by his Agent other than his Election Agent.

136 A person guilty of an illegal practice, whether under the foregoing Sections or under the provisions hereinafter contained in this Act, shall, on summary conviction, be liable to a fine not exceeding One hundred Pounds, and be incapable during a period of Five years from the date of his conviction of being registered as an Elector or voting at any Parliamentary election held for or within the Electoral District in which the illegal practice has been committed. Punishment on conviction of illegal practice. *Ib.*, s. 10.

Illegal Payment, Employment, and Hiring.

137 Where a person knowingly provides money for any payment which is contrary to the provisions of this Act, or for replacing any money expended in any such payment, such person shall be guilty of illegal payment. Providing or payment of money for illegal practice to be illegal payment. *Ib.*, s. 13.

138 No Elector who, within Six months before or during any Election for the Legislative Council or House of Assembly, shall have been retained, hired, or employed for all or any of the purposes of the election for reward by or on behalf of any Candidate at such Election as Agent, Canvasser, or Scrutineer, or in other like employment, shall be entitled to vote at such Election; and if he shall so vote he shall be guilty of a Misdemeanor, and his vote shall be void. No Elector employed for reward to be entitled to vote. 30 & 31 Vict. c. 102, s. 11.

139—(1.) No person shall, for the purpose of promoting or procuring the election of a Candidate at any such Election, be engaged or employed for payment or promise of payment for any purpose or in any capacity whatever, except for any purposes or capacities mentioned in the Schedule (24.) Certain employment to be illegal. 46 & 47 Vict. c. 51, s. 17.

(2.) Subject to such exception as may be allowed in pursuance of this Act, if any person is engaged or employed in contravention of this Section, either before, during, or after an election, the person engaging or employing him shall be guilty of illegal employment, and the person so engaged or employed shall also be guilty of illegal employment if he knew that he was engaged or employed contrary to law. Schedule (24.)

140 Any person who corruptly induces or procures any other person to withdraw from being a Candidate at an Election in consideration of any payment or promise of payment shall be guilty of illegal payment, and any person withdrawing in pursuance of such inducement or procurement shall also be guilty of illegal payment. Corrupt withdrawal from a candidature. *Ib.*, s. 15.

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Name and address
of printer on
placards.
46 & 47 Vict.
c. 51, s. 18.

141 Every bill, placard, or poster having reference to an Election shall bear upon the face thereof the name and address of the printer and publisher thereof; and any person printing, publishing, or posting, or causing to be printed, published, or posted, any such bill, placard, or poster as aforesaid which fails to bear upon the face thereof the name and address of the printer and publisher, shall, if he is the Candidate or the Election Agent of the Candidate, be guilty of an illegal practice, and if he is not the Candidate or the Election Agent of a Candidate, shall be liable on summary conviction to a fine not exceeding One hundred Pounds.

Punishment of
illegal payment,
employment, or
hiring.
Ib., s. 21.

142—(1.) A person guilty of an offence of illegal payment, employment, or hiring, shall, on summary conviction, be liable to a fine not exceeding One hundred Pounds.

(2.) A Candidate, or an Election Agent of a Candidate, who is personally guilty of an offence of illegal payment, employment, or hiring, shall be guilty of an illegal practice.

Excuse and Exception for Corrupt or Illegal Practice or Illegal Payment, Employment, or Hiring.

Report exonerat-
ing Candidate in
certain cases of
corrupt and illegal
practice by agents.
Ib. s. 22.

143 Where upon the trial of an Election Petition respecting any Election for the Legislative Council or House of Assembly the Supreme Court declares that a Candidate at such Election has been guilty by his Agents of the offence of treating and undue influence and illegal practice, or of any of such offences, in reference to such Election, and the Court further declares that the Candidate has proved to the Court—

- (a) That no corrupt or illegal practice was committed at such Election by the Candidate or his Election Agent, and the offences mentioned were committed contrary to the orders and without the sanction or connivance of such Candidate or his Election Agent; and
- (b) That such Candidate and his Election Agent took all reasonable means for preventing the commission of corrupt and illegal practices at such Election; and
- (c) That the offences mentioned were of a trivial, unimportant, and limited character; and
- (d) That in all other respects the Election was free from any corrupt or illegal practice on the part of such Candidate and of his Agents;

then the Election of such Candidate shall not, by reason of such offences, be void, nor shall the Candidate be subject to any incapacity under this Act.

Disqualification of Electors.

Prohibition of
persons guilty of
corrupt or illegal
practices &c. from
voting.
Ib., s. 36.

144 Every person guilty of a corrupt or illegal practice, or of illegal employment, payment, or hiring at an Election, is prohibited from voting at such Election, and if any such person votes his vote shall be void.

Names of
offenders to be
expunged from
Electoral Roll and
inserted in a sepa-
rate List.

145 Whenever it is proved before the Court of Revision that any person who is or claims to be placed on the List of Electors for any District has been convicted of a corrupt or illegal practice, or of illegal employment, payment, or hiring under this Act, or that judgment has been obtained against any such person for any penal sum

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hereby made recoverable in respect of any such offences, then and in that case such Court shall, in case the name of such person is in the List of Electors, expunge the same therefrom, or shall, in case such person is claiming to have his name inserted therein, disallow such claim; and the names of all persons whose names are so expunged from the List of Electors, and whose claims are so disallowed, shall be thereupon inserted in a separate list, to be entitled "The List of Persons disqualified for offences against 'The Electoral Act,'" which last-mentioned list shall be appended to the Electoral Roll, and shall be printed and published therewith, whenever the same is, or is required to be, printed or published.

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Colours.

146 No Candidate before, during, or after any Election under this Act shall, in regard to such Election, by himself or agent, directly or indirectly, give or provide to or for any person any cockade, ribbon, or other mark of distinction; and every person giving or providing, or receiving or wearing, any such cockade, ribbon, or other mark of distinction, or making any payment for or on account of any such cockade, ribbon, or mark of distinction, or of any chairing, or bands of music, or flags or banners at any such Election, shall for every such offence forfeit the sum of Fifty Pounds to any person who sues for the same, together with full costs of suit.

No cockades, &c.

147 No person shall exhibit any flags during any Election, and for every such offence shall forfeit a penalty not exceeding Twenty Pounds.

No flags.

Legal Proceedings.

148—(1.) A proceeding against a person in respect of the offence of a corrupt or illegal practice, or any other offence under this Act or any former Act, shall be commenced within Three months after the offence was committed.

Limitation of time for prosecution of offences.
46 & 47 Vict.
c. 51, s. 51.

(2.) For the purposes of this Section the issue of a summons, warrant, writ, or other process shall be deemed to be a commencement of a proceeding where the service or execution of the same on or against the alleged offender is prevented by the absconding, or concealment, or act of the alleged offender; but, save as aforesaid, the service or execution of the same on or against the alleged offender, and not the issue thereof, shall be deemed to be the commencement of the proceeding.

149 Any person charged with a corrupt practice may, if the circumstances warrant such finding, be found guilty of an illegal practice, (which offence shall for that purpose be an offence for which an Information may be filed in the Supreme Court); and any person charged with an illegal practice may be found guilty of that offence notwithstanding that the act constituting the offence amounted to a corrupt practice; and a person charged with illegal payment, employment, or hiring may be found guilty of that offence notwithstanding that the act constituting the offence amounted to a corrupt or illegal practice.

Persons charged with corrupt practice may be found guilty of illegal practice.
Ib., s. 52.

150 The pecuniary penalties imposed by this Part of this Act shall be recoverable by action in the Supreme Court of *Tasmania*.

Recovery of penalties.

151 It shall be lawful for the Court before which any criminal prosecution is instituted for any offence against the provisions of this Part of

Prosecutor's costs

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this Act to order payment to the Prosecutor of such costs and expenses as appear to the said Court to have been reasonably incurred in and about the conduct of such prosecution.

Prosecutor to enter into recognizance to prosecute with effect and pay costs.

152 In case of any information by a private Prosecutor for any offence against the provisions of this Part of this Act, if judgment is given for the Defendant, he shall be entitled, if the Court so certifies, to recover from the Prosecutor the costs sustained by the Defendant by reason of such information, such costs to be taxed by the proper Officer of the Court.

Defendant's costs.

153 It shall not be lawful for the Court to order payment of the costs of a prosecution for any offence against the provisions of this Part of this Act, unless the Prosecutor, before or upon the granting of the information, enters into a recognizance, with Two sufficient sureties, in the sum of Fifty Pounds, with the conditions following; that is to say, that the Prosecutor shall conduct the prosecution with effect, and shall pay to the Defendant, in case he is acquitted, his costs.

Offences not triable at General Sessions.

154 No information for corrupt or illegal practices or illegal employment, payment, or hiring shall be triable before any Court of General Sessions of the Peace.

Evidence admissible on any prosecution.

155—(1.) On any prosecution under this Act, whether on Information or summarily, and in any action for a pecuniary forfeiture under this Act, the person prosecuted or sued, and the husband or wife of such person, may, if he or she think fit, be examined as an ordinary witness in the case.

(2.) On any such prosecution or action as aforesaid, it shall be sufficient to allege that the person charged was guilty of a corrupt or illegal practice, payment, employment, or hiring within the meaning of this Act, as the case may be; and the certificate of the Returning Officer at an Election that the Election mentioned in the certificate was duly held, and that the person named in the certificate was a Candidate at such Election, shall be sufficient evidence of the facts therein stated.

Prosecution on summary conviction.
19 Vict. No. 8.

156 All offences under this Act punishable on summary conviction may be prosecuted in the manner provided by *The Magistrates Summary Procedure Act*.

PART V.
CONTROVERTED ELECTIONS.

Disputed Returns and Elections how dealt with.

157 All disputed Returns and Elections of Members to serve in the Council or Assembly, as the case may be, whether such disputes arise out of or relate to—

18 Vict. No. 17.

(1.) The capability of any person to be elected a Member of the Council or Assembly, as the case may be, by reason that such

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person is not qualified as by "The Constitution Act," or any amendment thereof, is required: A.D. 1890.

- (2.) Any alleged error in the Return of any Returning Officer:
- (3.) The allegation of bribery or corruption against any person concerned in any Election:
- (4.) Any other allegation affecting the validity of any Election under this Act:

shall be enquired into and determined in manner hereinafter provided.

158 All complaints of the undue return or undue election of Members to serve in the Council or Assembly shall be made by petition addressed to the Supreme Court of *Tasmania*, and left with the Clerk of such Court, hereinafter referred to as an Election Petition. Mode of presentation of Election Petition.

No such petition shall be taken cognizance of nor any proceedings be had thereon unless the same is—

- (1.) Received by the Clerk of the Supreme Court within Twenty-one days next after the declaration of the poll at the election whereof it is alleged that an undue return or undue election has been made or had;
- (2.) Signed by a person who was a candidate at such election;
- (3.) Signed by a number of electors who either voted or were qualified to vote at the said election, amounting to not less than one-tenth of the whole number of electors on the roll of the district for which such election took place.

159 The following enactments shall be made with respect to an Election Petition:— Regulations as to Election Petition.

- (1.) The petition shall be signed by the petitioner, or all the petitioners if more than One:
- (2.) Upon the receipt of the petition by the Clerk of the Supreme Court, or within Three days afterwards, security for the payment of all costs, charges, and expenses that may become payable by the petitioner—
 - (a.) To any person summoned as a witness on his behalf:
 - or
 - (b.) To the Member whose election or return is complained of (who is hereinafter referred to as the respondent),
 shall be given on behalf of the petitioner or petitioners, as the case may be.
- (3.) The security shall be to an amount of One hundred Pounds; it shall be given either by bond to Her Majesty, to be entered into by any number of sureties not exceeding Four, or by a deposit of money in manner prescribed, or partly in one way and partly in the other.

160 On receipt of the petition by the Clerk of the Supreme Court he shall send a copy thereof to the Returning Officer of the district to which the petition relates, who shall forthwith publish the same in such district and in the *Gazette*, and in one newspaper published in *Hobart*, and in one newspaper published in *Launceston*. Copy of Petition to be sent to Returning Officer.

161 Notice of the presentation of an Election Petition, and of the nature of the proposed security, accompanied with a copy of the Security may be objected to.

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petition, shall, within the prescribed time, not exceeding Five days after the presentation of the petition, be served by the petitioner on the respondent; and it shall be lawful for the respondent, where the security is given wholly or partially by bond, within a further prescribed time, not exceeding Five days from the date of the service on him of the notice, to object in writing to such bond on the ground that the sureties, or any of them, are insufficient, or that a surety is dead, or that he cannot be found or ascertained from the want of a sufficient description in the bond, or that a person named in the bond has not duly acknowledged the same.

Determination of
objection to bond.

162 Any objection made to the security given shall be heard and decided on in the prescribed manner. If an objection to the security is allowed it shall be lawful for the petitioner, within a further prescribed time, not exceeding Five days, to remove such objection, by a deposit in the prescribed manner of such sum of money as may be deemed by a Judge of the Supreme Court to make the security sufficient.

If on objection made the security is decided to be insufficient, and such objection is not removed in manner hereinbefore mentioned, no further proceedings shall be had on the petition; otherwise, on the expiration of the time limited for making objections, or after objection made, on the sufficiency of the security being established, the petition shall be deemed to be at issue.

Mode of trial of
Election Petitions.

163 The following enactments shall be made with respect to the trial of Election Petitions:—

- (1.) Every Election Petition shall be tried before the Judges of the Supreme Court, in open Court without a jury.
- (2.) Notice of the time and place at which an Election Petition will be tried shall be given not less than Fourteen days before the day on which the trial is held, in the prescribed manner.
- (3.) The Court may adjourn the trial from time to time and from any one place to any other place, as to the Court may seem expedient.
- (4.) At the conclusion of the trial the Court shall determine whether the Member whose return or election is complained of, or any and what other person, was duly returned or elected, or whether the election was void, and shall forthwith certify in writing such determination to the Governor, and upon such certificate being given such determination shall be final to all intents and purposes; and the Governor shall, within Three days after such certificate has been received by him, if Parliament is then sitting, and if Parliament is not sitting then within Three days after the commencement of the next Session, communicate such determination by Message to the Legislative Council if such petition related to the election of a Member of the Council, or to the House of Assembly if such petition related to the election of a Member of the Assembly.
- (5.) Where upon the application of any party to a petition made in the prescribed time and manner to a Judge of the Supreme Court, it appears to such Judge that the case raised by the petition can be conveniently stated as a special case, the said Judge may direct the same to be stated accordingly,

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and any such special case shall, as far as may be, be heard before the Supreme Court, and the decision of the Court shall be final; and the said Court shall certify to the Governor its determination in reference to such special case; and the Governor shall within Three days after such certificate has been received by him, if Parliament is then sitting, and if Parliament is not sitting then within Three days after the commencement of the next Session, communicate such determination by Message to the Legislative Council if such petition related to the election of a Member of the Council, or to the House of Assembly if such petition related to the election of a Member of the Assembly.

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164 Every certificate sent to the Governor in pursuance of this Act shall be under the hand of the Registrar of the Supreme Court.

Certificate to be under hand of Registrar of Supreme Court.
Jurisdiction of Supreme Court.

165 The Supreme Court in hearing and deciding any special case, and in trying any petition, shall have the same powers, jurisdiction, and authority with reference to such special case and petition respectively and the proceedings thereon, as such Court would have if such special case or petition were an ordinary cause within the jurisdiction of such Court at law or in equity.

166 On the trial of an Election Petition under this Act, unless the Judges otherwise direct, any charge of a corrupt practice may be gone into, and evidence in relation thereto received before any proof has been given of agency on the part of any Candidate in respect of such corrupt practice.

Evidence of corrupt practices how received.

167 The trial of an Election Petition under this Act shall be proceeded with notwithstanding the acceptance by the respondent of an office of profit under the Crown.

Acceptance of office not to stop Petition.

168 The trial of an Election Petition under this Act shall be proceeded with notwithstanding the Prorogation of Parliament.

Prorogation of Parliament.

169 An Election Petition under this Act shall be served as nearly as may be in the manner in which a writ of summons is served, or in such other manner as may be prescribed.

Service of Petition.

170 An Election Petition under this Act shall be in such form and state such matters as may be prescribed.

Form of Petition.

171 Two or more candidates may be made respondents to the same petition, and their case may, for the sake of convenience, be tried at the same time; but for all the purposes of this Act such petition shall be deemed to be a separate petition against each respondent.

Joint respondents to Petition.

172 Where under this Act more petitions than one are presented relating to the same election or return, all such petitions shall be dealt with as one petition, unless the Court shall otherwise direct.

Provision in cases where more than one Petition is presented.

173 The Judges of the Supreme Court may from time to time make, and may from time to time revoke and alter, General Rules and Orders for the regulation of the practice, procedure, and costs of

Rules to be made by Court.

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Election Petitions, and the trial thereof, and the certifying and reporting thereon.

Any General Rules and Orders made as aforesaid shall be of the same force as if they were enacted in this Act.

Any General Rules and Orders made in pursuance of this Section shall be laid before Parliament within Three weeks after they are made, if Parliament be then sitting, and, if Parliament be not then sitting, within Three weeks after the beginning of the then next Session of Parliament.

Any General Rules and Orders made under the provisions of any Act hereby repealed shall, notwithstanding such repeal, continue to be in force, and shall be deemed to have been made under this Act, until they are revoked or altered under the provisions of this Section.

Summons of witnesses.

174 Witnesses shall be subpoenaed and sworn in the same manner, as nearly as circumstances admit, as in a trial at *nisi prius*, and shall be subject to the same penalties for perjury.

Court may summon and examine witnesses.

175 On the trial of an Election Petition the Court may, by Order under the hand of a Judge, compel the attendance of any person as a witness who appears to the Court to have been concerned in the election to which the petition refers, and any person refusing to obey such Order shall be guilty of contempt of Court. The Court may examine any witness so compelled to attend, or any person in Court, although such witness is not called or examined by any party to the petition. After the examination of a witness as aforesaid by the Court, such witness may be cross-examined by or on behalf of the petitioner and respondent or either of them.

Witness not excused from answering questions tending to criminate.

176 No person who is called as a witness before the Court on the trial of an Election Petition shall be excused from answering any question relating to any corrupt practice at, or connected with, any election forming the subject of inquiry by the Court on the ground that the answer thereto may criminate or tend to criminate himself.

Court may give certificate that witness had answered questions.

Where any witness shall answer every question relating to the matters aforesaid which he shall be required by the Court to answer, and the answer to which may criminate or tend to criminate him, he shall be entitled to receive from the Court a certificate stating that such witness was, upon his examination, required by the Court to answer questions or a question relating to the matters aforesaid, the answers or answer to which criminated or tended to criminate him, and had answered all such questions or such question; and if any information or action be at any time thereafter pending in any Court against such witness for any offence under this Act, or for which he might have been prosecuted or proceeded against under this Act, committed by him previously to the time of his giving his evidence and at or in relation to the election concerning or in relation to which the witness may have been so examined, such Court shall, on production and proof of such certificate, stay the proceedings in such last-mentioned information or action, and may, at its discretion, award to such witness such costs as he may have been put to in such information or action; but no statement made by any person in answer to any question put by or before such Judge shall, except in cases of information for perjury, be admissible in evidence in any proceeding, civil or criminal.

Certificate a bar to proceedings against witnesses.

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177 The reasonable expenses incurred by any person in appearing to give evidence at the trial of an Election Petition, according to the scale allowed to witnesses on the trial of civil actions, may be allowed to such person by a certificate under the hand of the prescribed officer, and such expenses, if the witness was called and examined by the Court, shall be deemed to be costs of the petition.

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Expenses of
witnesses.

178 An Election Petition under this Act shall not be withdrawn without the leave of the Court or a Judge upon special application, to be made in and at the prescribed manner, time, and place.

Withdrawal of
Petition and sub-
stitution of new
petitioners.

No such application shall be made for the withdrawal of a petition until the prescribed notice has been given in the District to which the petition relates of the intention of the petitioner to make an application for the withdrawal of his petition.

On the hearing of the application for withdrawal, any person who might have been a petitioner in respect of the election to which the petition relates, may apply to the Court or a Judge to be substituted as a petitioner for the petitioner so desirous of withdrawing the petition.

The Court or a Judge may, if it or he think fit, substitute as a petitioner any such applicant as aforesaid; and may further, if the proposed withdrawal is in the opinion of the Court or a Judge induced by any corrupt bargain or consideration, by Order direct that the security given on behalf of the original petitioner shall remain as security for any costs that may be incurred by the substituted petitioner, and that, to the extent of the sum named in such security, the original petitioner shall be liable to pay the costs of the substituted petitioner.

If no such order is made with respect to the security given on behalf of the original petitioner, security to the same amount as would be required in the case of a new petition, and subject to the like conditions, shall be given on behalf of the substituted petitioner before he proceeds with his petition, and within the prescribed time after the order of substitution.

Subject as aforesaid, a substituted petitioner shall stand in the same position as nearly as may be, and be subject to the same liabilities, as the original petitioner.

If a petition is withdrawn, the petitioner shall be liable to pay the costs of the respondent.

Where there are more petitioners than one, no application to withdraw a petition shall be made except with the consent of all the petitioners.

179 An Election Petition under this Act shall be abated by the death of a sole petitioner or of the survivor of several petitioners.

Abatement of
Petition.

The abatement of a petition shall not affect the liability of the petitioner to the payment of costs previously incurred.

On the abatement of a petition the prescribed notice of such abatement having taken place shall be given in the district to which the petition relates, and within the prescribed time after the notice is given any person who might have been a petitioner in respect of the election to which the petition relates may apply to the Court or Judge in and at the prescribed manner, time, and place, to be substituted as a petitioner.

The Court or a Judge may, if it or he think fit, substitute as a petitioner any such applicant who is desirous of being substituted, and

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on whose behalf security to the same amount is given as is required in the case of a new petition.

Admission in certain cases of voters to be respondents.

180 If before the trial of any Election Petition under this Act any of the following events happen in the case of the respondent; (that is to say) —

(1.) If he dies:

(2.) If he gives in and at the prescribed manner and time notice to the Court that he does not intend to oppose the petition:

Notice of such event having taken place shall be given in the District to which the petition relates, and within the prescribed time after the notice is given any person who might have been a petitioner in respect of the election to which the petition relates may apply to the Court or a Judge to be admitted as a respondent to oppose the petition, and such person shall on such application be admitted accordingly, either with the respondent, if there be a respondent, or in place of the respondent; and any number of persons not exceeding Three may be so admitted.

Respondent not opposing not to appear as party or to sit.

181 A respondent who has given the prescribed notice that he does not intend to oppose the petition shall not be allowed to appear or act as a party against such petition in any proceedings thereon, and shall not sit or vote in the Council or Assembly until the Council or Assembly, as the case may be, has been informed of the report on the petition, and the Court shall in all cases in which such notice has been given in the prescribed time and manner, report the same to the Governor.

General costs of petition.

182 All costs, charges, and expenses of and incidental to the trial of an Election Petition shall be defrayed by the parties to the petition in such manner and in such proportions as the Court may determine, regard being had to the disallowance of any costs, charges, or expenses which may, in the opinion of the Court, have been caused by vexatious conduct, unfounded allegations, or unfounded objections on the part either of the petitioner or the respondent, and regard being had to the discouragement of any needless expense by throwing the burden of defraying the same on the parties by whom it has been caused, whether such parties are or not on the whole successful.

The costs may be taxed in the prescribed manner, but according to the same principles as costs between attorney and client are taxed in a suit in the Supreme Court in Equity, and such costs may be recovered in the same manner as the costs of an action at law, or in such other manner as may be prescribed.

Bond when to be enforced, &c.

183 If any petitioner in an Election Petition presented under this Act neglects or refuses for the space of One month after demand to pay to any person summoned as a witness on his behalf, or to the respondent, any sum certified to be due to him for his costs, charges, and expenses, and if such neglect or refusal be within One year after such demand proved to the satisfaction of the Supreme Court, every person who has entered into a bond relating to such petition under the provisions of this Act shall be held to have made default in his said bond.

If election declared void, Governor to issue fresh Writ.

184 If upon the hearing of any special case or petition it is determined by the Court that any person was not duly elected who has been returned as elected by the Returning Officer, the person so decided and declared to have been not duly elected shall, upon the receipt of the

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certificate by the Governor, cease to be a Member of the Council or Assembly, as the case may be, and vacate his seat accordingly ; and if it is determined as aforesaid that any person has been duly elected who has not been returned by the Returning Officer, the person so decided and declared to be duly elected shall, upon the receipt of such certificate by the Council or Assembly, as the case may be, be and be sworn a Member of the Council or Assembly, as the case may be, and take his seat accordingly ; and if it is determined as aforesaid that any election for any District has been absolutely void, which the Court is hereby authorised and empowered to do, the Governor, on the same being certified to him as aforesaid, shall, within Seven days after the receipt of such certificate by him, issue a new Writ for the holding of another Election for such District.

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185 Where an Election Petition under this Act complains of the conduct of a Returning Officer, such Returning Officer shall, for all the purposes of this Act except the admission of respondents in his place, be deemed to be a respondent.

Returning Officer if complained of to be respondent.

186 A Petition under this Act complaining of no Return may be presented to the Supreme Court, and shall be deemed to be an Election Petition within the meaning of this Act ; and the Court may make such order thereon as the Court thinks expedient for compelling a Return to be made, or may allow such petition to be heard by the Court in manner hereinbefore provided with respect to ordinary Election Petitions.

Petition complaining of no Return.

187 On the trial of a Petition under this Act complaining of an undue Return and claiming the seat for some person, the respondent may give evidence to prove that the election of such person was undue in the same manner as if he had presented a petition complaining of such Election.

Recrimination when petition for undue Return.

PART VI.

ELECTION EXPENSES.

188 The Returning Officers shall be and shall act as Election Auditors in their respective Districts ; and, on their appointment as such Returning Officers, shall make and subscribe before a Justice of the Peace the Declaration contained in the Schedule (25).

Returning Officers to be Election Auditors.

Schedule (25).

189 All persons, as well Agents as others, who have any bills, charges, or claims upon any Candidate for or in respect of any Election, shall send in such bills, charges, or claims within One Month from the day of the declaration of the Election to such Candidate, or to some authorised Agent of such Candidate acting on his behalf, otherwise such persons shall be barred of their right to recover such claims, and every or any part thereof : Provided always, that in case of the death within the said month of any person claiming the amount of such bill, charge, or claim, the legal representative of such person shall send in such bill, charge, or claim within One month after obtaining probate or letters of administration, or confirmation as executor, as the case may be, or the right to recover such claim shall be barred as aforesaid.

Bills to be sent in within One month to Candidate or right to recover barred.

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Bills, &c. received
within One month
to be sent in to
Election Auditor.

190 Every Candidate shall, by himself or his Agent in that behalf, within Three months after the day of the declaration of the Election, or within Two months after any bill, charge, or claim has been sent in by the legal representative of any deceased creditor, as hereinbefore provided, send in to the Election Auditor for payment all such bills, charges, or claims (except as hereinafter excepted) as have been sent in to such Candidate within the month hereinbefore specified from the day of the declaration of the Election, or after the granting of probate or letters of administration, or confirmation as executor, as the case may be: Provided always, that the Candidate shall, by himself or his Agent as aforesaid, at the time of his sending in any such bill, charge, or claim, state to the Election Auditor whether he admits the whole amount of such bill, charge, or claim, or if not the whole then how much thereof, if any, he admits to be correct: Provided also, that in case of the wilful default of the Candidate, by himself or his Agent as aforesaid, in sending in all such bills, charges, or claims, or in making such statement at the time of sending in such bills, charges, or claims, he shall be liable to a penalty of Fifty Pounds, and to a further penalty of Ten Pounds for every subsequent week of wilful default or neglect in sending in all such bills, charges, or claims, or in making such statement, to be recovered, together with full costs of suit, by any person who sues for the same: Provided always, that in case any such Candidate is absent from the Colony at the time of such Election, he shall send in to the Election Auditor for payment any such bills, charges, or claims as aforesaid within One Month after his return to the Colony, which shall be of the same force and effect as if the same had been sent in as herein provided.

No payments to
be made except
through Election
Auditor.

191 No payment of any bill, charge, or claim, or of any money whatever, for or in respect of any Election, or the expenses thereof (except as herein excepted), shall be made by or by the authority of any Candidate except by or through such Election Auditor, and any payment made by or by the authority of any Candidate otherwise than as herein provided shall be deemed and taken to be an illegal payment, and upon proof thereof such Candidate shall forfeit the sum of Fifty Pounds, with double the amount of such illegal payment, and full costs of suit, to any person who sues for the same: Provided always, that it shall be lawful for any Candidate, by himself or his Agent, to name any Banker through whom alone such bills, charges, or claims, or money as aforesaid, shall be paid by the Election Auditor, and in that case the Election Auditor shall pay such bills, charges, and claims by cheques drawn on such Banker, countersigned by the Candidate, or some person on his behalf specially appointed for that purpose.

Tender and pay-
ment into Court
by Election
Auditor.

192 If the Election Auditor, by the authority of any Candidate, tenders or offers to pay any sum in respect of any bill, charge, or claim sent in as hereinbefore provided, such tender shall be taken for all purposes to be the tender of such Candidate, and may, in any action or other proceeding brought against such Candidate to recover the amount of such bill, charge, or claim, be pleaded as such, or otherwise be made available according to the proceedings of the Court in which such action or other proceeding is brought or carried on; and if such plea is pleaded, or if it is deemed advisable for any other reason to pay money into Court in any action or other proceeding brought against a Can-

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didate in respect of any liability alleged to have been incurred by him at such Election, the Election Auditor may, at the request of the Candidate, and by leave of a Judge of the Supreme Court, pay into Court the sum required; and such payment into Court by the Election Auditor shall, for the purposes of such Action, be deemed and taken to be and may be pleaded as payment into Court by the Candidate himself; and on any issue or hearing in reference to any such tender or payment into Court, it shall not be necessary to prove the appointment of the Election Auditor.

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193 Nothing in this Act contained (except as herein specially provided) shall be taken to limit the right of any creditor to bring any action, or otherwise to proceed against a Candidate for or in respect of any expenses connected with the Election; and if in any action or proceeding final judgment is obtained against such Candidate, such Candidate shall forthwith send to the Election Auditor a copy or certificate of such judgment; and when and as the moneys recovered by the said judgments, or any part thereof, are paid or satisfied by such Candidate, or are obtained under or by virtue of any execution, the said Candidate shall thereupon forward to the Election Auditor a statement of the moneys so obtained in respect of such judgment.

Copy of judgment against Candidate, and statement of payments made in satisfaction, to be sent to Election Auditor.

194 No Candidate shall be allowed to compound or settle any action or other proceeding brought against him in respect of any expenses alleged to have been incurred by him in or about the Election, or to confess judgment in such action or proceeding, without the consent of the Election Auditor.

Consent of Election Auditor necessary before settling action.

195 The personal expenses of any Candidate, and the expenses of advertising in newspapers with reference to any Election, may be defrayed by the Candidate himself, or by his authority, but a full and true account of the sums so paid in respect of the said advertisements shall, as soon as conveniently may be, be made out to the best of his ability, and rendered to such Election Auditor by such Candidate, and the amount of such account shall be included in the general account of expenses incurred at any Election to be made out and kept by such Election Auditor as hereinafter provided.

Candidate may pay personal expenses and expenses of advertising.

196 No person shall pay or agree to pay any expenses at any Election, or any sum of money whatever, in order or with a view to procure or promote the Election of any person to serve in Parliament save to the Candidate at such Election, or to or under the authority of the Election Auditor, other than as excepted and allowed by this Act; and every person who pays or agrees to pay any such expenses or money as aforesaid, save as aforesaid, shall become liable to a penalty of Fifty Pounds, and double the money so paid or agreed to be paid, to be recovered in an action of debt by any one who sues for the same: Provided that, if upon the trial of any action to recover any such penalty or penalties it appears to the Judge who tries the same that any such payment has been made or agreed to be made without any corrupt or improper intention, the Judge may, if he thinks fit, reduce such penalty or penalties to any sum not less than Two Pounds, and may also, if he thinks fit, direct that the plaintiff shall not be entitled to costs of such action.

No person to pay expenses of Elections except to Candidate or Election Auditor.

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Candidates and Agents may make payments before day of Election.

197 Any Candidate, and his Agents by him appointed in writing according to the provisions of this Act, may, at any time before the day of Nomination, pay any lawful and reasonable expenses in respect of the Election which he or they *bonâ fide* believe fit and proper to be paid, in ready money, and the payment of which cannot conveniently be postponed. Provided, that the Candidate and his Agents shall, upon or before the day of Nomination, make out to the best of his ability, and deliver to the Election Auditor, a full, true, and particular account of all such payments, with the names of the persons to whom they have been made, signed by such Candidate or his Agents respectively, and no payment so made shall be a legal payment within this Act unless such account thereof is duly rendered to the Election Auditor.

Account of Election expenses to be made out by Election Auditor.

198 The Election Auditor shall, as soon as he conveniently can, make out a full account of all the expenses incurred at the Election, specifying therein every sum of money paid to him, or by him, or by his authority, on behalf of each Candidate, and of all sums claimed, although the same have not been allowed or paid, and every sum which has been paid into Court as aforesaid, or recovered by judgment against such Candidate, and to whom, by name, such payment was made, and for what particular debt or liability: and the Election Auditor shall include in such general account the amount of the sums paid by each Candidate for advertisements, and he shall specify therein the total amount of expenses incurred by each Candidate, and the account so made out shall be duly signed by him: Provided always, that if it is found necessary, the Election Auditor may from time to time make out a supplementary account or accounts, which shall be made and abstracted in the manner herein provided with reference to the first general account.

Election Auditor to keep accounts in some convenient place which shall be open to inspection.

199 The Election Auditor shall keep all accounts which come to his hands in some fit and convenient place, and shall, at all fit and convenient times, submit the same to the inspection of the Candidates, and their Agents, and permit them to take copies of the same or of any part thereof, upon request, and when such general account as aforesaid is so made out and signed by him, he shall keep the same in some fit and convenient place; and such general accounts shall be open to the inspection of any person, and copies thereof, or any part thereof, shall be furnished to any person at all reasonable and convenient times, upon request, such person paying a fee at the rate of Fourpence for every Two hundred words to a copying Clerk for the same; and when the Election Auditor has concluded the business of any Election he shall deliver over all accounts in his hands to the Clerk of the Peace, who shall allow them to be inspected by any person on payment of Two Shillings and Sixpence, and shall furnish copies of the same or of any part thereof on payment of a fee at the rate of Fourpence for every Seventy-two words to the copying Clerk: Provided always, that for any copy so furnished the fee shall in no instance be less than Two Shillings and Sixpence; and the Election Auditor shall deliver over to the Candidates respectively the balance of all moneys, if any, and all vouchers in his hands, except any vouchers appertaining personally to himself.

Election Auditor to publish abstract of such accounts.

200 The Election Auditor shall also, as soon as he conveniently can, insert or cause to be inserted an abstract of such account, signed by him, in some newspaper published or circulating in the District for which such Election is held; and such abstract of account shall specify the

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amount of each of such bills, charges, or claims admitted to be correct, or claimed and objected to, and the name of the parties to whom the same have been paid or are due, or by whom the same have been claimed respectively. A.D. 1890.

201 Every Candidate shall, before or at the Nomination, or as soon after as conveniently may be, declare to the Election Auditor in writing the name or names of his Agent or Agents for Election expenses, who shall be appointed in writing, and that he has not appointed and will not appoint any other Agent without in like manner declaring the same to the Election Auditor, and no other than such Agents shall have authority to expend any money or incur any expenses of or relating to the Election, in the name or on behalf of the Candidate; and such Agents may pay any of the current expenses of the Election necessary to be paid in ready money: Provided that such Agents shall make out to the best of their ability, and render, from time to time, true and particular accounts to the Election Auditor of all such payments; and every such Agent shall, as soon as conveniently may be after his appointment as aforesaid, make and subscribe before a Justice of the Peace the Declaration contained in the Schedule (26.).

Appointment and notification of Agents.

Agent's Declaration.

Schedule (26.).

202 In case any person is nominated as a Candidate at any Election without his previous authority and consent, the persons nominating such Candidate shall be liable to pay, and shall pay, the lawful expenses of the Election of such Candidate, in like manner and upon the same terms and conditions as by this Act provided concerning the payment of Election expenses by a Candidate at such Election.

Expenses of Candidate nominated without his consent.

PART VII.

MISCELLANEOUS MATTERS.

203 Every Member returned to serve in the Parliament of *Tasmania* shall, before he takes his seat in the Legislative Council or House of Assembly, as the case may be, make and subscribe before the Governor, or some person authorised by the Governor to receive such Declaration, the Declaration upon honor contained in the Schedule (27.).

Member's Declaration.

Schedule (27.).

204 It shall be lawful for the Governor to delegate to any other person the performance of any act or thing which by this Act he is empowered to perform: Provided always, that any such delegation shall be made under the hand of the Governor and the Seal of the Colony, and be duly announced by Proclamation in the *Gazette*.

Governor may, by Proclamation, delegate duties to any person.

205 It shall be lawful for the Governor to appoint such additional Officers in any Electoral District as may be necessary to ensure the carrying into effect the several provisions of this Act.

Governor may appoint additional Officers.

206 Where any delay occurs in the return of a Writ or Writs from any part of the Colony, and by the non-return of such Writ or Writs the number of Members of the Legislative Council or House of Assembly is not complete on the day whereon the Council and House of Assembly are summoned to assemble for the dispatch of business, it shall be competent for the Legislative Council and the House of

Provides for delay in return of Writs.

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Assembly respectively to proceed to business, if duly summoned for such purpose, notwithstanding the non-return of any Writ or Writs on or before the day whereon such Writs are made returnable: Provided always, that the number of Members deficient in consequence of the non-return of such Writ or Writs shall not exceed Two in the Legislative Council and Four in the House of Assembly.

Elections not to be void by reason of delay or formal impediments.

207 No Election for any District shall be held to be void in consequence solely of any delay in the holding of any Election at the time appointed, or in the return of the Writ, or in consequence of any impediment of a mere formal nature; Provided, that such Election shall, within Thirty days from the day on which such Election was held, be declared by the Governor in Council not to be invalid for any such cause as aforesaid: Provided also, that it shall be lawful for the Governor in Council, within the period of Twenty days before or after the day appointed for the holding of any Election, 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 such Election may be impeded, and to supply any deficiency that may otherwise affect the same: Provided also, that any measures so adopted by the Governor in Council shall be duly notified by Proclamation in the *Gazette*.

Misnomer not to vitiate.

208 No misnomer or inaccurate description of any person, place, or thing named or described in the Schedule to this Act, or in any List of Electors or Electoral Roll, or in any Notice required by this Act, shall in anywise prevent or abridge the operation of this Act with respect to such person, place, or thing, provided that such person, place, or thing is so denominated in such Schedule, List, Roll, or Notice as to be commonly understood.

Penalty on Officers neglecting duty.

209 If any Clerk of the Peace, Returning Officer, or Deputy Returning Officer after having accepted office as such, or any other person appointed or enjoined to perform any duty, matter, or thing under this Act, wilfully neglects or refuses to perform any of the duties, matters, or things which by the provisions of this Act he is so appointed, enjoined, or required to perform, every such Clerk of the Peace, Returning Officer, or Deputy Returning Officer, or other person shall for every such offence, in addition to any other punishment or penalty by this Act imposed, forfeit and pay a penalty of not less than Twenty Pounds nor more than One hundred Pounds; and any such penalty shall be recoverable with full costs of suit by any person who sues for the same within Three months after such neglect or refusal as aforesaid by action of debt in the Supreme Court, or if the sum sued for be in amount within the jurisdiction of any Court of Inferior jurisdiction, in such Court of Inferior jurisdiction; and such penalty when recovered shall be paid and apportioned as follows: one moiety thereof to the person so suing for the same, and the other moiety thereof to Her Majesty, Her Heirs and Successors, for the public uses of the Colony.

Declaration to be made by Officers on appointment.

210 Every person who may, under the provisions of this Act, be, or be appointed, a Returning Officer, or be appointed a Deputy Returning Officer, or to any other office under this Act, shall, before he enters on the performance of the duties of such office, make and subscribe the

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Declaration set forth in the Schedule (28.) before a Justice of the Peace ; and any person neglecting to make such Declaration shall be liable to a penalty not exceeding Twenty Pounds, to be recovered in a summary way.

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Schedule (28.)

211 All Declarations made and subscribed under this Act, except the Declarations to be made by Members of Parliament, shall be transmitted by the Justice of the Peace or other person before whom the same are made and subscribed, on the first opportunity, to the Chief Secretary.

Declarations to be transmitted by person taking same to Chief Secretary.

212 Every person taking any oath or making any affirmation under this Act who wilfully swears or affirms falsely shall be deemed guilty of Perjury, and be liable to be dealt with accordingly.

False oath or affirmation, Perjury.

213 Any person making and subscribing a Declaration under this Act who wilfully declares falsely, or who having made any such Declaration wilfully does any act in contravention of or contrary to the true intent and meaning of such Declaration, shall be deemed guilty of a Misdemeanor.

False Declaration or acting contrary to Declaration, a Misdemeanor.

214 Any person who counterfeits any Ballot-paper, or any signature thereto, or name therein, shall be deemed guilty of Forgery, and be liable to be imprisoned for any term not exceeding Seven years.

Counterfeiting Ballot-papers.

215 In any action to recover any penalty under this Act it shall be lawful for the Court or any Judge thereof, if the Court or Judge thinks fit, to order that the Plaintiff in such action shall give security for costs, or that all proceedings therein be stayed.

Security for costs.

216 If any action is brought against any person for any matter or thing done under the authority or in pursuance of this Act, such person may plead the general issue, and give this Act and the special matter in evidence.

General issue.

217 All moneys received for copies of Lists of Electors, Electoral Rolls, and other documents under this Act shall form part of the Consolidated Revenue Fund.

Appropriation of moneys.

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SCHEDULE.

(1.)

Sect. 2.

ACTS TO BE REPEALED.

| <i>Date of Act.</i> | <i>Title of Act.</i> | <i>Extent of Repeal.</i> |
|---------------------|---|--------------------------|
| 21 Vict. No. 32. | <i>The Electoral Act.</i> | The whole Act. |
| 26 Vict. No. 14. | <i>The Electoral Act, No. 2.</i> | The whole Act |
| 31 Vict. No. 32. | "The Electoral Act, No. 3." | The whole Act. |
| 34 Vict. No. 12. | "The Electoral Act, No. 4." | The whole Act. |
| 45 Vict. No. 18. | "The Electoral Act, No. 5." | The whole Act. |
| 48 Vict. No. 32. | "The Electoral Act, No. 6." | The whole Act. |
| 49 Vict. No. 12. | "The Electoral Act, No. 7." | The whole Act. |
| 49 Vict. No. 13. | An Act to continue the present Northern and Southern Electoral Districts for certain purposes. | The whole Act. |
| 49 Vict. No. 14. | "The Corrupt and Illegal Practices Prevention Act, 1885." | The whole Act. |
| 50 Vict. No. 3. | An Act to amend a Clerical Error in the Schedule (2.) to "The Electoral Act, No. 7," and to make provision for the preparation of the Electoral Roll and Polling List of the Electoral District of Meander. | The whole Act. |

(2.)

Sect. 6.

NAMES OF ELECTORAL DISTRICTS FOR THE RETURN OF MEMBERS OF THE LEGISLATIVE COUNCIL, AND NUMBER OF MEMBERS TO BE RETURNED BY SUCH DISTRICTS.

Northern Council Districts.

| | |
|------------------|--------------|
| Russell | One Member. |
| Mersey | One Member. |
| Meander | One Member. |
| Tamar | One Member. |
| Westmorland..... | One Member. |
| North Esk | One Member. |
| South Esk..... | One Member. |
| Launceston | Two Members. |

Southern Council Districts.

| | |
|-----------------|----------------|
| Macquarie..... | One Member. |
| Cambridge | One Member. |
| Pembroke..... | One Member. |
| Derwent..... | One Member. |
| Buckingham..... | One Member. |
| Huon | One Member. |
| Hobart | Three Members. |

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NAMES OF ELECTORAL DISTRICTS FOR THE RETURN OF MEMBERS OF THE HOUSE OF ASSEMBLY, AND NUMBER OF MEMBERS TO BE RETURNED BY SUCH DISTRICTS. A.D. 1890.

| <i>Northern Assembly Districts.</i> | |
|-------------------------------------|--------------|
| Wellington | Two Members. |
| West Devon | One Member. |
| East Devon | Two Members. |
| Deloraine | One Member. |
| North Launceston | Two Members. |
| South Launceston | Two Members. |
| Selby | One Member. |
| George Town | One Member. |
| Westbury | One Member. |
| Longford | One Member. |
| Cressy | One Member. |
| Evandale | One Member. |
| Fingal | One Member. |
| Ringarooma | One Member. |
| Campbell Town | One Member. |

| <i>Southern Assembly Districts.</i> | |
|-------------------------------------|--------------|
| Oatlands | One Member. |
| Brighton | One Member. |
| Cumberland | One Member. |
| New Norfolk | One Member. |
| Glenorchy | One Member. |
| Richmond | One Member. |
| Glamorgan | One Member. |
| Sorell | One Member. |
| Kingborough | Two Members. |
| Franklin | One Member. |
| North Hobart | Two Members. |
| South Hobart | Two Members. |
| West Hobart | Two Members. |

(3.)

DESCRIPTIONS AND BOUNDARIES OF ELECTORAL DISTRICTS. Sect. 7.

*Northern Council Districts.***RUSSELL.**

Comprises the Assembly District of Wellington as hereinafter described.

MERSEY.

Comprises the Assembly District of West Devon as hereinafter described, and that part of the Assembly District of East Devon lying to the west and north of the River Mersey.

MEANDER.

Comprises the Assembly District of Deloraine as hereinafter described, and that portion of the Assembly District of East Devon which is not included in the District of Mersey.

TAMAR.

Comprises the Assembly Districts of Westbury and George Town as hereinafter described.

WESTMORLAND.

Comprises the Assembly Districts of Longford and Cressy as hereinafter described.

NORTH ESK.

Comprises the Assembly Districts of Selby and Evandale as hereinafter described.

SOUTH ESK.

Comprises the Assembly Districts of Fingal and Ringarooma as hereinafter described.

LAUNCESTON.

Comprises the City of Launceston.

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Southern Council Districts.

MACQUARIE.

Comprises the Assembly Districts of Campbell Town and Oatlands as hereinafter described.

CAMBRIDGE.

Comprises the Assembly Districts of Brighton and Richmond as hereinafter described.

PEMBROKE.

Comprises the Assembly Districts of Sorell and Glamorgan as hereinafter described.

DERWENT.

Comprises the Assembly Districts of Cumberland and New Norfolk as hereinafter described.

BUCKINGHAM.

Comprises the Assembly Districts of Glenorchy as hereinafter described, and that part of the Assembly District of Kingborough bounded on the south by Brown's River to Long Creek, by that creek to the Town of Summerleas, by the north and by part of the west boundary of that town and by the north boundaries of lands purchased by Arthur Perry, John Watchorn, and Edward Campbell respectively, and by a westerly line to the North West Bay River, and thence bounded on the west by that river to its source.

HUON.

Comprises the Assembly District of Franklin as hereinafter described, and that portion of the Assembly District of Kingborough which is not included in the District of Buckingham.

HOBART.

Comprises the City of Hobart.

Northern Assembly Districts.

WELLINGTON.

Bounded by Bass's Strait from Cape Grim to the River Blythe, by that river to the Van Diemen's Land Company's Surrey Hills Block, by part of the north and by the east boundary of that block and by a due south line from its south-east angle for a distance of about twenty-two miles, thence by a west line passing through Mount Agnew to the sea, and by the sea northerly to the point of commencement.

The Islands in Bass's Strait lying to the west of the 147th degree of longitude form part of this District.

WEST DEVON.

Bounded by Bass's Strait from the River Blythe to the River Don, by the River Don to the north boundary of the Parish of Barrington, by that boundary westerly to the River Forth, by that river to its source, and by a south line for a distance of about five miles, thence by a west line to the Electoral District of Wellington, and by that district to the point of commencement.

EAST DEVON.

Bounded by Bass's Strait from the River Don to Badger Head, thence by the south-west boundary of the Parish of Stockport and by the west and part of the south boundary of the Parish of Philips Norton, thence by the north-west boundary of the Parish of Winkleigh to Franklin Rivulet, by that rivulet and by the north-west boundaries of the Parishes of Goodleigh and Ashgrove to the River Mersey, thence by that river to the Van Diemen's Land Company's road, by that road westerly to the River Forth, by that river northerly to the north boundary of the Parish of Barrington, by that boundary to the River Don aforesaid, and thence by that river northerly to the point of commencement.

DELORAINÉ.

Commencing at the River Mersey and bounded by the north-west boundary of the Parish of Ashgrove to the River Rubicon, thence by the north boundary of the Parish of Parkham for a distance of six miles, thence by a southerly line to the west angle of land purchased by P. Daley, thence by the eastern boundary of the Parish of Malling to the River Meander, by that river to the division

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boundary of the Parishes of Exton and Calstock, by that boundary to Quamby's Brook, by that brook to its source, thence by a southerly line for a distance of about eight miles, thence by a westerly line to the River Meander, thence by that river to its source, thence by a line to Lake Julian, by a line from thence to Lake Pillans, thence by a southerly line to Lake Ada, thence by a westerly line to the Electoral District of West Devon, and thence by that district and by the Electoral District of East Devon to the point of commencement. A.D. 1890.

NORTH LAUNCESTON.

Commencing at the First Basin on the South Esk River, and bounded by the middle of Granville-street to the middle of York-street, by the middle of York-street to the middle of High-street, by the middle of High-street to the middle of the Elphin Road, thence by the middle of that road to Goderich-street, thence by the south-east side of that street to the eastern boundary of the City of Launceston, by that boundary and by the northern and part of the western boundaries of the said city to the point of commencement.

SOUTH LAUNCESTON.

Commencing at the First Basin on the South Esk River, and bounded by the middle of Granville-street to the middle of York-street, by the middle of York-street to the middle of High-street, by the middle of High-street to the middle of the Elphin Road, thence by the middle of that road to Goderich-street, thence by the south-east side of that street to the eastern boundary of the City of Launceston, thence by that boundary, by the south-eastern, south-western, and by part of the western boundaries of the said city to the point of commencement.

SELBY.

Commencing at the source of the North Esk River and bounded by that river to its junction with St. Patrick's River, thence by St. Patrick's River to the Watercourse supplying the City of Launceston, by that watercourse to Distillery Creek, by that creek to the North Esk River, thence by that river to the south-east boundary of land granted to R. C. Gunn, by that boundary and by the south-east and north boundaries of the City of Launceston to the River Tamar, by that river to the South Esk River, by that river to the south angle of Lot 123 purchased by William Baines, by the south-west boundary of that lot, by the south-west boundaries of locations to R. Maylor and G. F. Storey respectively, by the south-west and north-west boundaries of Lot 59 purchased by W. S. Button, and by the south-west boundary of Lot 2321 purchased by John Thomson, thence by the south-west boundary of Lot 710 purchased by William Griffiths, and by the south-west boundary of the Parish of St. Michael's to the Supply River, thence by the Electoral Districts of George Town, Ringarooma, and Fingal to the point of commencement.

GEORGE TOWN.

Bounded on the south-west by the south-west boundaries of the Parishes of Stockport, Philips Norton, and Wells, commencing at Badger Head on Bass's Strait and extending to the Supply River, thence by that river and by the south boundary of the Town of Exeter and crossing the River Tamar to the Macquarie Rivulet, by that rivulet and by a north-easterly line to the Town of Upway, thence by a continued north-easterly line to Piper's River, thence by a north-easterly line to the Little Forester River at a point about one mile southerly from the Forks, thence by that river to Bass's Strait, and by Bass's Strait to the point of commencement.

WESTBURY.

Commencing at the junction of the South Esk River with the River Meander and bounded by the South Esk River to a grant to Henry Clayton, by the north-west and south-west boundaries of that grant, by a grant to James Robertson and W. D. Grubb, and by the south boundary of a location to T. Collicott to the River Liffey, by that river to the south boundary of 1422 acres granted to Thomas Reibey, by that boundary and by the south and west boundaries of land granted to C. R. Prinsep and by the south-west boundary of Lot 2 purchased by C. R. Prinsep to Quamby's Brook, by that brook to the Electoral District of Deloraine, and by that District and by the Electoral Districts of East Devon, George Town, and Selby to the River Meander aforesaid, and thence by that river to the point of commencement.

LONGFORD.

Commencing at the south-west boundary of the City of Launceston on the South Esk River and bounded by that city, by the Electoral District of Evandale,

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and by the south-east boundary of the Parish of Bramber to the Macquarie River, by that river to its junction with the Lake River, by that river to the south boundary of the Parish of Longford, by that boundary, by the west boundary of the same parish, and by the south and west boundaries of 1813 acres granted to James Robertson and W. D. Grubb to the Electoral District of Westbury, by that district to the South Esk River aforesaid, and thence by that river to the point of commencement.

CRESSY.

Commencing at the west boundary of the Parish of Lincoln on the Macquarie River, and bounded by that boundary and by part of the north, by the east, and south boundaries of 2560 acres located to J. Montagu, and by the south-east boundary of the Wesleyan Mission property to the Lake River, thence by that river to the Dabool Rivulet, thence by that rivulet and by a line along the summit of the Great Western Mountains to the Electoral District of Deloraine, and thence by that District and by the Electoral Districts of Westbury and Longford to the point of commencement.

EVANDALE.

Commencing at the source of the North Esk River and bounded by the Electoral District of Selby and by the City of Launceston to the Main Road from Launceston to Hobart, thence by that road to the Town of Perth, by the north and east boundaries of that town to the South Esk River, thence by that river to the Main Road from Launceston to Hobart aforesaid, thence by that road until opposite the north-west boundary of a location to D. W. Stalker, thence by the north and south-west boundaries of the Parish of Eskdale to the north angle of Lot 8 purchased by Thomas Archer, thence by the north-east boundary of that lot and of 1409 acres purchased by George Alston and by a south-easterly line to the south angle of Lot 617 purchased by E. D. Wedge, thence by the south-east and east boundaries of that lot and by the east boundary of a location to E. Wedge to the South Esk River, thence by that river and by the Electoral District of Fingal to the point of commencement.

FINGAL.

Commencing at the south angle of the Parish of Eastbourne and bounded by the Electoral District of Campbell Town to the Ben Lomond Rivulet, by that rivulet to its source, by a line from thence to the Lake on Ben Lomond Mountain, thence by a line to the source of the North Esk River, thence by a north-easterly line to Mount Maurice, thence by the Electoral District of Ringarooma to the sea, by the sea to the Electoral District of Glamorgan, and by that district to the point of commencement.

CAMPBELL TOWN.

Commencing at the east boundary of a location to E. Wedge on the South Esk River and bounded by the Electoral Districts of Fingal and Glamorgan to Tooms' Lake, by that lake and by the southern branch of the Macquarie River to a point opposite the south-east boundary of Lot 290 purchased by H. S. Hurst, thence by that boundary to the northern branch of the Macquarie River, by that river to Blackman's River, by Blackman's River to Mill Brook, by that brook and by a westerly line to Lake Crescent, thence by that lake and by Lake Sorell to the north-east angle of Lot 504 purchased by A. F. Kemp, thence by a north-westerly line to the junction of the Lake River with Wood's Lake, thence by the Lake River northerly to the south-east boundary of the Wesleyan Mission property, and thence by the Electoral Districts of Cressy, Longford, and Evandale to the point of commencement.

RINGAROOMA.

Commencing at the mouth of the Little Forester River on Bass's Strait and bounded by that river to a point about one mile southerly from the Forks, thence by a south-easterly line to the north-east angle of Lot 2656, thence by a south-easterly line to Mount Maurice, thence by the boundary of the Municipal District of Ringarooma to the Wyniford River, thence by a south-easterly line to the south boundary of the Town Reserve of Seaton, by that boundary to the sea, and thence by the sea northerly to Banks' Strait, and thence by that strait and by Bass's Strait aforesaid to the point of commencement.

All the Islands in Bass's Strait lying to the east of the 147th degree of longitude form part of this district.

Southern Assembly Districts

OATLANDS.

Commencing at the junction of Blackman's River with the Macquarie River and bounded by the Electoral Districts of Campbell Town and Cumberland to

Electoral.

the north angle of Lot 139 purchased by Gamaliel Butler on the River Jordan, by the north-east boundary of that lot, by the north-west and north-east boundaries of Lot 140 purchased by John Bisdee, the north and south-east boundaries of a grant of 400 acres to John Bisdee, by the western and southern boundaries of a grant of 1900 acres to Edward Paine Butler, by a line from its south-east angle to the north-west angle of a grant of 2450 acres to George Mercer, by the south-west boundary of that grant and by parts of the north-west and south-west boundaries of a grant to George William Guest, by the north-west and south-west boundaries of a grant to Edward Paine Butler and J. W. Woolley, and by part of the south-west boundary of Lot 104 purchased by George Stokell, by part of the north-west, the south-west, and part of the south-east boundaries of Lot 128 also purchased by George Stokell, by the north-east boundary of Lot 43 purchased by J. Robertson, by the north boundary of Lot 593 purchased by Michael M'Shane, by part of the Coal Mine Rivulet, and by the north boundary of the Coal Reserve, thence by part of the west and by the north boundary of Lot 442 purchased by Michael M'Guire to the Coal River, thence by that river southerly to the south boundary of Lot 218, thence by an easterly line for a distance of about five and a half miles, thence by a north-easterly line to the south angle of Lot 3129, thence by a north-easterly line passing along the south-east boundaries of Lots 3129, 3127, 255, 254, 253, a location to Daniel Stanfield, and through a location to James Hobbs to Little Swanport River, and thence by the Electoral Districts of Glamorgan and Campbell Town to the point of commencement.

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BRIGHTON.

Commencing at the south-west angle on the River Derwent of Lot 5 purchased by Thomas George Gregson, and bounded by the south and part of the north-east boundaries of that lot and by the north-west boundary of Lot 879 purchased by said Thomas George Gregson to Risdon Brook, by that brook to the east angle of Lot 877 purchased by William Abbott, by the north-east boundary of that lot, by the north-east and part of the north-west boundary of 500 acres granted to James Robertson, and by part of the west boundary of Lot 881 purchased by William Gunn to the Parish of Drummond, thence by the southern, eastern, and northern boundaries of that parish and by the west boundaries of the Parish of Yarrington to the east boundary of Lot 259, by that boundary to the north-west angle of lots originally surveyed for Pensioners, by the north-eastern boundaries of those lots, by the north-east boundaries of lots purchased by Charles Denny and William Rumney respectively, thence by a north-westerly line to the south-west angle of Lot 43 purchased by J. Robertson, thence by the south-west boundary of that lot and by the Electoral Districts of Oatlands and Cumberland to Lot 863 purchased by W. M. Orr, by part of the north and by the east boundary of that lot, thence by a south-easterly line to the west angle of 320 acres granted to Peter Murdoch, by the south-west boundary of that lot to the Parish of Wallace, thence by the north-west and west boundaries of that parish to Platform Bluff, thence by the south-west boundary of the Parish of Melville and by the Dromedary Creek to the River Derwent aforesaid, and thence by that river to the point of commencement.

CUMBERLAND.

Commencing at Platform Bluff and bounded by the Electoral District of Brighton to Lot 863 purchased by W. M. Orr, by the east and part of the north boundaries of that lot, by the east and part of the north boundaries of Lot 69 purchased by Thomas Willison, by part of the east boundary of Lot 864 purchased by Edward Bisdee, by the south boundaries of Lots 2237, 2238, 2863, and 2870, by the west boundary of Lot 477 purchased by John Clark, by the west and part of the north boundaries of Lot 476 purchased by Anthony Fenn Kemp, by a northerly line passing along the east boundary of lands purchased by W. Wylie and D. Wylie, and by an easterly line to the north boundary of Lot 289 purchased by W. Robertson, by that boundary to the River Jordan, and thence by the Electoral Districts of Oatlands, Campbell Town, Cressy, Deloraine, West Devon, and Wellington to the sea, thence by the sea to the south-west shore of Macquarie Harbour, by that shore to the Gordon River, by that river to the Serpentine River, by the last-mentioned river to Lake Pedder, thence by the south-west shore of that lake and by a south-easterly line to the Huon River, thence by that river to its source, thence by a north-easterly line to the source of Russell's Falls River, and thence by the Electoral District of New Norfolk to the point of commencement.

NEW NORFOLK.

Bounded on the north by Russell's Falls from its source to the River Derwent, thence by that river to the west angle of a grant to John Terry on the left bank of the River Derwent, by the north-west and north-east boundaries of that grant to the Belmont Rivulet, thence by the division boundaries of the Parishes of Grafton and Lansdowne to Platform Bluff on the Dromedary Range, on the north east by the

Electoral.

A.D. 1890.

Dromedary Range and Dromedary Creek to its junction with the River Derwent, thence by that river to the Electoral District of Glenorchy, on the north east by that district to the Electoral District of Kingborough, and thence by that district to the point of commencement.

GLENORCHY.

Commencing at the confluence of the Hobart Rivulet with the River Derwent, and bounded by the north-east, north-west, and south-west boundaries of the City of Hobart to Poet's Road, by that road and by the south boundaries of land granted to Susan Ross and Valentine Griffiths, and by the east and south-east boundaries of 2660 acres granted to Joseph Allport and Thomas Young to the Trigonometrical Station on Mount Wellington, thence by a north-westerly line to the Electoral District of New Norfolk, by that district to the River Derwent aforesaid, and thence by that river to the point of commencement.

RICHMOND.

Commencing at the River Derwent and bounded by the Electoral Districts of Brighton and Oatlands to the south-east angle of the last-mentioned district, thence by a south-westerly line to the south boundary of the Parish of Bisdee, by that parish easterly to the north-east angle of Lot 249A, thence by that lot and by the south boundary of Lot 301 to Prosser's River, by that river to the north-east angle of Lot 73 purchased by Richard Lewis, thence by that lot and by Lots 7 and 6 purchased by C. O. Parsons, thence by part of the north and by the east boundary of Lot 36 and by the east boundaries of Lots 567, 565, and 566 also purchased by C. O. Parsons, thence by a line to the Sorell Rivulet, and by that rivulet to the south boundary of Lot 2538 purchased by William Hodgson, by that boundary, by part of the north-east, the north-west, and part of the south-west boundaries of Lot 44 also purchased by William Hodgson to the Orielson Rivulet, thence by the western boundary of the Orielson Estate to the north boundary of a location to Charles Jeffrey, by that location easterly to the Orielson Rivulet aforesaid, by that rivulet to Pittwater, by Pittwater to the Sorell Causeway, thence by that causeway and by the Main Road from Sorell to the south boundary of a grant to George Mercer, by that boundary to Kangaroo Bay, and thence by that bay and by the River Derwent aforesaid to the point of commencement.

GLAMORGAN.

Bounded on the east by the sea from Doctor's Creek at the north boundary of the Town of Seymour to the south-west boundary of Lot 91 near Cape Bernier, by that boundary and by a line from thence to the north-east angle of Lot 2521, by the north boundary of that lot and of Lot 2520, thence by a line to the north-east angle of 99a. 1r. 24p. purchased by W. Hyett, thence by the north boundary of that lot and by the north and west boundaries of Lot 274 to the Curryjong Rivulet, by that rivulet to the Brushy Plains River, and by that river to the Ringarooma Creek, by that creek to the north boundary of Lot 694, by that boundary and by the south-west boundary of the same lot and by the south-east boundary of Lot 35 to the Electoral District of Richmond, by that district and by the Electoral District of Oatlands to Tooms' Lake, by that lake to the north-east angle of Lot 14, thence southerly along the east boundary of that lot to the south boundary of Lot 374, by that boundary and by an easterly line for a distance of one mile, thence by a northerly line to the north-east angle of Lot 430, thence by a north-westerly line to the south-east angle of Lot 1556, by the south and part of the west boundary of that lot, by part of the south and the west boundary of Lot 1427 purchased by John Meredith, and by the west boundary of 1000 acres granted to George Meredith to the Elizabeth River, by that river and by the east and part of the north boundaries of Lot 107 purchased by Alexander Cheyne, by the east boundaries of lands granted to Thomas Parramore, by the east and part of the north boundary of Lot 110, and by the east boundaries of Lots 111 and 112 and by a northerly line to Lot 307, thence by the summit of the range lying to the south of St. Paul's River to the south-east angle of a grant to R. Hepburn, by the east boundary of that grant and by a north-easterly line from thence to the north-west angle of the Town of Seymour on Doctor's Creek, and by that creek to the point of commencement.

Schouten Island, Maria Island, and all islands adjacent to the coast between Doctor's Creek and Cape Bernier form part of this District.

SORELL.

Bounded on the east by the sea from Lot 91 near Cape Bernier to Cape Pillar, thence on the south and west by the sea and Storm Bay to the River Derwent, by that river to Kangaroo Bay, and thence by the Electoral Districts of Richmond and Glamorgan to the point of commencement.

Franklin Island, the Derwent Lighthouse, and all the islands in Frederick Henry Bay and Pittwater, and also all islands in Norfolk Bay, form part of this District.

Electoral.

KINGBOROUGH.

A.D. 1890.

Commencing at the confluence of the Sandy Bay Rivulet with the River Derwent, and bounded by that rivulet to the south-west boundary of the City of Hobart, thence by that boundary to Poet's Road, thence by the Electoral Districts of Glenorchy and New Norfolk to the source of Russell's Falls River, thence by a south-westerly line to the source of the River Huon, thence by that river (leaving the Egg Islands on the west) to a rock known as the Butts, thence by a line across D'Entrecasteaux Channel to the most western point of South Bruni Island, thence by the sea and by Storm Bay (including Bruni Island) to the River Derwent, and thence by that river to the point of commencement.

FRANKLIN.

Commencing at the most western point of South Bruni Island, and bounded by the Electoral Districts of Kingborough and Cumberland to Macquarie Harbour, by the south-west shore of that harbour to the sea, by the sea to Whale Head, and thence by a line across D'Entrecasteaux Channel to the point of commencement.

NORTH HOBART.

Commencing at the junction of Macquarie-street with the north-east boundary of the City of Hobart, and bounded by the middle of Macquarie-street to the middle of Dunn-street, by the middle of Dunn-street to the middle of Davey-street, by the middle of Davey-street to the middle of Harrington-street, by the middle of Harrington-street to the middle of Liverpool-street, by the middle of Liverpool-street to the middle of Elizabeth-street, by the middle of Elizabeth-street and of New Town Road to the north-west boundary of the City of Hobart, thence by part of that boundary and by part of the north-east boundary of the said city to the point of commencement.

SOUTH HOBART.

Commencing at the east angle of the City of Hobart on the River Derwent, and bounded by that river to the Sandy Bay Rivulet, thence by that rivulet and by part of the south-west boundaries of the City of Hobart to the middle of Liverpool-street, by the middle of that street to the middle of Harrington-street, by the middle of Harrington-street to the middle of Davey-street, by the middle of Davey-street to the middle of Dunn-street, by the middle of Dunn-street to the middle of Macquarie-street, by the middle of Macquarie-street to the north-east boundary of the City of Hobart, and thence by part of that boundary to the point of commencement.

WEST HOBART.

Commencing at the junction of Liverpool-street with the south-west boundary of the City of Hobart, and bounded by the middle of that street to the middle of Elizabeth-street, by the middle of Elizabeth-street and of New Town Road to the north-west boundary of the City of Hobart, and thence by part of the north-west and south-west boundaries of the said town to the point of commencement.

The words "Lot" and "Allotment" as used in the foregoing descriptions shall be held to mean and intend the several lots and allotments respectively numbered and described as the same appear and are delineated in the chart or charts in the Office of the Minister of Lands and Works of this Colony; and wherever in such descriptions a river or other stream, or a road, street, or way is described to be the boundary of any district, a line drawn down the middle of such river or other stream, or road, street, or other way, shall be deemed to be such boundary.

(4.)

POLLING-PLACES FOR THE COUNCIL DISTRICTS.

Section 8.

| DISTRICTS. | POLLING-PLACES. |
|---------------|--|
| Russell | 1. Stanley. 2. Wynyard. 3. Burnie. 4. Waratah. 5. Public Buildings, Launceston. 6. Town Hall, Hobart. |

Electoral.

A.D. 1890.

| DISTRICTS. | POLLING-PLACES. |
|-------------------|---|
| Mersey | 1. Ulverstone. 2. Castra Road. 3. Hamilton-on-Forth. 4. The Don. 5. West Devonport. 6. Sheffield. 7. Public Buildings, Launceston. 8. Town Hall, Hobart. |
| Meander | 1. East Devonport. 2. Latrobe. 3. Sassafras. 4. Deloraine. 5. Chudleigh. 6. Public Buildings, Launceston. 7. Town Hall, Hobart. |
| Tamar | 1. Westbury. 2. Carrick. 3. George Town. 4. Beaconsfield. 5. Alford, Lower Piper River. 6. Public Buildings, Launceston. |
| Westmorland | 1. Longford. 2. Bishopsbourne. 3. Cressy. 4. Perth. 5. Public Buildings, Launceston. |
| North Esk..... | 1. Evandale. 2. St. Leonard's. 3. Upper Piper's River. 4. Public Buildings, Launceston. |
| South Esk | 1. Avoca. 2. Fingal. 3. St. Mary's. 4. St. Helen's. 5. Moorina. 6. Branxholm. 7. Upper Ringarooma. 8. Ellesmere. 9. Gladstone. 10. Ringarooma Port. 11. Public Buildings, Launceston. 12. Town Hall, Hobart. |
| Macquarie | 1. Campbell Town. 2. Ross. 3. Cleveland. 4. Oatlands. 5. State School, Jericho. 6. State School, Parattah. 7. State School, Tunnack. 8. State School, Tunbridge. 9. Town Hall, Hobart. |
| Cambridge | 1. Kempton. 2. Broad Marsh. 3. Pontville. 4. Richmond. 5. Jerusalem. 6. Town Hall, Hobart. |
| Pembroke | 1. Swansea. 2. Glen Gala. 3. Triabunna. 4. State School, Maria Island. 5. Buckland. 6. Sorell. 7. Bellerive. 8. Carnarvon. 9. Konya. 10. Coppington. 11. Town Hall, Hobart. |

Electoral.

A.D. 1890.

| DISTRICTS. | POLLING-PLACES. |
|------------------|--|
| Derwent | 1. Court House, New Norfolk. 2. Bothwell. 3. Police Station, Ouse. 4. Hamilton. 5. Macquarie Plains. 6. Glenora. 7. Town Hall, Hobart. |
| Buckingham | 1. Council Chamber, Glenorchy. 2. State School, New Town. 3. Cascade Road. 4. Sandy Bay. 5. Town Hall, Hobart. |
| Huon | 1. Kingston. 2. Gordon, Three Hut Point. 3. Lovett, Port Cygnet. 4. Huonville. 5. Franklin. 6. Dover, Port Esperance. 7. Southport. 8. Town Hall, Hobart. |
| Hobart..... | 1. Town Hall, Hobart. 2. State School, Macquarie-street. 3. State School, Upper Goulburn-street. 4. Public Buildings, Launceston. |
| Launceston | 1. Town Hall, Launceston. 2. Town Hall, Hobart. |

POLLING-PLACES FOR THE ASSEMBLY DISTRICTS.

| | |
|------------------|--|
| Wellington | 1. Stanley. 2. Montagu River. 3. Duck River. 4. Wynyard. 5. Somerset. 6. Burnie. 7. Waratah. 8. Detention River. 9. Heazlewood. 10. Corinna. 11. Public Buildings, Launceston. 12. Town Hall, Hobart. |
| West Devon | 1. Ulverstone. 2. Castra Road. 3. Penguin Creek. 4. Hamilton-on-Forth. 5. Don. 6. Public Buildings, Launceston. 7. Town Hall, Hobart. |
| East Devon..... | 1. East Devonport. 2. Latrobe. 3. Heidelberg. 4. Sassafras. 5. West Devonport. 6. Barrington. 7. Railton. 8. Wesley Vale. 9. Sheffield. 10. Nook. 11. New Ground. 12. Public Buildings, Launceston. 13. Town Hall, Hobart. |

Electoral.

A.D. 1890.

| DISTRICTS. | POLLING-PLACES. |
|------------------------|---|
| Deloraine..... | 1. Deloraine. 2. Chudleigh. 3. Elizabeth Town. 4. Town Hall, Hobart. 5. Public Buildings, Launceston. 6. Dunorlan. 7. Mole Creek. 8. Caveside. |
| North Launceston | 1. Town Hall, Launceston. 2. Police Station, Inveresk, Launceston. 3. Town Hall, Hobart. |
| South Launceston | 1. State School, Charles-street, Launceston. 2. Hampden, Launceston. 3. Town Hall, Hobart. |
| Selby | 1. Upper Piper's River. 2. Coulson's. 3. Lisle. 4. Turner's Marsh. 5. Rosevear's. 6. Invermay. 7. Public Buildings, Launceston. 8. Town Hall, Hobart. |
| George Town..... | 1. George Town. 2. Beaconsfield. 3. Piper's River, near Police Station. 4. Lefroy. 5. Public Buildings, Launceston. 6. Town Hall, Hobart. |
| Westbury | 1. Westbury. 2. Winkleigh. 3. Frankford. 4. Carrick. 5. Public Buildings, Launceston. |
| Longford | 1. Longford. 2. Perth. 3. Franklin Village. 4. Hadspen. 5. Public Buildings, Launceston. |
| Cressy | 1. Cressy. 2. Bracknell. 3. Bishopsbourne. 4. State School, Fern Bank, Osmaston. 5. Public Buildings, Launceston. |
| Evandale..... | 1. Evandale. 2. St. Leonard's. 3. Deddington. 4. Lymington. 5. Public Buildings, Launceston. 6. Town Hall, Hobart. |
| Fingal | 1. Fingal. 2. Avoca. 3. St. Mary's. 4. Mathinna. 5. Falmouth. 6. George's Bay (St. Helen's.) 7. State School, Gould's Country. 8. Weldborough. 9. Alberton. 10. Public Buildings, Launceston. 11. Town Hall, Hobart. 12. Pyengane. |

Electoral.

A.D. 1890.

| DISTRICTS. | POLLING-PLACES. |
|---------------------|---|
| Ringarooma | 1. Branxholm. 2. Ringarooma Port. 3. Brothers' Home. 4. Moorina. 5. Gladstone. 6. Bridport. 7. Ellesmere. 8. Upper Ringarooma. 9. Public Buildings, Launceston. 10. Town Hall, Hobart. |
| Campbell Town | 1. Campbell Town. 2. Tunbridge. 3. Ross. 4. Cleveland. 5. Isis, near Barton. 6. Public Buildings, Launceston. 7. Town Hall, Hobart. |
| Oatlands | 1. Oatlands. 2. Jericho. 3. Blue Hills. 4. Parattah. 5. Tunnack. 6. Tunbridge. 7. Rhyndaston. 8. Town Hall, Hobart. |
| Brighton..... | 1. Pontville. 2. Kempton. 3. North Bridgewater. 4. Broad Marsh. 5. Melton Mowbray. 6. Town Hall, Hobart. |
| Cumberland..... | 1. Hamilton. 2. Ouse Police Station. 3. Bothwell. 4. Macquarie Plains. 5. Ellendale State School. 6. Melton Mowbray. 7. Strahan. 8. Zeehan. 9. Town Hall, Hobart. |
| New Norfolk | 1. New Norfolk Court House. 2. Glenora. 3. Macquarie Plains. 4. South Bridgewater State School. 5. Town Hall, Hobart. |
| Glenorchy | 1. Glenorchy Council Chamber 2. New Town State School 3. South Bridgewater State School. 4. Bismarck. 5. Town Hall, Hobart. |
| Richmond | 1. Richmond. 2. Jerusalem. 3. Campania. 4. Cambridge. 5. Risdon. 6. Town Hall, Hobart. |
| Glamorgan | 1. Swansea. 2. Bicheno. 3. Mayfield, near Lisdillon. 4. Cranbrook. 5. Triabunna. 6. Buckland. 7. State School, Maria Island. 8. Town Hall, Hobart. 9. Woodsdale. |

Electoral.

A.D. 1890.

| DISTRICTS. | POLLING-PLACES. |
|-------------------|--|
| Sorell | 1. Sorell Council Chambers. 2. Bellerive Council Chambers. 3. Sandford. 4. Coppington. 5. Koonya. 6. Carnarvon. 7. Town Hall, Hobart. |
| Kingborough | 1. Sandy Bay. 2. Cascade Road. 3. Near <i>River View Inn</i> , Brown's River Road. 4. Kingston Police Office. 5. North West Bay. 6. Oyster Cove. 7. Woodbridge. 8. Gordon. 9. Leslie. 10. Huonville 11. Lovett, Port Cygnet. 12. Barnes' Bay. 13. Town Hall, Hobart. 14. Garden Island Creek. 15. Mills' Reef. |
| Franklin | 1. Franklin. 2. State School, Upper Huon. 3. Geeveston. 4. Dover, Port Esperance. 5. State School, Surges Bay. 6. State School, Hastings. 7. Southport. 8. Police Station, Recherche. 9. Town Hall, Hobart. |
| North Hobart..... | 1. Town Hall, Hobart. 2. State School, Church-street. 3. Town Hall, Launceston. |
| South Hobart..... | 1. Town Hall, Hobart. 2. State School, Macquarie-street. 3. State School, Hampden-road. 4. Town Hall, Launceston. |
| West Hobart..... | 1. Town Hall, Hobart. 2. State School, Murray-street. 3. State School, Upper Goulburn-street 4. The Central School, Bathurst-street 5. Town Hall, Launceston. |

(5.)

RETURNING OFFICERS.

| <i>Council District.</i> | <i>Rural Municipality.</i> |
|--------------------------|----------------------------|
| Meander | Deloraine |
| Tamar | Westbury |
| Westmorland | Longford |
| North Esk | Evandale |
| South Esk..... | Fingal |
| Macquarie..... | Oatlands |
| Cambridge..... | Brighton |
| Pembroke | Sorell |
| Derwent..... | New Norfolk |
| Buckingham..... | Glenorchy |

Sect. 11.

Electoral.

| <i>Assembly District.</i> | <i>Rural Municipality.</i> | A.D. 1890. |
|---------------------------|----------------------------|-------------------|
| Deloraine | Deloraine | |
| Westbury | Westbury | |
| Longford | Longford | |
| Evandale | Evandale | |
| Fingal | Fingal | |
| Campbell Town | Campbell Town | |
| Oatlands | Oatlands | |
| Brighton | Brighton | |
| Cumberland | Bothwell | |
| New Norfolk | New Norfolk | |
| Glenorchy | Glenorchy | |
| Richmond | Richmond | |
| Glamorgan | Glamorgan | |
| Sorell | Sorell | |

(6.)

RETURNING OFFICER'S DECLARATION.

Sect. 13.

I, *A.B.*, the Returning Officer of the Electoral District of do hereby solemnly and sincerely declare, that I will faithfully assist in all elections of a Member or Members to serve in Parliament for the said district; and that I will not in any manner interfere with any elector when filling up his ballot-paper at any such election, or attempt to ascertain the name or names of the candidate or candidates for whom any elector votes at any such election; and in case I should become acquainted with the name or names of the candidate or candidates for whom any elector votes, then that I will not disclose to any person whomsoever the fact so coming to my knowledge, nor by any word or action directly or indirectly aid in discovering the same, except in answer to any question which I am legally bound to answer, or in compliance with the provisions of "The Electoral Act, 1890."

A.B.

(7.)

ANNUAL NOTICE TO BE GIVEN BY THE CLERK OF THE PEACE AT HOBART.

Sect. 22.

I HEREBY give notice that all Persons entitled to vote in the Election of Members to serve in the Parliament of Tasmania, whose names are not upon the Electoral Roll now in force for the Electoral District in respect of which they claim to vote, or who, being upon such Roll, do not retain the same qualification or continue in the same Place of Abode as described in such Roll, or who claim to be entitled to vote in respect of an income, salary, or wages qualification, and who are desirous to have their Names inserted in the Electoral Roll about to be made for such District, are hereby required to deliver or transmit to the Returning Officer of the Electoral District in respect of which they claim to vote, on or before the Twenty-fourth day of *November* in this year, a Notice in writing by them signed, in which their Name and Surname at full length, their Place of Abode, and the particulars of their Qualification, must be legibly written.

Dated this day of 18

A.B.,
Clerk of the Peace at Hobart.

Electoral.

A.D. 1890.

(8.)

Sect. 23.

ANNUAL NOTICE TO BE GIVEN BY THE RETURNING OFFICER OF EACH LEGISLATIVE COUNCIL DISTRICT.

I HEREBY give notice, that every Person entitled to vote in the Election of a Member [*or Members*] to serve in the Legislative Council of the Parliament of Tasmania for the Electoral District of _____ whose name is not upon the Electoral Roll now in force for that District, or who, being upon such Roll, does not retain the same Qualification or continue in the same Place of Abode as described in such Roll, and who is desirous to have his Name inserted in the Electoral Roll about to be made for such District, is hereby required to deliver or transmit to me at (*Office or Place of business of the Returning Officer*) on or before the Twenty-fourth day of November in this year, a Notice in writing, signed by him, in which his Name and Surname at full length, his Place of Abode, and the particulars of his Qualification, must be legibly written, according to the Form hereunder set forth. Any Person whose name is upon the present Electoral Roll may also make his claim, if he thinks fit, but it is not necessary that he should do so if he has the same Qualification and Place of Abode now described in the Roll.

Dated this _____ day of _____ 18

C.D.,

Returning Officer for the Electoral District of

Notice of Claim. (Legislative Council.)

To the Returning Officer of the Electoral District of _____
I HEREBY give you notice, that I claim to have my Name inserted in the List of Electors for the Electoral District of _____ and that the particulars of my Name, Place of Abode, and Qualification are stated in the Columns below.

Dated this _____ day of _____ 18

G.H.

| <i>Surname and Christian Name of the Claimant at full length.</i> | <i>Place of Abode. (Stating Number of House, if any.)</i> | <i>Nature of Qualification.</i> | <p><i>If qualified in respect of Freehold Estate</i>—the Street or other Place where Property situate, and Number of House, if any, and Name or Description of Property, its Annual Value, and Name of occupying Tenant, if any.</p> <p><i>If qualified in respect of Leasehold Estate</i>—the Street or other Place where Property situate, and Number of House, if any, and Name or Description of Property, its Annual Value, and Name of Lessor.</p> <p><i>If qualified as a Graduate</i>—the University at which Degree taken, and the Year in which Degree conferred. <i>Or if qualified as an Associate of Arts</i>—the Year in which Degree conferred.</p> <p><i>If qualified as a Barrister or Solicitor</i>—the Date of Admission.</p> <p><i>If qualified as a Medical Practitioner</i>—the Date when Qualification acquired.</p> <p><i>If qualified as an Officiating Minister of Religion</i>—the Sect, and when, and where, and by whom ordained or appointed, and where officiating.</p> <p><i>If qualified as an Officer of Her Majesty's Land or Sea Forces or a Retired Officer of the Volunteer Force of Tasmania</i>—the Branch of the Service, and when and where last on actual Service.</p> | <i>Polling-place at which Claimant wishes to vote.</i> |
|---|---|---------------------------------|---|--|
| | | | | |

Electoral.

(9.)

A.D. 1890.

ANNUAL NOTICE TO BE GIVEN BY THE RETURNING OFFICER OF EACH ASSEMBLY DISTRICT.

Sect. 24.

I HEREBY give notice, that every Person entitled to vote in the Election of a Member [or Members] to serve in the House of Assembly of the Parliament of Tasmania for the Electoral District of _____ whose name is not upon the Assessment or Valuation Roll then in force within that District, and who is desirous to have his name inserted in the Electoral Roll about to be made for such District in respect of an Income, Salary, or Wages Qualification, is hereby required to deliver or transmit to me at (*Office or Place of business of the Returning Officer*) on or before the Twenty-fourth day of November in this year, a Notice in writing, signed by him in the presence of a witness, in which his Name and Surname at full length, his Place of Abode, and the particulars of his Qualification, must be legibly written, according to the Form hereunder set forth.

Dated this _____ day of _____ 18

C.D.,
Returning Officer for the Electoral District of _____

Notice of Claim. (House of Assembly.)

T the Returning Officer of the Electoral District of _____

I the undersigned, hereby give you notice that I claim to have my name inserted in the List of Electors for the Electoral District of _____
And I certify that I am of the age of Twenty-one years, that I reside in the said Electoral District, and am in receipt of income, salary, or wages at the rate of Sixty Pounds sterling a year, and that I have received income, salary, or wages equal to Thirty Pounds sterling during the period of Six months next before the First day of *November* instant. And I further certify that I have resided in *Tasmania* for the period of Twelve months next before the said First day of *November* instant.

| Surname and Christian Name of the Claimant in full length. | Place of Abode (stating Number of House, if any). | Nature of Qualification (state whether Income, Salary, or Wages). | Name of Employer, if any. | Polling-place at which Claimant wishes to vote. |
|--|---|---|---------------------------|---|
| | | | | |

Dated this _____ day of *November*, 18 .

Witness

(Signed)

Electoral.

A.D. 1890.

(10.)

Sect. 29.

LIST OF CLAIMANTS.

THE List of Persons claiming to be entitled to vote in the Election of a Member [or Members] to serve in the Parliament of Tasmania for the Electoral District of

| <i>Margin for entering Returning Officer's Objections.</i> | <i>Surname and Christian Name of each Claimant at full length.</i> | <i>Place of Abode.</i> | <i>Nature of qualification.</i> | <p><i>If qualified in respect of Freehold Estate—the Street or other Place where Property situate, and Number of House, if any, and Name or Description of Property, its Annual Value, and Name of occupying Tenant, if any.</i></p> <p><i>If qualified in respect of Leasehold Estate—the Street or other Place where Property situate, and Number of House, if any, and Name or Description of Property, its Annual Value, and Name of Lessor.</i></p> <p><i>If qualified as a Graduate—the University at which Degree taken, and the Year in which Degree conferred; or, if qualified as an Associate of Arts—the Year in which Degree conferred.</i></p> <p><i>If qualified as a Barrister or Solicitor—the Date of Admission.</i></p> <p><i>If qualified as a Medical Practitioner—the Date when Qualification acquired.</i></p> <p><i>If qualified as an Officiating Minister of Religion—the Sect, and when, and where, and by whom ordained or appointed, and where officiating.</i></p> <p><i>If qualified as an Officer of Her Majesty's Land or Sea Forces, or a Retired Officer of the Volunteer Force of Tasmania—The Branch of the Service and when and where last on actual Service.</i></p> <p><i>If qualified in respect of Salary of £60 per annum—state Name of Employer, and Date of Appointment.</i></p> |
|--|--|------------------------|---------------------------------|---|
| | | | | |

C.D.

Returning Officer of the Electoral District of

(11.)

Sect. 35.

NOTICE OF OBJECTION TO BE GIVEN TO THE RETURNING OFFICER.

To the Returning Officer of the Electoral District of
 I HEREBY give you notice, that I object to the Name of the Person mentioned and described below being retained in the List of Electors for the Electoral District of

| <i>Surname and Christian Name of the Person objected to, as described in the List of Electors.</i> | <i>Place of Abode as described in List.</i> | <i>Nature of Qualification as described in List.</i> | <i>Particulars as described in List.</i> |
|--|---|--|--|
| | | | |

Dated this day of 18

G.H.
 [Place of Abode.]

Electoral.

(12.)

A.D. 1890.

Sect. 35.

NOTICE OF OBJECTION TO BE GIVEN TO PERSONS OBJECTED TO, AND TO THE OCCUPYING TENANT OF THE QUALIFYING PROPERTY, IF ANY, BY ANY PERSON OTHER THAN THE RETURNING OFFICER.

To Mr. _____ of _____ [*Here insert the Name and Place of Abode of the Person objected to as described in the List ; and in the case of Notice to the Tenant of the qualifying Property insert his Name and Place of Abode as described in the List.*]

TAKE notice, that at the next Court of Revision for the Electoral District of _____, I intend to object to your Name [*in the Notice to the Tenant, instead of the words "your Name," insert the Name of the Person objected to*] being retained in the List of Electors for the Electoral District of _____ on the ground that

Dated this _____ day of _____ 18

G.H.
[*Place of Abode.*]

(13.)

LIST OF PERSONS OBJECTED TO, TO BE PUBLISHED BY THE RETURNING OFFICER. Sect. 36.

THE following Persons have been objected to as not being entitled to have their Names retained in the List of Electors for the Electoral District of _____

| Surname and Christian Name of each Person objected to, as described in the List. | Place of Abode as described in List. | Nature of Qualification as described in List. | Particulars as described in List. | Grounds of Objection. |
|--|--------------------------------------|---|-----------------------------------|-----------------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

C.D.
Returning Officer of the Electoral District of _____

(14.)

COUNCIL DISTRICTS.

Sect. 40.

| Districts. | Place of holding Courts of Revision. |
|------------------|--------------------------------------|
| Russell | Court House, Burnie. |
| Mersey | Court House, Hamilton-on-Forth. |
| Meander | Court House, Deloraine. |
| Tamar | Court House, Westbury. |
| Westmorland..... | Court House, Longford. |
| North Esk..... | Court House, Evandale. |
| South Esk..... | Court House, Fingal. |
| Macquarie..... | Court House, Oatlands. |
| Cambridge | Court House, Pontville. |
| Pembroke | Court House, Sorell. |
| Derwent | Court House, New Norfolk. |
| Buckingham | Court House, Glenorchy. |
| Huon | Court House, Franklin. |
| Hobart | Town Hall, Hobart. |
| Launceston | Town Hall, Launceston. |

Electoral.

A.D. 1890.

ASSEMBLY DISTRICTS.

| <i>Districts.</i> | <i>Place of holding Courts of Revision.</i> |
|------------------------|---|
| Wellington | Court House, Burnie. |
| West Devon | Court House, Hamilton-on-Forth. |
| East Devon | Court House, Latrobe. |
| Deloraine | Court House, Deloraine. |
| North Launceston | } Town Hall, Launceston. |
| South Launceston | |
| Selby | Invermay. |
| George Town | Court House, George Town |
| Westbury | Court House, Westbury. |
| Longford | Court House, Longford. |
| Cressy | Police Station, Cressy. |
| Evandale | Court House, Evandale. |
| Fingal | Court House, Fingal. |
| Ringarooma | Court House, Ellesmere. |
| Campbell Town | Court House, Campbell Town. |
| Oatlands | Court House, Oatlands. |
| Brighton | Court House, Pontville. |
| Cumberland | Court House, Bothwell. |
| New Norfolk | Court House, New Norfolk. |
| Glenorchy | Court House, Glenorchy. |
| Richmond | Court House, Richmond. |
| Glamorgan | Court House, Glamorgan. |
| Sorell | Court House, Sorell. |
| Kingborough | Court House, Kingston. |
| Franklin | Court House, Franklin. |
| North Hobart | } Town Hall, Hobart. |
| South Hobart | |
| West Hobart | |

(15.)

Sect. 57.

FORM OF ELECTORAL ROLL.

THE Electoral Roll of the Electoral District of _____ for the Year commencing the Eleventh day of April, 18 _____, and ending on the Tenth day of April, 18 _____

| Margin for entering Returning Officer's Objections in the ensuing year. | Surname and Christian Name of Elector. | Place of Abode. | Nature of Qualification. | Particulars of Qualification. | Margin for inserting Polling-places in the ensuing year. |
|---|--|-----------------|--------------------------|-------------------------------|--|
| | | | | | |

(16.)

Sect. 87.

ELECTORAL DISTRICT OF _____

I HEREBY give notice, that I have received a Writ under the hand of His Excellency the Governor, dated the _____ day of _____ instant (*or ultimo*), for the Election of (a) fit and proper person (s) to serve as the (*or a*) Member for the Electoral District of _____ in the House of Assembly (*or Legislative Council*) of Tasmania.

The period within which Candidates may be nominated for election at such Election will be from the _____ day of _____ to the _____ day of _____ instant (*or next*) inclusive, up to 4 o'clock P.M. of the last-named day.

Electoral.

Written Nominations of Candidates, such Nominations to be accompanied by the written consent of such Candidates to be nominated, will be received by me at _____ A.D. 1890.

_____ up to
In the event of such Election being contested, a Poll will be taken on the _____ day of _____ instant [*or next*],
from 8 A.M. to 8 P.M., at the Polling-places named hereunder :—

Dated

Returning Officer for the Electoral District of

(17.)

Sect. 90.

The _____ day of _____ 18____
WE, the undersigned Electors of the Electoral District of _____, do hereby nominate [*stating Christian and Surname*], of _____ [*state occupation*], as a fit and proper person to represent the said District in the Legislative Council [*or House of Assembly*].

| <i>Surname and Christian Name of Electors as described in the Roll.</i> | <i>Place of Abode as described in the Roll.</i> | <i>Nature of Qualification as described in the Roll.</i> | <i>Usual Signature of Electors.</i> |
|---|---|--|-------------------------------------|
| | | | |

I, the above-named _____, consent to become a Candidate at the Election for the said District of _____

(18.)

SCRUTINEER'S DECLARATION.

Sect. 95.

I, *A.B.*, a Scrutineer appointed by *X.Y.*, a Candidate [*or by C.D. and E.F. the persons nominating X.Y. as a Candidate*] at the ensuing Election of a Member [*or Members*] of the Legislative Council [*or House of Assembly, as the case may be*], for the Electoral District of _____ do hereby solemnly and sincerely declare that I will faithfully assist in the said Election, and that I will not in any manner interfere with any Elector when filling up his Ballot-paper, or attempt to ascertain the name or names of the Candidate or Candidates for whom any Elector votes ; and in case I should become acquainted with the name or names of the Candidate or Candidates for whom any Elector votes, then that I will not disclose to any person whomsoever the fact so coming to my knowledge, nor by any word or action directly or indirectly aid in discovering the same except in answer to any questions which I am legally bound to answer, or in compliance with the provisions of "The Electoral Act, 1890."

A.B.

(19.)

FORM OF BALLOT-PAPER.

Sect. 97.

BALLOT-PAPER.

[*Here the Candidates' Names will be written or printed in Alphabetical order, and numbered in figures in regular succession.*]

Electoral.

A.D. 1890.

(20.)

Sect. 99.

DEPUTY RETURNING OFFICER'S DECLARATION.

I, *A.B.*, one of the Deputy Returning Officers at the ensuing Election of a Member [*or Members*] of the Legislative Council [*or House of Assembly, as the case may be*] for the Electoral District of _____ do hereby solemnly and sincerely declare that I will faithfully assist in the said Election, and that I will not in any manner interfere with any Elector when filling up his Ballot-paper, or attempt to ascertain the name or names of the Candidate or Candidates for whom any Elector votes; and in case I should become acquainted with the name or names of the Candidate or Candidates for whom any Elector votes, then that I will not disclose to any person whomsoever the fact so coming to my knowledge, nor by any word or action directly or indirectly aid in discovering the same except in answer to any question which I am legally bound to answer, or in compliance with the provisions of "The Electoral Act, 1890."

A.B.

(21.)

Sect. 107.

QUESTIONS TO BE PROPOSED TO A PERSON TENDERING HIS VOTE.

ARE you the same person whose name appears as [*here specify the name contained in the Electoral Roll*] in the Electoral Roll now in force for the Electoral District of [*here specify Electoral District*]?

Have you already voted, either here or elsewhere, at the present Election?

(22.)

Sect. 108.

OATH AS TO IDENTITY, AND HAVING PREVIOUSLY VOTED.

I, *A.B.*, do swear that I am the same person whose name appears as [*here specify name*] in the Electoral Roll now in force for the Electoral District of [*here specify Electoral District*]; and that I have not before voted, either here or elsewhere, at the present Election. So help me God.

(23.)

Sect. 108.

OATH AGAINST BRIBERY.

I *A.B.*, do swear that I have not received or had by myself, or any person whatsoever in trust for me, or for my use or benefit, or for the use or benefit of any member of my family or kindred, or of any friend or dependent, directly or indirectly, any sum or sums of money, office, place of emolument, gift, or reward, or any promise or security for any money, office, employment, place of emolument, gift, or reward, by way of consideration, expressed or implied, for giving my vote at this Election. So help me God.

(24.)

Sect. 139.

PERSONS LEGALLY EMPLOYED FOR PAYMENT.

1. One Election Agent, and no more.
2. The number of Scrutineers allowed by "The Electoral Act, 1890," and no more.
3. Any such paid Election Agent and Scrutineer may or may not be an Elector, but may not vote.
4. Any person employed as Cab-driver, Cab-owner, or any person letting out for hire any vehicle employed at any Election.

Electoral.

(25.)

A.D. 1890.

ELECTION AUDITOR'S DECLARATION.

Sect. 188.

I, *A.B.*, do hereby solemnly and sincerely declare, that I will well and truly and faithfully, to the best of my ability, perform my duty as Election Auditor for the Electoral District of _____ according to the provisions of "The Electoral Act, 1890."

A.B.

(26.)

ELECTION AGENT'S DECLARATION.

Sect. 201.

I, *A.B.*, being appointed an Agent for Election Expenses by *X.Y.*, a Candidate at this Election, do hereby solemnly and sincerely declare that I have not knowingly made, authorised, or sanctioned, and that I will not knowingly make, authorise, or sanction, any payment on account of this Election otherwise than through the Election Auditor, save as excepted and allowed by "The Electoral Act, 1890."

A.B.

(27.)

MEMBER OF PARLIAMENT'S DECLARATION.

Sect. 203.

I, *A.B.*, do hereby declare, upon my honor, that I have not paid, nor will I pay, nor have I authorised, nor will I authorise any person to pay for me, or on my behalf, any other moneys than such as are allowed by "The Electoral Act, 1890," in any way expended in reference to my Election as a Member of this House for the Electoral District of _____; and I do also declare, upon my honor, that I have done no act unduly to influence any Elector in the vote which he has given at such Election.

A.B.

(28.)

OFFICER'S DECLARATION ON APPOINTMENT.

Sect. 210.

I, *A.B.*, do hereby solemnly and sincerely declare that I accept the office of _____ and I do hereby solemnly and sincerely declare that I will faithfully perform the duties of the same to the best of my understanding and ability.

A.B.

