

THE ELECTORAL ACT, 1907.

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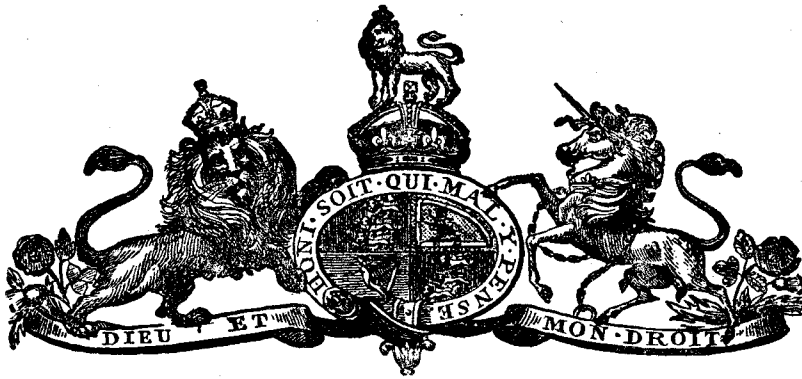
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TASMANIA



1907.

ANNO SEPTIMO

EDWARDI VII. REGIS,

No. 6. — See N^o. 4 of 1908.
N^o. 63 of 1911

AN ACT to regulate Parliamentary Elections. ^{A.D.} 1907.
[1 November, 1907.]

BE it 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 :—

PART I.

PRELIMINARY.

1 This Act may be cited as “The Electoral Act, 1907,” and, Short title.
except as herein otherwise provided, shall commence and take effect as from a day to be fixed by Proclamation by the Governor.

2—(1.) “The Electoral Act, 1901,” and “The Electoral Amend- Repeal.
ment Act, 1904,” shall be and the same are hereby repealed. 1 Ed. VII. No. 57.
4 Ed. VII. No. 1.

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(2.) All acts, proceedings, matters, and things which at the commencement of this Act shall, under the enactments hereby repealed, or either of them, have been begun and be pending, and not inconsistent with the provisions of this Act, shall and may respectively be continued, carried on, and completed under and in pursuance of the provisions of this Act, and in the like behalf.

(3.) Except so far as relates to Assembly Districts and elections for the Assembly, all appointments of Polling-places lawfully made and in force, and all Electoral Rolls and Polling Lists, 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 either of them, shall respectively, except as herein otherwise provided, 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.

(4.) The provisions of this Section shall be in addition to and not in substitution for the provisions of "The Interpretation Act, 1906."

Division of Act.

3 This Act is divided into Parts, as follows:—

Part I.—Preliminary.

Part II.—Administration.

Part III.—Electoral Districts, Sub-districts, and Polling-places.

Part IV.—Electoral Rolls.

Part V.—Additions to Rolls, Transfers, and Alterations of Rolls.

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Division 1.—Objections.

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Part VIII.—The Nominations.

Part IX.—Voting by Post.

Part X.—The Polling.

Part XI.—The Scrutiny.

Part XII.—The Return of the Writs.

Part XIII.—Limitation of Electoral Expenses.

Part XIV.—Electoral Offences.

Part XV.—Disputed Returns.

Part XVI.—Miscellaneous.

Interpretation.

"Absolute majority of votes."

4 In this Act, unless the contrary intention appears—

"Absolute majority of votes" means a number greater than One-half of the whole number of Ballot-papers other than exhausted and informal Ballot-papers. The casting-vote of the Returning Officer shall be included in reckoning an absolute majority of votes :

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- “ Assembly ” means the House of Assembly of the Parliament of *Tasmania* : A.D. 1907.
- “ Assembly District ” means an Electoral District for the return of Members to represent such District in the House of Assembly : “ Assembly District.”
- “ Candidate ” means any person duly nominated for election under this Act, and in Parts II., XIV., and XV. includes any person who within Three months before the day of election offers himself for election as a Member of the Assembly or the Council, or within such period does any act with the object of securing his election as such Member and afterwards becomes a candidate : “ Candidate.”
- “ Chief Electoral Officer ” means the officer for the time being appointed to that office, and includes a deputy or substitute : “ Chief Electoral Officer.”
- “ Council ” means the Legislative Council of the Parliament of *Tasmania* : “ Council.”
- “ Council District ” means an Electoral District for the return of a Member or Members to represent such District in the Council : “ Council District.”
- “ District ” means Electoral District : “ District.”
- “ Gazette ” means the *Tasmanian Government Gazette* : “ Gazette.”
- “ General Election ” means an election which takes place after a dissolution of the Assembly, or at the expiration of the term for which Members of the Assembly are elected : “ General Election.”
- “ Elector ” means any person whose name appears on a Roll as an elector : “ Elector.”
- “ Electoral Registrar ” includes a Returning Officer acting as Registrar : “ Electoral Registrar.”
- “ First choice recorded for a candidate ” means a voting-paper on which the number 1 is marked in the square opposite such candidate’s name : “ First choice.”
- “ Minister ” means the responsible Minister of the Crown for the time being administering the Act : “ Minister.”
- “ Officer ” includes the Chief Electoral Officer for the State, Returning Officer, Assistant Returning Officer, Electoral Registrar, Presiding Officer, Assistant Presiding Officer, and Poll Clerk : “ Officer.”
- “ Parliament ” means the Parliament of *Tasmania* : “ Parliament.”
- “ Prescribed ” means prescribed by this Act or the Regulations : “ Prescribed.”
- “ Proclamation ” means a Proclamation by the Governor published in the *Gazette* : “ Proclamation.”
- “ Returning Officer ” includes an Assistant Returning Officer : “ Returning Officer.”
- “ Roll ” means an Electoral Roll under this Act : “ Roll.”
- “ Sub-district ” means a subdivision of a District : “ Sub-district.”
- “ This Act ” includes all Regulations made thereunder. “ This Act.”

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

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Penalties at foot
of Sections or
Sub-sections.Com., 1904, No. 1,
s. 3.**5** The penalty, pecuniary or other, set out—

- i. At the foot of any Section of this Act : or
- ii. At the foot of any Sub-section of any Section of this Act, but not at the foot of the Section—

shall indicate that any contravention of the Section or of the Sub-section respectively, whether by act or omission, shall be an offence against this Act, punishable upon conviction by a penalty not exceeding the penalty mentioned.

Provided that where the penalty is expressed to apply to a part only of the Section or Sub-section, it shall apply to that part only.

PART II.**ADMINISTRATION.**Chief Electoral
Officer.

6—(1.) The Governor may, on the recommendation of the Public Service Board, and subject to the provisions of "The Public Service Act, 1905," from time to time appoint some fit person to be Chief Electoral Officer for the State, who shall have such powers and functions as are conferred upon him by this Act or the Regulations.

(2.) Such Chief Electoral Officer may hold such office in conjunction with any other office not inconsistent therewith, and shall be paid such salary or addition to his salary as may be from time to time appropriated for that purpose by Parliament.

(3.) If at any time the Chief Electoral Officer is from any cause incapable of acting, the Governor may, on the recommendation of the said Board, appoint some fit person to discharge the duties of the office temporarily, and while so acting the person so appointed shall have and may exercise all the powers, duties, and functions of the Chief Electoral Officer.

Returning
Officers.

7—(1.) The Minister, on the recommendation of the Chief Electoral Officer may from time to time appoint—

- i. A Returning Officer for each District, who shall be charged with the duty of giving effect to this Act within or for his District, subject to the directions of the Chief Electoral Officer :

Assistant
Returning
Officers.

- ii. Assistant Returning Officers to assist the Returning Officer. Each Assistant Returning Officer may exercise all the powers of the Returning Officer, subject to such limitations as are—

- (a) Expressed in his appointment ; or
- (b) Prescribed by the Regulations ; or
- (c) Directed by the Returning Officer :

Electoral
Registrars.

- iii. Electoral Registrars to keep the Rolls for specified Polling-places or Sub-districts.

The Returning Officer shall act as Electoral Registrar to keep the Rolls for all Polling-places for his District, or

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Sub-districts of his District for which no Electoral Registrar has been appointed. A.D. 1907.

Each Electoral Registrar shall be directly responsible for the due discharge of his duties to the Returning Officer of the District, and the duties of such Electoral Registrar shall be as prescribed. Electoral Registrar responsible to Returning Officer.

(2.) The Minister, on the like recommendation, may from time to time suspend from office or remove any officer appointed under this Section. Removal of officers appointed.

8 If at any time any officer, not being the Chief Electoral Officer, is from any cause incapable of acting, the Chief Electoral Officer may appoint some fit person to discharge the duties of the office temporarily, and whilst so acting the person so appointed shall have and may exercise all the powers, duties, and functions of the officer in whose place he is appointed. Chief Electoral Officer may appoint substitutes.

9 No candidate shall be appointed an officer, and if any officer becomes a candidate he shall thereby vacate his office. Candidates not to be officers.

10 Such remuneration shall be paid to officers appointed by the Minister under this Part as may from time to time be prescribed. Remuneration of officers

11 All Returning Officers and Electoral Registrars shall keep forms, and without fee supply them and assist the public in their use. Keeping of forms.

12 All officers (including the Chief Electoral Officer) administering the electoral laws at the commencement of this Act are continued in office as if appointed under this Act. Existing officers.

PART III.**ELECTORAL DISTRICTS, SUB-DISTRICTS, AND POLLING-PLACES.**

13—(1.) For the purpose of returning Members to serve in the Council, the State of *Tasmania* shall be divided into the Council Districts set forth, and severally designated by the names specified in the Schedule (1.); and each of such Council Districts shall return the number of Members assigned to and set opposite the name of the District in Schedule (1.). Council Electoral Districts and Members. Schedule (1.).

(2.) For the purpose of returning Members to serve in the Assembly, the State of *Tasmania* shall be divided into the Five Assembly Districts set forth, and severally designated by the names specified in the Schedule (1.); and each of such Assembly Districts shall return Six Members. Assembly Electoral Districts and Members.

(3.) The boundaries of the said Council and Assembly Districts shall be as set forth in the Schedule (2.). Boundaries. Schedule (2.).

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Sub-districts.
Com., 1905,
No. 26, s. 17.Polling-places.
Com., 1902, No.
19, s. 24.
W.A., 1904, No.
20, ss. 19 & 91.

14 The Governor may, in any case in which he thinks fit so to do, by Proclamation, divide any District into Sub-districts.

15 The Governor may, by notice in the *Gazette*—

- i. Appoint a chief Polling-place for each District :
- ii. Appoint such other Polling-places for each District as he thinks necessary :
- iii. Abolish any Polling-place :
- iv. Establish a Polling-place area for any specified Polling-place, and fix its boundaries.

Provided that no Polling-place shall be abolished or Polling-place area be established after the issue of the Writ, and before the time appointed for its return.

Change of
Electors from one
Polling-place to
another.
Com., 1905, No.
26, s. 17.

16 When—

- i. A Polling-place is appointed or abolished : or
- ii. A Polling-place area is established : or
- iii. A District is divided into Sub-districts : or
- iv. The boundaries of a Sub-district are altered—

the Minister may, by notice in the *Gazette*, give such directions as are thereby rendered necessary or expedient for the change of electors from one Roll to another, and effect shall be given to those directions in the prescribed manner.

PART IV.**ELECTORAL ROLLS.**Preparation of
Rolls for
Assembly
Districts.

17 Electoral Rolls for Assembly Districts shall be prepared as soon as conveniently may be after the commencement of this Act, under the direction of the Chief Electoral Officer, by the persons and in the manner directed by Proclamation, and shall come into force at a date to be fixed by Proclamation.

Polling-place
or Sub-district
Rolls, District
Rolls.
Com., 1905, No.
26, s. 18.

18—(1.) There shall be a Roll for each Assembly and for each Council District.

(2.) There may be a separate Roll for each Polling-place (in this Act called a “a Polling-place Roll”).

(3.) There may be a separate Roll for each Sub-district (in this Act called a “Sub-district Roll”).

(4.) All the Polling-place or Sub-district Rolls for a District shall together form the Roll for the District (in this Act called a “District Roll”).

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19 The Rolls may be in the prescribed form, and there shall be described therein— A.D. 1907.

- i. In the case of Assembly Rolls, the surname, Christian names, place of living, and occupation of each elector :
- ii. In the case of Council Rolls, the foregoing particulars and also particulars of the qualification of each elector and the nature thereof—

Form of Rolls.

and all Rolls shall contain such other particulars as may be prescribed.

20—(1.) The Governor may arrange with the Governor-General of the Commonwealth for the preparation, alteration, and revision of the Assembly Rolls, in any manner consistent with the provisions of this Act, jointly by the State and the Commonwealth, to the intent that the Rolls may be used as Electoral Rolls for Commonwealth elections as well as State elections. Arrangement with Commonwealth. *Ibid.*, s. 18.

(2.) When any such arrangement has been made, the Rolls may contain, for the purposes of such Commonwealth elections—

- i. The names and descriptions of persons who are not entitled to be enrolled thereon as electors of the State, provided that it is clearly indicated in the prescribed manner that those persons are not enrolled thereon as State electors :
- ii. Distinguishing marks against the names of persons enrolled as State electors, to show that those persons are or are not also enrolled as Commonwealth electors :
- iii. Other particulars in addition to the prescribed particulars.

And for the purposes of this Act the names and descriptions, marks, and particulars so contained shall not be deemed part of the Roll.

21—(1.) Any person qualified to vote at an election for the Council or Assembly, or who would be qualified so to vote if his name were upon a Roll, shall be entitled to have his name placed upon One Polling-place or Sub-district Roll for the District— Persons entitled to have their names on Roll. *Ibid.*, s. 18.

- i. In the case of an elector for the Council in respect of which he possesses a qualification :
- ii. In the case of an elector for the Assembly, in which he lives.

(2.) If the District is divided into Sub-districts he may have his name placed only upon a Roll for the Sub-district in respect of which, being an elector for the Council, he possesses a qualification, or in which, being an elector for the Assembly, he lives.

(3.) Except as provided in this Section or as prescribed, he may have his name placed on any One Polling-place Roll for the District.

(4.) The Regulations may prescribe the Polling-place Roll on which electors for an Assembly District who live in any specified area or locality shall be entitled to have their names placed.

(5.) No person may have his name placed on more than One Assembly Roll, or upon any Assembly Roll other than that for the District or Sub-district in which he lives.

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(6.) No person possessing more than One qualification within a Council District is thereby entitled to be registered more than once for that District.

New Rolls.
Ibid., s. 18.
W.A., s. 27.

22 New Rolls for any Polling-places, Sub-districts, or Districts, and new Rolls generally, shall be prepared whenever directed by Proclamation by the Governor, by the persons and in the manner specified in the Proclamation or prescribed by the Regulations, and shall come into force at the date stated in the same or any subsequent Proclamation.

Names to be inserted and omitted.
W.A., s. 29.

23 In preparing new Rolls—

- i. The names of all persons who appear to be qualified shall be inserted : and
- ii. The names of all persons—
 - (a) Who, from information supplied by a Registrar of Births and Deaths, appear to be dead : or
 - (b) Who appear to be disqualified : or
 - (c) In the case of Assembly Rolls, who do not appear to live in the District—

shall be omitted.

Printing of Rolls.
Ibid., s. 18.

24 Any Roll or Rolls for a specified District or Districts and Rolls generally shall be—

- i. Printed :
 - ii. Reprinted so as to show the state of the Roll or Rolls as at a specified date—
- whenever the Minister so directs.

Supplemental Rolls.
Ibid., s. 18.
W.A., s. 24.

25 Supplemental Rolls, in the prescribed form, setting out additions since the last print, and such other particulars as may be prescribed, shall also be prepared and printed immediately previous to any election, and at such other times as the Minister directs.

Inspection.
Ibid., s. 18.
W.A., s. 25.

26—(1.) The last printed copy of the Roll for each District shall be open for public inspection within the prescribed hours on at least Two days in every week at the chief Polling-place for the District without fee, and shall be obtainable thereat and at such other places as the Chief Electoral Officer appoints, and on payment of such price as may be prescribed.

(2.) Every Roll kept by an Electoral Registrar shall be open to public inspection without fee at such times and places as are prescribed.

Officers to furnish information.
Ibid., s. 18.

27—(1.) All officers in the service of the State, and all constables, and all officers in the service of any local governing body, are hereby authorised and required to furnish to the Chief Electoral Officer for the State, or any Electoral Registrar, all such information as he requires to enable him to prepare or revise the Rolls.

5 Ed. VII. No.
29, s. 41 (N.Z.).

(2.) All constables are hereby enjoined to assist any Electoral Registrar by making inquiries, collecting information, and otherwise, as he requests.

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PART V.

ADDITIONS TO ROLLS, TRANSFERS, AND ALTERATIONS OF ROLLS.

28 New names may be added to Rolls pursuant to—

- i. Claims :
- ii. Applications to transfer.

Addition of new names.
Com., s. 55.
W.A., s. 31.

29 Claims may be in the Form A or B in Schedule (3.), and shall be signed by the claimant, and shall be sent to the Electoral Registrar keeping the Polling-place or Sub-district Roll on which the elector claims to be enrolled.

Forms of claims, *New S. Subsd*
A and B, *N.° 63 of 1911*
Schedule (3.). *S. 2.*
Com., 1905, No.
26, s. 19.
W.A., s. 32.

30 If the claim is in order, and the Electoral Registrar is satisfied that the claimant is entitled to be enrolled, he shall, pursuant to the claim, immediately enter the claimant's name and the particulars relating to him on the Roll in the prescribed manner, and shall file the claim.

Registration *Where the*
of claims. *claim relates to*
Com., 1902, No. *(A Council district*
19, s. 57. *N.° 63 of 1911 s. 4*
Amended by
1905, No. 26, s. *One of*
19. *190*
W.A., s. 33. *Am. N.° 4 of 1908*
Right to transfer. *S. 2*
Com., 1902, s. 58.
W.A., s. 35.

31 Any elector whose name is on the Roll for any Assembly District, and who has lived in any other Assembly District for ~~Two~~ months, may transfer his name to the Roll for the Assembly District in which he lives.

32 Every transfer shall be made by application to transfer in the ~~Form C or D in Schedule (3.)~~ *prescribed form.*

Forms of transfer, *N.° 63 of 1911*
C and D, *S. 5*
Schedule (3.).
Com., 1902, s. 59.
W.A., s. 36. *for some other*
Method of *prescribed person*
transfer. *N.° 63 of 1911 s. 6*
Com., 1902, s. 60,
amended by
Com., 1905, s. 22.
W.A., s. 36.

33 The application to transfer shall be signed by the elector, and witnessed by an elector or a person qualified to be an elector, and sent to the Electoral Registrar keeping the Polling-place or Sub-district Roll to which the elector's name is to be transferred.

34 The Electoral Registrar shall—

- i. Note on the application to transfer the date of its receipt, and file it in his office :
- ii. If it appears that the applicant is entitled to the transfer, register it by placing the elector's name on the Roll :
- iii. Give notice of the transfer to the Electoral Registrar keeping the Polling-place or Sub-district Roll from which the elector's name has been transferred, who shall thereupon remove the elector's name from the Roll.

Registration of *where the application*
transfer. *relates to Council*
Com., 1902, s. 61, *district*
as amended. *S. 4*
W.A., s. 37.

35—(1.) Any elector whose name is on a Polling-place Roll may make application in the prescribed form to be changed to another Polling-place Roll for the same District on which he is entitled to have his name placed.

Change to
another Polling-
place Roll.
Com., 1905, s. 24.

(2.) Any elector whose name is on a Sub-district Roll, and who lives in another Sub-district of the same District, may make application

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in the prescribed form to be changed to the Roll of the latter Sub-district.

(3.) The application to change shall be signed by the elector, and witnessed by an elector or a person qualified to be an elector, and sent to the Electoral Registrar keeping the Polling-place or Sub-district Roll to which the elector's name is to be changed.

(4.) The Electoral Registrar shall—

i. Note on the application to change the date of its receipt, and file it in his office :

ii. If it appears that the applicant is entitled to the change, register it by placing the elector's name on the Roll :

iii. Give notice of the change to the Electoral Registrar keeping the Polling-place or Sub-district Roll from which the elector's name has been changed, who shall thereupon

remove the elector's name from the Roll.

35(a) See N° 63 of 1911 s. 9.
36—(1.) In addition to other powers of alteration conferred by this Act, Rolls may be altered by the Electoral Registrar as follows :—

i. By correcting any obvious mistake or omission :

ii. By changing, on the written application of an elector, the original name or address of the elector to an altered name or address :

iii. By substituting for the qualification of an elector on the Roll for a Council District another sufficient qualification within the same District :

iv. By striking out the names of dead persons :

v. By reinstating any name struck out by mistake as the name of a dead person.

(2.) Rolls may be altered by the Returning Officer by adding the names of any persons who he is satisfied are entitled to be enrolled.

(3.) The Returning Officer of each Council District shall, on or before a prescribed date in every year, make out a list in the prescribed manner of all persons whose names appear upon any Valuation or Assessment Roll in force as being the owners or occupiers of property of such description and value within such Council District as to entitle such persons to vote in respect of such district, but whose names do not appear on the Electoral Roll in force for such Council District ; and such Returning Officer shall, after the making of such enquiry concerning the said names as may be prescribed, add to the Council Roll the names of so many of the said persons as appear to him to be entitled to be enrolled, together with the prescribed particulars.

36^a See N° 63 of 1911 s. 10.
37 Where an elector's name is on a Polling-place or Sub-district Roll on which he is not entitled to have his name placed, the Returning Officer may change the elector's name to another Polling-place or Sub-district Roll for the same District on which he is entitled to have his name placed, and shall forthwith notify the elector of the change.

or some other prescribed person. N° 63 of 1911 s. 8

*where the application relates to a Council district
 26. s. 8*

Alteration of
 Rolls.
 Com., 1905, s. 25.
 W.A., s. 38.

Returning
 Officers to add
 to Council Roll
 names of persons
 on Assessment
 Roll entitled to
 be enrolled.

Change to proper
 Polling-place
 or Sub-district
 Roll.
 Com., 1905, s. 26.

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38 Claims and applications to transfer or change received by the Returning Officer or Registrar before ~~Twelve o'clock at night of the day on which~~ the Writ is issued may be registered after the issue of the Writ, but otherwise no addition to or alteration of the Roll for any District shall be made during the period between the issue of the Writ for an election in the District and the close of the polling at the election *except under the provisions of Section 36A.*

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Time for altering
Rolls.
Com., 1902, s. 64.
W.A., s. 40.

*Am. by No.
63 of 1911
s. 11*

(Words added by No. 63 of 1911 s. 11 which see.)
39 All alterations shall be made in such a manner that the original entry shall not be obliterated, and the reason for the alteration and the date thereof shall be set against the alteration, together with the initials of the officer making the alteration.

Alterations to be
initialed.
Com., 1902, s. 65.
W.A., s. 41.

40 Every Registrar of Births and Deaths shall, in the months of *January, April, July, and October* in each year, forward to the Returning Officer of the Electoral District which includes any portion of the District for which such Registrar is appointed, a list of the names, addresses, and occupations of all persons of the age of Twenty-one years or upwards whose deaths have been registered in the latter District during the preceding Three months, and the Returning Officer shall cause the name of every person on the Roll who is named in any such list of deaths to be struck off the Roll.

Lists of deaths
to be forwarded.
Com., 1902, s. 66.
W.A., s. 42.

41—(1.) Every Registrar of Marriages shall, in the months of *January, April, July, and October* send to the Returning Officer of the Electoral District which includes any portion of the District for which such Registrar is appointed, a correct list of the marriages of all women of the age of Twenty-one years or upwards registered by him during the preceding Three months, stating in such list the former name, residence, and addition of each person returned on such list, and also the name, residence, and occupation of the man to whom she is married.

Also with lists of
marriages of
adult women.
5 Ed. VII. No.
29, s. 40 (N.Z.).

(2.) The Registrar of the Electoral District shall remove from the Roll the name of every woman on the Roll who is named on any such list, and in lieu thereof (where necessary) insert her married name in its proper alphabetical order.

(3.) If for any reason such alteration is not made before the issue of the Writ, then she shall (if qualified to vote for that District) be entitled to vote in right of her former name as appearing on the Roll.

PART VI.

REMOVAL OF NAMES FROM ROLLS.

Division I.—*Objections.*

42 Any name on a Roll may be objected to by objection in writing, lodged with or made by the Returning Officer.
Provided that a sum of Five Shillings shall be deposited in respect of each objection lodged by any person, other than an officer or

Names on Roll
may be objected
to.
Com., 1905, s. 29.

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member of the Police Force, to be forfeited to the King if the objection is held by the Returning Officer to be frivolous.

prescribed form
43 The objection may be in the ~~Form E in the Schedule (3.)~~, and shall be signed and made by an elector registered on the same District Roll, or by the Returning Officer or Registrar, or by a member of the Police Force.

Duty to object.
Ibid., s. 29.

44 It is the duty of the Returning Officer and of each Registrar to lodge or make an objection in writing, setting forth the grounds of such objection, in respect of any name which either of them has reason to believe ought not to be retained on the Roll.

Notice of objection.
Ibid., s. 29.

45 The Returning Officer shall forthwith give notice of the objection to the person objected to. The notice may be in the prescribed form, and be served by posting it to the last-known place of abode of the person objected to, or if that is not known, then to the place of residence appearing on the Roll.

Answer to objection.
Ibid., s. 29.

46 The person objected to may, orally or in writing, in the prescribed manner, answer the objection.

Determination of objection.
Ibid., s. 29.

47—(1.) On receipt of the answer of the person objected to, or after the expiration of Twenty days from the posting of the notice, the Returning Office shall determine the objection, and if it appears that the person objected to is not qualified or entitled to be enrolled on the Roll, shall strike out his name.

(2.) If any objection is held by the Returning Officer to be frivolous, the person objected to shall be entitled to a reasonable allowance, not exceeding Five Pounds, and the Returning Officer shall award such sum to be paid by the objector, and in default of payment such sum may be recovered by the person objected to in any Court of competent jurisdiction as a debt due to him by the objector.

Division II.—*Appeals.*

Appeal to Court of Petty Sessions.
Ibid., s. 29.

48—(1.) Any person—

i. Who has made and sent in a claim to be enrolled upon a Roll, and who has not been enrolled pursuant to the claim :
 or

ii. Whose name has been struck off a Roll by the Returning Officer upon an objection by any person—

may in manner prescribed make application to a Court of Petty Sessions, constituted by a Police Magistrate or any Two or more Justices of the Peace, who are hereby authorised to hear and determine electoral appeals, for an order directing that his name may be added or restored to the Roll.

(2.) Where an objection under Division I. of this Part has been determined by the Returning Officer adversely to the person objecting,

Am N° 63 of 1911
 s. 12

Sub-sections (2) and (3) added by N° 63 of 1911
 s. 13

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that person (not being an officer) may in manner prescribed apply to a Police Magistrate or any Two or more Justices of the Peace as above-mentioned for an order sustaining the objection. A.D. 1907.

(3.) Where the application has reference to the decision of the Returning Officer upon an objection, the applicant shall as prescribed serve the objector or the person objected to (as the case may be) with notice of the application, and the person so served may appear, or may in writing authorise any person to appear on his behalf, to resist the application.

(4.) The Court may hear and determine any application under this Section, and make such order as it thinks fit as to the costs of the application, which may be recovered in a summary way in the same manner as the costs of any other proceeding before the Court.

(5.) The Clerk of the Court shall send by post to the Returning Officer a certified copy of the order of the Court, and it shall be the duty of the Returning Officer to make such entries (if any) upon the Roll as are necessary to give effect to the order.

(6.) A Police Magistrate, or Two Justices of the Peace authorised as above-mentioned, shall for the purposes of this Section be deemed to be and shall have all the powers of a Court of Petty Sessions.

PART VII.**WRITS FOR ELECTIONS.**

49 Writs for the election of Members of the Council or of the Assembly may be in the prescribed form, and shall fix the dates for— Form of Writs.
Com., 1902, s. 86.
W.A., s. 62.

- i. The nomination :
- ii. The polling : and
- iii. The return of the Writ.

50 The Writ for the election of any Member or Members to serve in the Parliament of *Tasmania* for any District shall be issued by the Governor, directed to the Returning Officer of such District. Governor to issue
Writs for
elections.

51 On the receipt of a Writ, the Returning Officer to whom it is directed shall— Duty of
Returning Officer
on receipt of
Writ.
W.A., s. 67.

- i. Indorse thereon the date of its receipt :
- ii. Advertise its receipt and particulars in a newspaper circulating in the District, or by placards or otherwise, and the dates fixed for the nomination and the polling, and the places at which the poll will be taken.

52—(1.) The Writs for the election of the Assembly shall be issued within a period of Ten days after the Assembly ceased to continue or was dissolved. When Assembly
dissolved, new
Writs to be
issued within
Ten days.

(2.) In case of any vacancy arising in the Assembly the Writ shall be issued within Ten days after the happening of such vacancy. 1 Ed. VII. No.
57, s. 68.

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Date of nomination.
Com., 1902, s. 87.
W.A., s. 63.

Date of polling.
Com., s. 88.
W.A., s. 64.

Date of return of Writ.
Com., s. 89.
W.A., s. 65.

General elections to be held on same day.
Com., 1902, s. 91.

Period between dissolution and next meeting.
1 Ed. VII. No. 57, s. 70.

When Writ may be issued in Council elections.
Ibid., s. 66.

Issue of Writs for Council postponed in certain cases.
Ibid., s. 67.

Governor may in certain cases delay issue of Writ.

53 The date fixed for the nomination of candidates shall not be less than Seven days nor more than Twenty-one days after the date of the Writ; but the time may be extended by the Governor.

54 The date fixed for the polling shall not be less than Seven days nor more than Thirty days after the date of nomination.

55 The date fixed for the return of the Writ shall not be more than Sixty days after the issue of the Writ; but the time may be extended by the Governor.

56 In the case of a general election for the Assembly the same day shall be fixed for the polling in each District, and all Writs shall be made returnable on the same day.

57 Not more than Ninety days shall elapse between the dissolution of the Assembly and the next meeting of the Parliament of *Tasmania*; but the time may be extended by the Governor for a further period not exceeding Thirty days.

58 For the purposes of the periodical election of Members of the Council, the Writ for every such election may be issued before the Members who retire by rotation shall have retired.

59—(1.) In the event of any vacancy occurring in the Council at any time within Four months immediately preceding the day for holding the periodical election of Members of the Council, and before the Writ is issued for such periodical election, a Writ for the return of a Member to fill the said vacancy in the Council need not, unless the Governor otherwise determines, be issued until the day upon which the Writs for the said periodical election shall be issued, notwithstanding anything to the contrary contained in this Act.

(2.) Subject to the provisions of the preceding Sub-section, the election of a Member to fill such vacancy shall be held on the day appointed for such periodical election.

(3.) If any such vacancy occurs in the Council at any other time, the Writ shall be issued within Ten days after such vacancy.

60 Notwithstanding anything to the contrary hereinbefore contained, whenever any vacancy occurs in the Council or Assembly by means of any Member resigning his seat therein for the purpose of seeking election in *Tasmania* for the Parliament of the Commonwealth of *Australia*, if such Member, when tendering his resignation, notifies in writing to the Governor his intention to seek such election, and his intention, in the event of his failing to secure such election, to again become a candidate for the vacancy aforesaid, then the issue of the Writ for the election of a Member to fill such vacancy shall be delayed until the result of the said Commonwealth election shall have been first officially declared by the Returning Officer.

Words added by N. 65 of 1914 s. 2.

*cf. no. 3119 (Writs)
p. 2.*

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PART VIII.

THE NOMINATIONS.

61 No person shall be capable of being elected a Member of Parliament unless duly nominated. Candidates must be nominated. Com., 1902, s. 94.

62 To entitle a person to be nominated as a Member of Parliament, he must be qualified under *The Constitution Act* or any amendment thereof to be elected as such Member. Qualification for nomination. Com., 1902, s. 95.

63—(1.) No person shall be entitled to be nominated as a candidate for a seat in one House of the Parliament whilst holding a seat in the other House of the Parliament. Member of one House not eligible for nomination for the other House.

(2.) No person shall be entitled to be nominated as a candidate for more than One District at the same—
 No person to be nominated for more than One District.

- i. Periodical election for the Council : or
- ii. General election for the Assembly.

64 No nomination shall be valid unless—
 Requisites for nomination. Com., 1902, s. 97. W.A., s. 71.

- i. The person nominated consents to act if elected :
- ii. The nomination-paper is received after the issue of the Writ, and before the hour of nomination :
- iii. The person nominated, or some person on his behalf, deposits with the Returning Officer at the time of the delivery of the nomination-paper the sum of Twenty-five Pounds in money or in bank-notes or in a banker's cheque.

65—(1.) The consent of the person nominated to act, if elected, shall be sufficient if he signs the form of consent at the foot of the nomination-paper, but the Returning Officer receiving the nomination may accept any other form of consent accompanying the nomination-paper or received by him from the candidate that he may deem satisfactory, and his decision shall be final. Form of consent to act. Com., s. 98.

(2.) If any person so nominated is absent from the State at the time of his nomination, his consent to be nominated may be signified to the Returning Officer by letter sent by post or affixed to the nomination-paper, or by an ordinary message by telegraph, provided that the Returning Officer receives any such communication before the hour of nomination.

66 Nominations may be in the Form F in Schedule (3.), and shall—
 Mode of nomination. Com., s. 99. W.A., s. 69. Form F, Schedule (3.).
 i. Name the candidate, his place of residence and occupation :
 and
 ii. Be signed by not less than Two persons entitled to vote at the election *for which the candidate is nominated* N. 638/1911 s. 14.

67 Nominations shall be made to the Returning Officer for the District in which the election is to be held. To whom nominations made. Com., s. 101.

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Time for receipt.
Com., s. 101.Formal defects.
Com., s. 102.
W.A., s. 72.Appropriation of
money deposited
with nomination.

68 Nominations may be received by the Returning Officer at any time after the issue of the Writ, and before the hour of nomination.

69 No nomination shall be rejected by reason of any formal defect or error therein, if the Returning Officer receiving it is satisfied that the provisions of this Act have been substantially complied with.

70—(1.) When a Poll takes place at any election the deposit made with the Returning Officer as aforesaid by or on behalf of every candidate who fails to receive at the Poll—

i. Where more than One Member is to be returned, a number of votes at the time of his exclusion from the Poll not less than One-fifth part of the quota as defined in Schedule (4.):

ii. Where One Member only is to be returned, a number of votes not less than One-fifth part of the votes received by the successful candidate—

shall be forfeited to His Majesty, and be paid by the Returning Officer into the Treasury and form part of the Consolidated Revenue Fund.

(2.) After every election the Returning Officer shall return to every candidate—

i. Who has been returned without a Poll: or

ii. Who has withdrawn his consent to his nomination under the provisions of this Act: or

iii. Who has not forfeited his deposit under Sub-section (1.) of this Section—

the deposit made with the Returning Officer as aforesaid by or on behalf of every such candidate. ———

71 In all elections the chief Polling-place for the District shall be the place of nomination therein.

72 Twelve o'clock noon on the day of nomination shall be the hour of nomination, and the Returning Officer shall then attend at the place of nomination and publicly produce all nomination-papers received by him, and declare the names and residences of all candidates nominated.

Withdrawal of
consent to
nomination.
Com., 1905, s. 30.

73 A candidate may withdraw his consent to his nomination at any time before the hour of nomination by lodging with the Returning Officer for the District a notice of withdrawal in the prescribed form, and thereupon the nomination shall be cancelled.

Return of deposit
in case of
candidate's death.
Ibid., s. 30.

74 On the death of a candidate before the election the deposit lodged by him or on his behalf shall be returned to his legal representative.

*Words inserted by
No. 63 of 1911 s. 15.*

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75—(1.) The Returning Officer shall declare the candidates nominated duly elected if no greater number are nominated than are required to be elected—

- i. In the case of any election other than the periodical election of Members of the Council, upon the closing of the period of nomination : and
- ii. In the case of such periodical election, upon the day of the poll.

(2.) If a greater number of candidates are nominated than are required to be elected, the proceedings shall stand adjourned to polling day.

76 If after the nominations have been declared and before polling day any candidate dies, and the candidates remaining are not more than the number required to be elected, they shall forthwith be declared to be elected and the Writ returned.

77 Whenever an election wholly or partially fails a new Writ shall forthwith be issued for a supplementary election.

An election shall be deemed to have wholly failed if no candidate is nominated or returned as elected.

An election shall be deemed to have partially failed whenever One or more candidates is or are returned as elected, but not the full number required to be elected.

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Proceedings on nomination day.

Cf. Com., 1902, s. 106.

W.A., s. 78.

Death of candidate after nomination.
Com., 1902, s. 107.
W.A., s. 77.

Failure of election.
Com., 1902, s. 108.
W.A., s. 78.

PART IX.

VOTING BY POST.

78—(1.) Any elector—

- i. Who has reason to believe that he will not on polling-day, during the hours of polling, be within Seven miles by the nearest road of the Polling-place for which he is enrolled, or a prescribed Polling-place for the Sub-district for which he is enrolled : or
- ii. Who will be prevented by illness or infirmity from attending the Polling-place on polling-day—

may after the issue of the Writ, and before polling-day, make application in the Form G in Schedule (3.) to the Returning Officer for the District in which the applicant resides for a postal vote certificate.

(2.) In the case of an application under Paragraph i., the applicant shall state in the application the reason for his said belief. All such applications shall be filed by the Returning Officer, and after the declaration of the Poll shall be open to inspection by the public during office hours until the election can no longer be questioned.

(3.) The application shall be signed by the elector himself in the presence of an authorised witness.

Obtaining of forms on application for postal ballot-paper.
Com., 1902, s. 109, as amended.

Application for a postal vote certificate.
Com., 1905, s. 31.
Form G, Schedule (3.).

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(4.) Any elector making a false statement, or any person inducing an elector to make a false statement, in an application under this Section shall be guilty of an offence under this Act.

Penalty : Fifty Pounds, or One month's imprisonment.

Authorised witnesses.
Com., 1905, s. 32.

79 The following persons, not being candidates, are authorised witnesses within the meaning of this Act:—

- i. The Chief Electoral Officer or his Deputy; all Returning Officers; all Electoral Registrars; all Postmasters or Postmistresses or persons in charge of Post Offices; all Police Magistrates of the State; all Justices of the Peace; all Head Teachers of State Schools; all members of the Police Force of the State; all legally qualified medical practitioners; all officers in charge of quarantine stations: and
- ii. All persons or classes of persons, employed in the Public Service of the State or Commonwealth who are declared by Proclamation to be authorised witnesses within the meaning of this Act.

Witness to application must satisfy himself of truth of statements.

80 An authorised witness shall not witness the signature of an elector to an application for a postal vote certificate and postal Ballot-paper, unless—

- i. He has satisfied himself as to the identity of the applicant: and
- ii He has seen the applicant sign the application in his (the applicant's) own handwriting.

Penalty : Fifty Pounds, or One month's imprisonment.

Issue of certificates and Ballot-papers.
Com., 1905, s. 33.
Forms H and I,
Schedule (3.).

81—(1.) The Returning Officer who receives the application, if he is satisfied that it is properly signed by an elector and is properly witnessed, and that no postal vote certificate for the same election has been previously issued to the applicant, shall himself deliver to or post to the elector, and to no other person, a postal vote certificate and One postal Ballot-paper with a counterfoil attached, together with an envelope addressed to the Returning Officer.

(2.) The postal vote certificate may be in Form H in Schedule (3.), and may be printed on the back of the counterfoil of the postal Ballot-paper.

(3.) The postal Ballot-paper may be in the Form I in Schedule (3.).

Returning Officer to initial Ballot-paper.
Com., 1902, s. 111,
as amended.

82 The Returning Officer shall initial all postal Ballot-papers issued, and shall keep and number the applications in consecutive order, writing the corresponding number on the counterfoil of the Ballot-paper.

Returning Officer to note issue of certificate.
Advice to presiding officer.
Com., 1902,
ss. 117, 118.

83—(1.) The Returning Officer shall note on the lists of voters all postal vote certificates issued.

(2.) If there is not time to conveniently note the issue of any postal vote certificate on any list of voters, the Returning Officer shall

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immediately advise the presiding officer at the Polling-place at which the elector is entitled to vote of the issue of the certificate. A.D. 1907.

84 No elector who has received any postal vote certificate shall be entitled to vote at any Polling-booth unless he delivers up his certificate and postal Ballot-paper to the presiding officer before he votes, except as provided in the next succeeding Section.

Elector receiving certificate not to vote at booth unless he delivers it up.
Com., 1902, s. 117.

85—(1.) If an elector to whom a postal vote certificate and postal Ballot-paper appear to have been sent states that he has not received the same, and claims to vote personally at any Polling-booth within the district to which such postal vote certificate and postal Ballot-paper relate, the Returning Officer or presiding officer at such booth may take from such elector a declaration in the Form J in Schedule (3.) to this Act or to the like effect. Thereupon such elector shall be entitled to vote personally at such poll, and his vote shall be taken in the ordinary way.

Provision when elector claims to vote although postal Ballot-paper already issued.
Form J, Schedule (3.).

(2.) If such vote is received by a presiding officer other than the Returning Officer, he shall immediately advise the Returning Officer of the fact of such elector having voted personally, and shall forward the declaration to the Returning Officer with the Ballot-papers, and if any postal Ballot-paper purports to have been received from the same elector, such postal Ballot-paper shall be rejected at the counting of the votes, and the Returning Officer shall state thereon the reason of such rejection.

64 Vict. No. 1701, s. 12 (Vict.).

86 No application for a Ballot-paper shall be deemed insufficient or invalid by reason only that in such application there is an omission or incorrect or insufficient description or misdescription in respect of any of the particulars required by law to be contained therein, if the Returning Officer is satisfied that the applicant is entitled to a postal Ballot-paper.

Effect of immaterial error.

87 The following directions for regulating voting by means of postal Ballot-papers shall be substantially observed:—

Directions for postal voting.
Cf. Com., 1905, s. 36.

- i. The elector shall exhibit his postal Ballot-paper, in blank, and his postal vote certificate to an authorised witness:
- ii. In the case of any election for a district where only One Member has to be returned, the elector shall mark his vote by writing on the Ballot-paper, in the presence of an authorised witness, but so that he does not see the vote, the name of the candidate for whom he votes as his first preference opposite a square, and by placing the number **1** within, or substantially within, the square; the elector shall also (where there are more than Two candidates) write the names of at least Two more candidates on the Ballot-paper, and indicate the order of his preference for them by placing the numbers **2** and **3** within, or substantially within, squares opposite their names; the elector may also in addition write the names of as many more of the other candidates (if any) as he pleases on the Ballot-

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paper, and indicate the order of his preference for them by placing within, or substantially within, squares opposites their names other numbers next in numerical order after those already used by him :

- iii. In the case of an election for a district where more than One Member has to be returned, the elector shall mark his vote by writing on the Ballot-paper, in the presence of an authorised witness, but so that he does not see the vote, the names of Three candidates opposite squares, and shall indicate the order of his preference for them by placing the numbers **1**, **2**, and **3** within, or substantially within, the squares opposite their names. The elector may also in addition write the names of as many more candidates as he pleases on the Ballot-paper, and indicate the order of his preference for them by placing within, or substantially within, the squares respectively opposite their names other numbers, next in numerical order, after those already used by him :
- iv. If the elector's sight is so impaired that he cannot vote without assistance, the authorised witness, if so requested by the elector, may act for him in the presence of a witness :
- v. The elector shall then fold the Ballot-paper :
- vi. The elector shall then himself sign his name on the counterfoil, in the place provided for the signature of the voter :
- vii. The authorised witness shall then himself sign his name in the place provided for the signature of the witness, and shall add the title under which he acts as an authorised witness, and place of living, and the date :
- viii. The elector shall then place the Ballot-paper with the counterfoil attached into the envelope addressed to the Returning Officer, and fasten the envelope, and ~~duly stamp~~ and hand it to the authorised witness for posting or delivery

By the authorised witness to the Returning Officer: Provided that if the envelope is to be sealed the elector shall duly stamp it at the time of handing it to the authorised witness of required by him to do so.

88 The authorised witness shall—

- i. See that the directions in the last preceding Section are substantially complied with :
- ii. Refrain from looking at the vote given by the elector except where the elector's sight is so impaired that he cannot vote without assistance and the elector requests his assistance :
- iii. Not disclose any knowledge officially acquired by him touching the vote of the elector : and
- iv. Forthwith post the envelope containing the postal Ballot-paper or hand it to the returning officer -

Penalty : One hundred Pounds, or Three months' imprisonment

Nº 65 of 1914 s. 3
Duty of
authorised
witness.
Com., 1905, s. 36.

J.S. 4.
Letters to be
produced at
scrutiny.
Com., 1902, s. 119.

89 At the scrutiny the officer conducting the scrutiny shall produce, unopened, all envelopes containing postal votes received up to the close of the Poll, and at the scrutiny the envelopes shall be opened

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in the presence of the scrutineers present, and shall be dealt with as follows :—

- i. The officer shall produce all applications for postal vote certificates :
- ii. The officer, without unfolding the Ballot-paper or allowing it to be inspected, shall compare the signature of the voter on the counterfoil with the signature to the application, and allow the scrutineers to inspect both signatures, and shall determine whether the signature on the Ballot-paper is that of the applicant :
- iii. If the vote is allowed the officer shall tear off the counterfoil and insert the Ballot-paper in the Ballot-box :
- iv. If the officer rejects the Ballot-paper, then the certificate and Ballot-paper shall be preserved by him for production to the Supreme Court in case the validity of the election or any return is disputed, the Ballot-paper being at once sealed up without being unfolded or inspected :
- v. Ballot-papers so allowed shall be placed in a Ballot-box by themselves, and when they have all been inserted the counting of the votes shall commence :
- vi. Postal Ballot-papers which do not purport to be duly witnessed shall not be allowed at the scrutiny.

90 The decision of the officer conducting the scrutiny as to the allowance or disallowance of any postal vote shall be subject only to review by the Supreme Court upon the validity of the election or any return being disputed.

Officer to decide.
Com., 1902, s. 120.

91 No postal vote shall be rejected because the surname only of a candidate has been written thereon if no other candidate has the same surname, nor by reason of any mistake in spelling where the elector's intention is clear

Mistakes.
Com., 1902, s. 121.

PART X.**THE POLLING.**

92 If the proceedings on the day of nomination stand adjourned to polling-day, the Returning Officer shall, subject to the provisions of this Act, immediately make all necessary arrangements for taking the Poll.

Polling.
Com., 1902, s. 123.
W.A., s. 92.

93 In particular the Returning Officer shall —

- i. Appoint a presiding officer to preside at each Polling-place at which he will not be continuously present :
- ii. Appoint all necessary poll clerks and doorkeepers :
- iii. Provide and furnish proper Polling-booths and Ballot-boxes :

Duty of Returning Officer.
Com., 1902, s. 124.
W.A., s. 93:

Electoral.

A.D. 1907.

iv. Provide certified copies of the Electoral Roll for the District, and Lists of Voters :

v. Obtain Ballot-papers from the Chief Electoral Officer, and provide presiding officers therewith.

(2) ^ ^

94 The Chief Electoral Officer shall, before and in time for the Poll at any election, provide and forward to the Returning Officer of the Electoral District for which the election is about to take place a sufficient number of Ballot-papers.

95 The Returning Officer shall be the presiding officer at the chief Polling-place, unless he appoints some other person to be the presiding officer thereat.

96 Any presiding officer may appoint a substitute to perform his duties during his temporary absence, and may, being the Returning Officer, or if authorized by the Returning Officer so to do, appoint One or more assistant presiding officers to assist him in presiding at any Polling-booth ; and any assistant presiding officer may, subject to the direction of the presiding officer, exercise all or any of his powers, and shall, in respect of the exercise of those powers, be deemed to be the presiding officer.

97 No part of any premises licensed for the sale of intoxicating liquor shall be used for the purposes of any Polling-booth.

98 Polling-booths shall have separate voting compartments, constructed so as to screen the voters from observation while they are marking their Ballot-papers, and each voting compartment shall be furnished with a pencil for the use of voters.

99 Each Polling-booth shall be provided with the necessary Ballot-boxes, constructed and fitted as prescribed.

100 The lists of voters shall be lists of the electors on the Roll, enrolled for the Polling-place (or enrolled for the Sub-district, and for whom the Polling-place is prescribed), and such lists shall, before the hour for commencing the Poll, be certified to by the Returning Officer and delivered to the presiding officers for their guidance during the polling.

101 Ballot-papers may be in the Form K in Schedule (3.).

102 In printing the Ballot-papers—

i. The names of all candidates duly nominated shall be printed in alphabetical order according to their surnames :

ii. If there are Two or more candidates of the same surname, their names shall be printed according to the alphabetical order of their Christian names, or if their Christian name

Ballot-papers.
Ibid., s. 82.

1 Ed. VII. No.
57, s. 82 (Tas.).

Presiding officer.
Com., 1902, s.
125, as amended.
W.A., s. 94.

Substitute.
Com, 1902, s.
126, as amended.
W.A., s. 95.
Cf. 5 Ed. VII.
No. 29, s. 110
(N.Z.)

No licensed
premises to
be used.
Com., 1902, s.
127.
W.A., s. 96.

Separate voting
compartments.
Com., 1902, s.
128.
W.A., s. 98.

Ballot-boxes.
Com., 1902, s.
129.
W.A., s. 99.

List of voters.
Com., 1902, s.
130, as amended.
Cf. W.A., s. 100.

Ballot-paper.
Com., 1902, s.
131.
W.A., s. 101.
Form K, Schedule
(3.).

Ballot-papers.
Com., 1902. s.
133.
W.A., s. 102.

*Sub-section added
N° 63 of 1911 s. 16*

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are the same, then according to the alphabetical order of their residences, arranged and stated on the Ballot-paper : A.D. 1907.

- iii. Where similarity in the names of Two or more candidates is likely to cause confusion, the Chief Electoral Officer, or the Returning Officer conducting the election, may arrange the names with such description or addition as will distinguish them from one another :
- iv. Ballot-papers shall contain only the names of the candidates, and, in cases within Paragraphs ii. and iii., the additions and alterations thereby authorised.

103 No Ballot-paper shall be delivered to any voter without being first initialed by the presiding officer, and an exact account shall be kept of all initialed Ballot-papers. Ballot-papers initialed. Com., 1902, s. 134.

The initials of the presiding officer shall be placed on the Ballot-paper in such a position as to be easily seen when the Ballot-paper is folded so as to conceal the names of the candidates. W.A., s. 103.

104 Scrutineers may be appointed by candidates to represent them at Polling-places during the polling, but so that not more than One scrutineer shall be allowed to each candidate at each Polling-booth or subdivision of a Polling-booth. Scrutineers. Com., 1902, s. 135, as amended. W.A., s. 104.

Appointments of scrutineers shall be made by notice to the Returning Officer or presiding officer, signed by the candidate, giving the name and address of the scrutineer, or without such notice by permission of the Returning Officer or presiding officer.

104A. Inserted by No 63 of 1911 s. 14.

105 No candidate shall in any way take part in the conduct of an election ; and no one, other than the presiding officer, the poll clerks, doorkeepers, constables, and scrutineers, and the electors voting and about to vote, shall be permitted to enter or remain in the Polling booth during the polling except by permission of the presiding officer. Persons present at polling. Com., 1902, s. 136. W.A., s. 105.

106 The polling shall be conducted as follows : -

- i. Before any vote is taken the presiding officer shall exhibit the Ballot-box empty, and shall then securely fasten its cover :
- ii. The Poll shall open ^{half past} at Eight o'clock in the morning, and shall not close until all electors present in the Polling-booth at ~~Seven~~ ^{Six} o'clock in the evening, and desiring to vote, have voted. *No 63 of 1911 s. 18.*

The polling. Com., 1902, s. 137, as amended. W.A., s. 106.

107 An elector shall be entitled to vote in elections for the Assembly only for the District in which he resides, and for which he is enrolled.

Provided that an elector who has changed his place of residence to another District may, until his name is transferred to another Roll, vote for the District for which his name continues enrolled for Three months after he has ceased to reside in the District.

Assembly electors to vote in District in which they reside. *New s. Subst'd.* Com., 1902, s. 138. *No 63 of 1911 s. 19.* W.A., s. 107.

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113 No omission of any Christian name, or entry of a wrong Christian name, or address, or occupation, and no mistake in the spelling of any surname, and no misdescription of the qualification of a voter, shall warrant the rejection at any polling of any claim to vote if the voter is sufficiently identified by, and his qualification established to, the satisfaction of the presiding officer, and no female elector shall be disqualified from voting under the name appearing on the Roll because her surname has been changed by marriage.

A.D. 1907.
Errors not to
forfeit vote.
Com., 1902, s.
144.
W.A., s. 112.

114 If the name under which the person claims to vote is upon the list of voters for the Polling-place, and his right to vote is not challenged, or, if challenged, he answers the prescribed questions satisfactorily, the presiding officer or a poll clerk shall hand to him a Ballot-paper duly initialed; but the presiding officer shall, at the request of any scrutineer, take note of any objection, and keep a record thereof.

Ballot-paper to
be handed to
elector. *New S. subord*
Com., 1902, s.
145. *N.º 63 of 1911 s. 20.*
W.A., s. 113.

Provided that the fact that an elector's name is not on the list of voters for the Polling-place shall not prevent him from voting in cases where, pursuant to Section One hundred and eight, provision is made allowing electors to vote at Polling-places other than the Polling-places for which they are enrolled.

(which see)
Com., 1902, s.
145.

115 Immediately upon handing the Ballot-paper to the person claiming to vote, the presiding officer, or any poll clerk directed by him, shall place a mark against the person's name on the list of voters.

List of voters to
be marked on
voting-paper
being issued.
Com., 1902, s.
146.
W.A., s. 114.

116 Upon receipt of the Ballot-paper the voter shall without delay—

- i. Retire alone to some unoccupied compartment of the booth, and there in private record his vote in the manner herein-after described :
- ii. Fold the Ballot-paper so as to conceal the names of the candidates and to clearly show the initials of the presiding officer (where the Ballot-paper is initialed on the back thereof), and exhibit it so folded to the presiding officer or to a poll clerk, and then forthwith openly, and without unfolding it, deposit it in the Ballot-box :
- iii. Quit the booth.

Vote to be
marked in private.
Com., 1902, s.
147.
W.A., s. 115.

117 If any voter satisfies the presiding officer—

- i. That his sight is so impaired : or
- ii. That he is otherwise so physically incapacitated : or
- iii. That he is so illiterate—

New S. Subord
Assistance to
blind voters.
N.º 63 of 1911 s. 21

that he is unable to vote without assistance, the presiding officer in the presence of such scrutineers as may be present and choose to witness his action shall, openly in the ballot-room, record his vote and fold and deposit his Ballot-paper for him.

Com., 1902, s.
148.
W.A., s. 116.

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Spoilt ballot-
papers.
Com., 1902, s.
149, as amended.
W.A., s. 117.

Mode of voting.

118 If any voter satisfies the presiding officer, before his Ballot-paper is deposited in the Ballot-box, that he has spoilt it by mistake or accident, he may, on giving it up, receive a new Ballot-paper from the presiding officer, who shall there and then cancel and preserve the spoilt Ballot-paper.

119 At every election votes shall be recorded in manner following:—

- i. No name shall be struck out from any Ballot-paper :
- ii. In every case in which only One Member is to be elected for any District the voter shall mark his Ballot-paper in the manner following:—
 - (a) He shall place the number **1** within, or substantially within, the square opposite the name of the candidate for whom he votes as his first preference ;
 - (b) He shall also (where there are more than Two candidates) give contingent votes for at least Two of the remaining candidates, by placing within, or substantially within, the squares respectively opposite their names the numbers **2** and **3**, so as to indicate the order of his preference ;
 - (c) He may, in addition, indicate the order of his preference for as many more of the other candidates (if any) as he pleases, by placing within, or substantially within, the squares respectively opposite their names other numbers next in numerical order after those already used by him :
- iii. In every case in which more than One candidate is to be elected for any District the voter shall mark his vote upon the voting paper in the manner following :—
 - (a) He shall place within, or substantially within, the squares respectively opposite the names of Three candidates the numbers **1**, **2**, and **3**, so as to indicate the order of his preference ;
 - (b) He may, in addition, indicate the order of his preference for as many more candidates as he pleases, by placing within, or substantially within, the squares respectively opposite their names other numbers next in numerical order after those already used by him :
- iv. No person shall 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 recording his vote as hereinbefore directed.

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120 The presiding officer may adjourn the polling from day to day in any case where the polling is interrupted or obstructed by riot or open violence.

A.D. 1907.

Adjournment of polling on account of riot.

Com., 1902, s. 152.

W.A., s. 123.

Adjournment in other cases.

Com., 1902, s. 153.

W.A., s. 121.

Voting at adjourned polling.

Com., 1905, No. 26, s. 46.

121 If from any cause any Polling-booth at any Polling-place is not opened on polling-day the Returning Officer or the presiding officer may adjourn the polling for a period not to exceed Twenty-one days, and shall forthwith give public notice of the adjournment.

122—(1.) Where for any reason the polling is adjourned at any Polling-place, those electors only who are enrolled for that Polling-place (or who are enrolled for the Sub-district, and for whom the Polling-place is prescribed), and who have not already voted, shall be entitled to vote at the adjourned polling at that Polling-place.

(2.) Where an election is being held in any District it shall not be necessary to open Polling-booths at the Polling-places for any other District in which no election is being held.

PART XI.**THE SCRUTINY.***General Provisions.*

123 The result of the polling shall be ascertained by scrutiny.

Scrutiny.

Com., 1902,

s. 154.

W.A., s. 122.

124 The scrutiny shall be conducted as follows:—

- I. It shall commence as soon as practicable after the closing of the Poll:
- II. The scrutineers and any persons approved by the officer conducting the scrutiny may be present:
- III. All the proceedings at the scrutiny shall be subject to the inspection of the scrutineers:
- IV. All informal votes shall be rejected, and the number recorded:
- V. The scrutiny may be adjourned as may be necessary until the counting of the votes is complete.

How conducted.

Com., 1902,

s. 155.

W.A., s. 123.

125 Each candidate may appoint One scrutineer to represent him at the scrutiny.

Power to appoint scrutineers.

Com., 1902,

s. 156.

W.A., s. 124.

126 Any scrutineer may object that any Ballot-paper is informal, and thereupon the officer conducting the scrutiny shall mark the Ballot-paper "admitted" or "rejected," according to his decision on the objection; and such decision shall be final, subject only to reversal by a Judge under Part XV.

Scrutineer may object to vote as informal.

Com., 1902,

s. 157.

W.A., s. 125.

*Verd. Subst.**No. 63 of 1905 s. 22.*

Electoral.

A.D. 1907.

Informal Ballot-
paper.
Cf. Com., 1902,
s. 158.
Cf. W.A., s. 26,

127—(1.) A Ballot-paper shall be informal if—

- i. It is not initialed by the presiding officer : or
- ii. It has no vote indicated on it : or
- iii. It has upon it any mark or writing not authorised by this Act to be put upon it which in the opinion of the Returning Officer would enable any person to identify the voter : or
- iv. It contains the same number opposite the names of more than One candidate :
- v. In any case where more than One Member is to be elected, the number of candidates marked in the order of the voter's preference is less than Three of the number of Members to be elected :
- vi. In any case where only One Member is to be elected, and there are more than Two candidates, the voter has not indicated the order of his preference for at least Three of the candidates.

(2.) A Ballot-paper shall not be informal for any reason other than the reasons in this Section enumerated, but shall be given effect to according to the voter's intention so far as his intention is clear.

Preservation of
Ballot-papers.
Com., 1902,
s. 159.
W.A., s. 127.

128 All Ballot-papers used for voting shall be preserved as and in such custody as shall be prescribed until the election can be no longer questioned, when they shall be destroyed.

Where more than
One Polling-
place, presiding
officers to
transmit Ballot-
papers to
Returning Officer.

129 In the case of every election for a District in which there is more than one Polling-place, the presiding officer of each Polling-place, except the chief Polling-place, shall, as soon as practicable after the close of the Poll, open the Ballot-box, and shall—

- i. Count the number of first choices recorded for the respective candidates, and place them in separate parcels, according to the names of the candidates for whom such first choices are recorded, rejecting all informal voting-papers :
- ii. Count the number of, and place in another parcel, all the voting-papers which have been rejected as informal :
- iii. Transmit the following information by telegram, or in some other expeditious manner, to the Returning Officer for the District—

(a) The number of first choices recorded for each candidate ; and

(b) The total number of voting-papers rejected as informal—

and shall immediately thereafter make out and sign an abstract containing the above information :

- iv. Seal such parcels and transmit them to the Returning Officer for the District, and shall also transmit to him at the same time, in separate parcels securely fastened—

(a) The unused and spoilt Ballot-papers ;

*Am. by No. 63 of 1911
S. 23 (which sec)*

Electoral.

- (b) The certified copies of Rolls supplied to the said A.D. 1907. . .
presiding officer on which the fact of any person
having received a Ballot-paper has been noted ;
and
- (c) An account, in which such presiding officer
shall charge himself with the number of Ballot-
papers originally delivered to him, the number
thereof delivered to and used by voters and the
number not so delivered or left unused, and the
number set aside for separate custody (which
account is hereinafter referred to as the Ballot-
paper Account).

Every such Ballot-paper account shall be
verified as well by the signatures of the said
presiding officer and the poll clerk (if any), as
also by the signature of any scrutineer present
who consents to sign the same : and

- v. Shall severally indorse such parcels as aforesaid with a Presiding officers
description of the contents thereof, and with the name of to indorse parcels.
the District, the name of the place of polling, and the date
of the polling, and sign with his name the said indorse-
ment.

130—(1.) In the case of every election for a District the Returning Officer shall, as soon as practicable after the close of the Poll, proceed with the scrutiny as follows :—

- i. He shall open the Ballot-box used at the principal Polling-
place, and all the sealed parcels of Ballot-papers received
by him from the several presiding officers, and verify the
contents of such parcels :
- ii. He shall then count the votes in the manner prescribed in
the Schedule (4.) to this Act :
- iii. He shall make out and sign an abstract of the result of the
Poll :
- iv. Except as provided in the Schedule (4.), he shall not vote at
any election at which he is a Returning Officer :
- v. As soon as may be practicable after he has counted all the votes, and declare state
openly, at the chief Polling-place, declare the names of of Poll.
the persons duly elected at such election :

130A
Section 65 of 1914 S. 6.
131—(1.) No Returning Officer shall vote at any election for the District of which he is the Returning Officer except in the case of an equality of votes as aforesaid.

(2.) The fact of an elector being an Assistant Returning Officer, or a presiding officer who is not a Returning Officer, shall not preclude him from voting.

132 Subject to the provisions of this Act, a Returning Officer may vote at an election for a District for which he is enrolled other than

Returning Officer
may vote for
District other

Electoral.

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than that for
which he is
Returning
Officer, with
consent of Chief
Electoral Officer.

the District for which he is Returning Officer, provided he previously obtains the consent, in writing, of the Chief Electoral Officer for the purpose, and provision is made for the conduct of the election at the Polling-place at which he presides during his temporary absence to the satisfaction of the Chief Electoral Officer.

132^A
132^B
132^C

Inserted by 14.º 65 of 1914 s. 7

PART XII.**THE RETURN OF THE WRITS.**

Return of Writs.
W.A., s. 132.

133 As soon as conveniently may be after the result of an election has been declared, the Returning Officer shall insert in or indorse on the Writ the name or names of the person or persons elected and the date of election, and shall return the Writ to the Governor according to its exigency.

Correction of
errors.
Com., 1902, s.
167.
W.A., s. 133.

134 Any delay, error, or omission in the printing, preparation, issue, transmission, or return of any roll, writ, ballot-papers, or list of voters, may be remedied, removed, rectified, and supplied by Proclamation specifying the matter dealt with, and providing for the course to be followed, and such course shall be valid and sufficient.

Extension of
time.
Com., 1902, s.
168.
W.A., s. 134.

135 Within Twenty days before or after the day appointed for any election the Governor may provide for extending the time for holding the election or for returning the Writ, or meeting any difficulty which might otherwise interfere with the due course of the election; and any provision so made shall be valid and sufficient: Provided that—

- I. Public notice shall be immediately given in the District in which the election is to be held of any extension of the time for holding the election :
- II. No polling day shall be postponed under this Section at any time later than Seven days before the time originally appointed.

Election not to be
invalid for defect
in appointment of
person taking the
Poll.

136 An election shall not be—

- I. Questioned by reason only of any defect in the title or any want of title of the person by or before whom such election or any polling was held, if such person was actually appointed or was acting in the office giving a right to preside at such election or polling :
- II. Void by reason of there being no Returning Officer for the district at the time of the issue of the Writ.

Election not to be
void for want of
appointment of
Returning
Officer.

Electoral

PART XIII

LIMITATION OF ELECTORAL EXPENSES.

A.D. 1907.

- 137** No electoral expense shall be allowed in respect of any candidature in excess of One hundred Pounds for each candidate. Rates of expenditure.
- 138** No person shall pay or agree to pay to anyone except the candidate 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 other than the electoral expenses allowed by this Act. Payments on account of candidates.
- 139** No electoral expense shall be allowed except in respect of the following matters:— Expenses allowed. Com., 1902, s. 170. W.A., s. 136.
- i. Purchasing Electoral Rolls :
 - ii. Printing, advertising, publishing, issuing, and distributing addresses by the candidate and notices of meetings :
 - iii. Stationery, messages, postages, and telegrams :
 - iv. Committee rooms :
 - v. Public meetings and halls therefor :
 - vi. One scrutineer for the chief Polling-place :
 - vii. Conveying voters to the Poll.
- 140** "Electoral expense" includes all moneys expended or expenses incurred by or on behalf or in the interests of any candidate at or in connection with any election, excepting only the personal and reasonable living and travelling expenses of the candidate. Electoral expenses. Com., 1902, s. 171. W.A., s. 137.
- 141**—(1.) Within Thirty days after the result of any election has been declared, every candidate at the election shall sign before a Justice of the Peace and file with the Chief Electoral Officer a true return of his electoral expenses, showing— Returns. Com., 1902, s. 172. W.A., s. 138. *and declare* *N. 63 of 1911* *s. 24*
- i. All electoral expenses paid : *shall be in accordance with*
 - ii. All disputed or unpaid claims for electoral expenses.
- (2.) The return ~~may be in the~~ Form M in Schedule (3.), and shall be accompanied by a receipted bill of particulars vouching each payment of Two Pounds or more. Form M, Schedule (3.).
- (3.) The return and the receipted bills of particulars shall be retained by the Chief Electoral Officer, and shall be open to public inspection during ordinary office hours on payment of the prescribed fee. Return of candidates' expenses to be open to inspection.
- 142** If any candidate prove to a Judge, under Part XV., that his failure to file a return or voucher, as required by the last Section, has arisen from illness or inadvertence, or any reasonable cause of a like nature, and not from any want of good faith, or that any error, omission, or false statement in the return or voucher filed has similarly arisen, the Judge may permit the filing of the return or Failure to file return.

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A.D. 1907.

vouchers, or of a new return or fresh vouchers, or the amendment of the return or vouchers filed, and may exonerate the candidate from all liability in the matter.

Candidate to prove that he has not incurred illegal expense.

143 If, on petition to a Judge, under Part XV., against the return of a candidate, there shall be proved any electoral expense on any matter other than the matters allowed by Section One hundred and thirty-nine, or in excess of the rate allowed by Section One hundred and thirty-seven, the election shall be declared void, unless the candidate shall satisfy the Judge that such expense was neither directly nor indirectly incurred by him or on his behalf, or that he had neither directly nor indirectly sanctioned, countenanced, nor approved of the same in any way.

PART XIV.**ELECTORAL OFFENCES.**

Offences.
Com., 1902, No. 19, s. 173.
W.A., s. 139.

144 To secure the due execution of this Act and the purity of elections the following acts are hereby prohibited:—

- I. Breach or neglect of official duty :
- II. Illegal practices, including—
 - (a) Bribery ;
 - (b) Undue influence :
- III. Electoral offences.

Breach or neglect by officers.
Com., s. 174.
Com., 1905, No. 26, s. 50.
W.A., s. 140.

145 "Breach or neglect of official duty" includes—

- I. Any attempt by any officer to influence the vote of any elector, or, except by recording his vote, the result of any election :
- II. The disclosure of any knowledge officially acquired by any officer or scrutineer touching the vote of any elector :
- III. Any neglect or refusal by any officer to discharge any official duty, and any violation by any officer of any provision of this Act :
- IV. Any attempt by a person authorized or required by this Act to witness the signature of an elector on the counterfoil of a postal Ballot-paper to influence the vote of the elector whose signature he witnesses.

Breach or neglect of official duty is punishable by a penalty not exceeding Two hundred Pounds, or by imprisonment not exceeding One year.

145^A inserted by No. 65 of 1914 S. P.
146 Whoever—

Bribery.
Com., s. 175.
W.A., s. 141.

- I. Promises, or offers, or suggests any valuable consideration, advantage, recompense, reward, or benefit for or on account of or to induce any candidature, or withdrawal of candidature, or any vote or omission to vote, or any support of,

Electoral

or opposition to, any candidate, or any promise of any such vote, omission, support, or opposition : A.D. 1907.

- ii. Gives or takes any valuable consideration, advantage, recompense, reward or benefit for, or on account of, any such candidature, withdrawal, vote, omission, support, or opposition, or promise thereof :
- iii. Promises, offers, or suggests any valuable consideration, advantage, recompense, reward, or benefit, for bribery, or gives or takes any valuable consideration, advantage, recompense, reward, or benefit for bribery—

shall be guilty of bribery.

147 Without limiting the effect of the general words in the preceding Section, "bribery" particularly includes the supply of meat, drink, or entertainment after the nominations have been officially declared, with a view to influence the vote of an elector at that election.

Definition.
Com., s. 176.
W.A., s. 142.

148 Whoever—

- i. Threatens, offers, or suggests any violence, injury, punishment, damage, loss, or disadvantage for or on account of or to induce any candidature, or withdrawal of candidature, or any vote, or any omission to vote, or any support or opposition to any candidate, or any promise of any vote, omission, support, or opposition : or
- ii. Uses, causes, inflicts, or procures any violence, punishment, damage, loss, or disadvantage for or on account of any such candidature, withdrawal, vote, omission, support, or opposition : or
- iii. Contravenes the provisions of Part XIII. of this Act relating to the limitation of electoral expenses—

shall be guilty of undue influence.

Undue influence
Com., s. 177.
W.A., s. 143.

149 Without limiting the effect of the general words in the preceding Section, "undue influence" includes every interference or attempted interference with the free exercise of the franchise of any elector.

Definition.
Com., s. 178.
W.A., s. 144.

150 No declaration of public policy or promise of public action shall be deemed bribery or undue influence.

Exception.
Com., s. 179
W.A., s. 145.

151 In addition to bribery and undue influence, the following shall be illegal practices :—

Illegal practices.
Com., s. 180.
Com., 1905, No. 26, s. 51.
W.A., s. 146.

- i. Any publication of any electoral advertisement, handbill, or pamphlet, or any issue of any electoral notice (other than the announcement by advertisement in a newspaper of the holding of a meeting), without at the end thereof the name and address of the person authorising the same :
- ii. Printing or publishing any printed electoral advertisement, handbill, or pamphlet (other than an advertisement in a newspaper) without the name and place of business of the printer being printed at the foot of it :

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- III. Publishing in any newspaper any report of any speech of a candidate at any election, for the publication of which any sum of money or other consideration has been paid by, charged to, or promised by any person, unless the word "advertisement" shall be legibly printed at the head of each column of each report.

Punishment.
Com., s. 181.
W.A., s. 147.

152 Any illegal practice shall be punishable as follows : --

- I. Bribery or undue influence by a penalty not exceeding Two hundred Pounds, or by imprisonment not exceeding One year:
- II. Any other illegal practice by a penalty not exceeding One hundred Pounds, or by imprisonment not exceeding Six months.

Electoral offences.
Com., s. 182.
W.A., s. 148.

153 The matters mentioned in the First column of the table at the foot of this Section are electoral offences, punishable as provided in the Second column of the table opposite the statement of the offence.

In this table the expression " Ballot-paper " includes a postal Ballot-paper.

TABLE OF ELECTORAL OFFENCES AND PUNISHMENTS.

First Column.—Offences.	Second Column.—Punishments.
Fraudulently destroying or defacing any Nomination or Ballot-paper	Imprisonment not exceeding One year
Fraudulently putting any Ballot or other paper into the Ballot-box	Imprisonment not exceeding Six months
Fraudulently taking any Ballot-paper out of any Polling-booth	Imprisonment not exceeding Six months
Forging or uttering, knowing the same to be forged, any Nomination, Voter's Certificate, or Ballot-paper	Imprisonment not exceeding Two years
In any Polling-booth on polling day, misconducting himself or failing to obey the lawful directions of the presiding officer	Penalty not exceeding Ten Pounds, or imprisonment not exceeding One month
Supplying Ballot-papers without authority	Imprisonment not exceeding Six months
Unlawfully destroying, taking, opening, or otherwise interfering with Ballot-boxes or Ballot-papers	Imprisonment not exceeding Six months
Voting for more than one District at a general election	Penalty not exceeding Ten Pounds, or imprisonment not exceeding Three months
Wagering on the result of any election	Penalty not exceeding Fifty Pounds
Wilfully defacing, mutilating, destroying or removing any notice, list, or other document affixed by any Returning Officer or by his authority	Penalty not exceeding Two Pounds
Wilfully making any false statement in any claim, application, return, or declaration, or in answer to a question under this Act	Imprisonment not exceeding Two years
Distributing any advertisement, handbill, or pamphlet published in contravention of Section One hundred and fifty-one	Penalty not exceeding Ten Pounds, or imprisonment not exceeding One month
Wilfully misleading any Electoral Registrar in the compilation of any electoral list or Roll, or wilfully entering or causing to be entered thereon any false or fictitious name or qualification, or the name of any person whom he knows to be dead	Penalty not exceeding Fifty Pounds, or imprisonment not exceeding Three months

or any claim application or declaration
N^o 65 of 1911 s. 25

*Electoral.*TABLE OF ELECTORAL OFFENCES AND PUNISHMENTS—*continued.* A.D. 1907.

First Column.—Offences.	Second Column.—Punishments.
Signing the name of any other person, whether requested to do so or not, or any false or fictitious name, to any form of claim, application, or objection for the purposes of this Act, either as claimant, applicant, objector, or witness	Penalty not exceeding Fifty Pounds, or imprisonment not exceeding Three months
Signing his name as witness to any signature upon any such form of claim, application, or objection without having seen such signature written or acknowledged	Penalty not exceeding Ten Pounds, or imprisonment not exceeding One month
Interfering with, obstructing, or molesting any elector, either in the Polling-booth or while on his way thereto, with the intention of influencing him or advising him as to his vote	Penalty not exceeding Twenty Pounds
Any contravention of this Act for which no other punishment is provided	Penalty not exceeding Fifty Pounds

154—(1.) Every person who at any election (or, in the case of "Personation" defined. voting by post, at or prior to the election) applies for a Ballot-paper in the name of some other person, living or dead, or of a fictitious person, or who, having voted once at any such election, applies again at the same election for a Ballot-paper in his own name, commits the offence of personation.

(2.) Every person who commits or attempts to commit the offence of personation, or who aids, abets, counsels, or procures the commission of that offence, is liable to imprisonment not exceeding Two years. Punishment of personation.

(3.) Every presiding officer may, without any other warrant than this Act, cause to be arrested and taken before a Justice of the Peace any person reasonably suspected of committing or attempting to commit at a Polling-booth any act of personation. Presiding Officer may arrest person-guilty of personation.

All constables shall aid and assist the presiding officer in the performance of his duty.

(4.) It shall be the duty of the Returning Officer to institute a prosecution against any person whom he believes to have committed the offence of personation, or of aiding, abetting, counselling, or procuring the commission of that offence by any person at the election for which he is Returning Officer.

(5.) The costs and expenses of the prosecutor and the witnesses in such case, together with compensation for their trouble and loss of time, shall be allowed by the Court. Costs and expenses of prosecution to be allowed.

155 The following acts, namely :—

- i. Canvassing for votes : or
- ii. Soliciting the vote of any elector : or
- iii. Inducing any elector not to vote for any particular candidate : or
- iv. Inducing any elector not to vote at the election—

are prohibited at or about the entrance of or within a Polling-booth, on polling-day, or on any day to which the polling is adjourned.

Penalty : Twenty-five Pounds.

Prohibition of canvassing near Polling-booths. Com., 1905, No. 26, s. 52.

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Failure to
transmit claims.
Ibid., s. 52.

156 When any person has signed a claim to be enrolled as an elector, any other person who induces the claimant to let him have custody of the claim for transmission to the Electoral Registrar, and fails without just cause or excuse to transmit the claim to the Electoral Registrar, shall be guilty of a contravention of this Act.

Employers to
allow employees
leave of absence
to vote.

Ibid., s. 52.

157—(1.) If an employee who is an elector notifies his employer before the polling-day that he desires leave of absence to enable him to vote at any election, the employer shall, if the absence desired is necessary to enable the employee to vote at the election, allow him leave of absence for such reasonable period, not exceeding Two working hours, as is necessary to enable the employee to vote at the election.

(2.) No employee shall, under pretence that he intends to vote at the election, but without the *bonâ fide* intention of doing so, obtain leave of absence under this Section.

(3.) This Section shall not apply to any elector whose absence may cause danger or substantial loss in respect of the employment in which he is engaged.

Penalty: Five Pounds.

Offender may be
removed from
Polling-booth.
Com., s. 183.
W.A., s. 142.

154(a) See N.º 63 of 1911 s. 26.
158 Whoever in any Polling-booth on polling-day misconducts himself, or fails to obey the lawful directions of the presiding officer, may be removed from the Polling-booth by any constable or by any person authorised by the presiding officer.

Further
punishment.
Com., s. 184.
W.A., s. 150.

159 Any person so removed re-entering or attempting to re-enter the Polling-booth without the permission of the presiding officer shall be guilty of a further electoral offence, punishable on conviction by Twice the penalties prescribed in the table for the original offence.

Expenditure on
behalf of a
candidate.
Com., s. 185.
W.A., s. 151.

160 Any person incurring or authorising any electoral expense on behalf of a candidate without the written authority of the candidate, or of his agent authorised in writing, shall be guilty of a contravention of this Act.

Liability for
indirect acts.
Com., s. 186.
W.A., s. 152.

161 Every person shall be liable for an illegal practice committed directly or indirectly by himself, or by any other person on his behalf and with his knowledge or authority.

Attempts.
Com., s. 187.
W.A., s. 153.

162 Any attempt to commit an offence against this Act shall be an offence against this Act, punishable as if the offence had been committed.

Certificate
evidence.
Com., s. 188.
W.A., s. 154.

163 On any prosecution under this Act the certificate of the Chief Electoral Officer or a Returning Officer that the election mentioned in the certificate was duly held, and that the person named in the certificate was a candidate at the election, shall be evidence of the matter stated.

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164—(1.) Offences against this Act punishable by imprisonment exceeding One year shall be prosecuted by information filed in any Court by the Attorney-General.

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Offences to be prosecuted by information.

(2.) All offences against this Act, other than those to be so prosecuted by information as aforesaid, shall be punishable on summary conviction, and such offences and all fines, penalties, and sums of money imposed or made payable in respect thereof shall be heard, determined, and recovered in a summary way by and before any Police Magistrate, or before any Two or more Justices of the Peace, in the mode prescribed by *The Magistrates Summary Procedure Act*.

Offences punishable on summary conviction.

PART XV.

DISPUTED RETURNS.

165—(1.) The validity of any election or return may be disputed by petition addressed to the Supreme Court, and not otherwise; and the Supreme Court shall have jurisdiction to hear and determine the same, and the trial of the petition shall take place within the District to which the election or return relates.

Method of disputing elections. Com., ss. 192, 193. W.A., s. 159.

(2.) The Judge hearing the petition shall fix the place or places within the District where the petition shall be heard.

166 Every petition disputing an election or return, in this Part of this Act called "the petition," shall—

Requisites of petition. Com., s. 194. Com., 1905, No. 26, s. 54. W.A., s. 160.

- i. Set out the facts relied on to invalidate the election or return :
- ii. Contain a prayer asking for the relief the petitioner claims to be entitled to :
- iii. Be signed by a candidate at the election in dispute or by One-twentieth of the electors qualified to vote thereat :
- iv. Be filed with the Registrar of the Supreme Court within Forty days after the declaration of the Poll.

167 At the time of filing the petition the petitioner shall deposit with the Registrar of the Supreme Court the sum of One hundred Pounds as security for costs.

Deposit as security for costs. Com., s. 195. W.A., s. 161.

168 The trial of an election petition under this Act shall be proceeded with notwithstanding the prorogation of Parliament or dissolution of the Assembly.

Prorogation of Parliament. 1 Edw. VII. No. 57, s. 144 (Tas.).

169 No proceedings shall be had on the petition unless the requirements of the preceding Sections of this part of this Act are complied with.

No proceeding unless requisites complied with. Com., s. 196. W.A., s. 162.

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Constitution of
Court.
Powers.
Cf. Com., s. 197.
W.A., s. 163.

170—(1.) The Court shall be constituted by a Judge sitting in open Court, and its powers shall include the following :—

- i. To declare that any person who was returned as elected was not duly elected :
- ii. To declare any candidate duly elected who was not returned as elected :
- iii. To declare any election absolutely void :
- iv. To dismiss or uphold the petition in whole or in part :
- v. To award costs.

Com., 1905, No.
26, s. 55.

(2.) The Court may exercise all or any of its powers under this Section on such grounds as the Court in its discretion thinks just and sufficient.

(3.) Without limiting the powers conferred by this Section, it is hereby declared that the power of the Court to declare that any person who was returned as elected was not duly elected, or to declare an election absolutely void, may be exercised on the ground that illegal practices were committed in connection with the election.

Inquiries by
Court.
Com., s. 198.
W.A., s. 164.

171 The Court shall inquire whether or not the petition is duly signed, and so far as Rolls and voting are concerned may inquire into the identity of persons, and whether their votes were improperly admitted or rejected, assuming the Roll to be correct; but the Court shall not inquire into the correctness of any Roll.

Voiding election
for illegal
practices.
Com., 1905, No.
26, s. 56.

172—(1.) If the Court finds that a candidate has committed or has attempted to commit bribery or undue influence, his election, if he is a successful candidate, shall be declared void.

(2.) No finding by the Court shall bar or prejudice any prosecution for any illegal practice.

(3.) The Court shall not declare that any person returned as elected was not duly elected, or declare any election void—

- i. On the ground of any illegal practice committed by any person other than the candidate and without his knowledge or authority : or
- ii. On the ground of any illegal practice other than bribery or corruption, or attempted bribery or corruption—

unless the Court is satisfied that the result of the election was likely to be affected, and that it is just that the candidate should be declared not to be duly elected or that the election should be declared void.

Court to report
cases of illegal
practices.
Ibid., s. 56.

173 When the Court finds that any person has committed an illegal practice, the Registrar of the Supreme Court shall forthwith report the finding to the Minister.

Errors not to
vitiate election.
Com., s. 200.
W.A., s. 166.

174 No election shall be avoided on account of any irregularity or delay in the declaration of nominations, the polling, or the return of the Writ, nor on account of the absence or error of any officer which shall not be proved to have affected the result of the election.

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- 175** All decisions of the Court shall be final and conclusive without appeal, and shall not be questioned in any way. A.D. 1907.
Decisions to be final.
Com., s. 201.
W.A., s. 167.
- 176** The Registrar of the Supreme Court shall forthwith after the filing of the petition forward to the Clerk of the House of Parliament affected by the petition a copy of the petition, and after the trial of the petition shall forthwith forward to such Clerk a copy of the order of the Court. Copies of petition, &c., to be sent to House affected
Com., s. 202.
W.A., s. 163.
- 177** The Court may award costs against an unsuccessful party to the petition. Costs.
Ibid., s. 57.
- 178** If costs are awarded to any party against the petitioner, the deposit shall be applicable in or towards payment of the sum ordered, but otherwise the deposit shall be repaid to the petitioner. Deposit applicable for costs.
Com., s. 203.
W.A., s. 169.
- 179** All other costs awarded by the Court, including any balance above the deposit payable by the petitioner, shall be recoverable as if the order of the Court were a judgment of the Supreme Court, and such order, certified by the Court, may be entered as a judgment of the Supreme Court, and enforced accordingly. Other costs.
Com., s. 204.
W.A., s. 170.
- 180** Effect shall be given to any decision of the Court, as follows :— Effect of decision
Com., s. 201.
W.A., s. 171.
- I. If any person returned is declared not to have been duly elected, he shall cease to be a Member of the Council or Assembly :
 - II. If any person not returned is declared to have been duly elected, he may take his seat accordingly :
 - III. If any election is declared absolutely void, a new election shall be held.
- 181** The Judges of the Supreme Court, or a majority of them, may make Rules of Court not inconsistent with this Act for carrying this Part of this Act into effect, and in particular for regulating the practice and procedure of the Court, the forms to be used and the fees to be paid by parties. Power to make Rules of Court.
Com., s. 206.
W.A., s. 172, 173.
- Every Rule of Court made in pursuance of this Section shall be laid before both Houses of Parliament within Forty days next after it is made if Parliament is then sitting, or if Parliament is not then sitting, then within Forty days after the next meeting of Parliament. To be laid before the Parliament.
- If an Address is presented to the Governor by either House of Parliament within the next subsequent Forty sitting days of the House praying that any such rule may be annulled, the Governor may thereupon annul the same.
- The rule so annulled shall thenceforth become void and of no effect, but without prejudice to the validity of any proceedings which have in the meantime been taken under it.

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PART XVI.

MISCELLANEOUS.

Disqualification
for bribery or
undue influence.
Com., 1905, No.
26, s. 59.

182 Any person who—

- i. Is convicted of bribery or undue influence, or of attempted bribery or undue influence, at an election : or
- ii. Is found by the Supreme Court (on a disputed return) to have committed or attempted to commit bribery or undue influence when a candidate—

shall, during a period of Five years from the date of the conviction or finding, be incapable of being chosen or of sitting as a Member of either House of Parliament.

Gifts by
candidate.
Ibid., s. 59.

183—(1.) Any person, after having announced himself in the public press for election, who offers, promises, or gives, directly or indirectly, to or for any club or other association, any gift, donation, or prize, shall be guilty of an offence against this Section.

Penalty : Five Pounds, in addition to any other penalty provided by law.

(2.) No proceedings shall be taken for a contravention of this Section except within Three months after the act complained of.

Member's declar-
ation.
1 Ed. VII. No.
57, s. 164.

Form N,
Schedule (3.).

184 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 honour contained in the Form N, Schedule (3.).

Governor may, by
Proclamation,
delegate duties to
any person.
Ibid., s. 165.

185 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 State, and be duly announced by Proclamation in the *Gazette*.

Provides for delay
in return of Writs.
Ibid., s. 166.

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

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187—(1.) Where any accidental or unavoidable impediment, misfeasance, or omission happens, the Governor may take such measures as are necessary for removing or rectifying the same, or may postpone the day on which any Electoral Roll is to come into force, or may declare any such Roll valid, or may declare any or all of the proceedings at or about any election valid, notwithstanding such impediment, misfeasance, or omission.

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Unavoidable impediments may be removed by Governor.
5 Ed. VII. No. 29, s. 229 (N.Z.).

(2.) Every Proclamation shall state specifically the nature of the impediment, misfeasance, or omission

188 No misnomer or inaccurate description of any person, place, or thing named or described in the Schedule to this Act, or in any 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 designated as to be commonly understood.

Misnomer not to vitiate.
Ibid., s. 16.
Cf. 5 Ed. VII. No. 29, s. 70 (N.Z.).

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

Appropriation of moneys.

190 All electoral papers transmitted through the post, if duly addressed, shall on proof of posting be deemed to have been duly served on and received by the person to whom they were addressed on the day when, in the ordinary course of post, they should have been received at his address.

Electoral matter to be sent by post.
W.A., s. 174.

191 In all cases where it is impracticable to communicate any electoral matter by post without occasioning undue delay, any telegraphic advice communicated in the ordinary course shall suffice for all the purposes of this Act as if the matter telegraphed had been communicated in manner provided by this Act.

Electoral matter may be sent by telegraph.
Com., s. 208
W.A., s. 175

192 Any person required by this Act to sign his name may, on satisfying an officer or authorised witness that he is unable to write, make his distinguishing mark, which shall be witnessed by the officer or authorised witness.

A person unable to write may make his mark.
W.A., s. 176.

193 When any officer is by this Act required or authorised to give a public notice, and no special mode of giving it is mentioned, he may give it by advertisement, placards, handbills, or such other means as he thinks best calculated to give the information to the electors.

Mode of giving notices.
63 & 64 Vict. c. 12, s. 150 (Canada).

194—(1.) Strict compliance with the forms in the Schedule shall not be required, and substantial compliance therewith shall suffice for the purposes of this Act.

Forms.
Com., 1905, No. 26, s. 60.

(2.) The forms in the Schedule may, subject to the provisions of this Act, be altered by the Regulations.

Sub-sections (3) and (4) inserted by 14° 53 29/11 s. 24.

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Regulations.
Com., s. 178.
W.A., s. 210.

195—(1.) The Governor may make Regulations for carrying out this Act.

(2.) All such Regulations shall be notified in the *Gazette*, and shall thereupon have the force of law.

(3.) All such Regulations shall be laid before both Houses of Parliament within Thirty days after the making thereof, if Parliament is then sitting, and if not, then within Thirty days after the next meeting of Parliament.

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SCHEDULE. (1).

NAMES OF COUNCIL DISTRICTS FOR THE RETURN OF MEMBERS OF THE COUNCIL AND NUMBER OF MEMBERS.

Launceston	...	...	...	...	...	Two Members.
Meander	...	...	...	...	...	One Member.
Mersey	...	...	...	...	...	One Member.
Russell	...	...	...	...	...	One Member.
South Esk	...	...	...	...	...	One Member.
Tamar	...	...	...	...	...	One Member.
Westmorland	...	...	...	...	...	One Member.
Buckingham	...	...	...	...	...	One Member.
Cambridge	...	...	...	...	...	One Member.
Derwent	...	...	...	...	...	One Member.
Gordon	...	...	...	...	...	One Member.
Hobart	...	...	...	...	...	Three Members.
Huon	...	...	...	...	...	One Member.
Macquarie	...	...	...	...	...	One Member.
Pembroke	...	...	...	...	...	One Member.

NAMES OF ASSEMBLY DISTRICTS FOR THE RETURN OF MEMBERS OF THE ASSEMBLY.

1. Bass.
2. Darwin.
3. Denison.
4. Franklin.
5. Wilmot.

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SCHEDULE (2).

DESCRIPTIONS AND BOUNDARIES OF COUNCIL DISTRICTS.

RUSSELL.

Commencing at the Blythe River on Bass Strait and bounded by that river to the north boundary of the Van Diemen's Land Company's Surrey Hills block by part of the north and by an east boundary of that block thence by a continued southerly line to the Canning River by that river to the Murchison River by that River to the Mackintosh River by that river to the Pieman River by that river to the sea thence by the sea and by Bass Strait aforesaid to the point of commencement.

The islands in Bass Strait lying to the west of the 147th degree of longitude form part of this district.

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MERSEY.

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Commencing at the River Blythe on Bass Strait and bounded by that river to the north boundary of the Van Diemen's Land Company's Surrey Hills block by part of the north and by an east boundary of that block thence by a continued southerly line to the Canning River thence by a due east line for a distance of eight miles or thereabouts thence by a northerly line to the source of the River Forth by that river to the Van Diemen's Land Company's old road by that road to the River Mersey by that river to the boundary of the Town of Devonport by the south and east boundaries of that town to Bass Strait aforesaid and thence by that strait to the point of commencement.

MEANDER.

Bounded by Bass Strait from the east boundary of the Town of Devonport 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 Phillips 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 Parish of Goodleigh to the River Rubicon thence by that river and 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 north-eastern and south-eastern boundaries of the Parish of Malling to the north-east boundary of 53a. 2r. 26p. purchased by T. Larcombe thence by a south-easterly line to the north angle of 103 acres purchased by S. A. Larcombe thence by the south-west boundaries of lands purchased by H. Reading H. Burrows and G. Johnson respectively to the Meander River by that river to the division 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 or thereabouts 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 due westerly line for a distance of 24 miles or thereabouts thence by a northerly line to the source of the River Forth by that river to the Van Diemen's Land Company's Road by that road to the River Mersey and thence by that river to the boundary of the Town of Devonport thence by the south and east boundaries of that town to the point of commencement.

TAMAR.

Commencing at the mouth of the Little Forester River on Bass 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 a line to 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 north-east and south-east boundaries of the City of Launceston to the North Esk River aforesaid by that river and by the south boundaries of the Town of Invermay to the River Tamar by that river after crossing the same to the South Esk River by that river southerly to the north angle of 1705 acres granted to Henry Clayden by the north-west and part of the south-west boundaries of that grant by a south-east and by part of a south-west boundary of 2560 acres granted to E. Dumaresq by a south and by an east boundary of Lot 125 purchased by H. Clayton by the east and south boundaries of 500 acres located to T. Collicot to the River Liffey by that river after crossing the same to the south-east angle of 1422 acres granted to Thomas Reibey by the south boundary of that land by the south and part of the west boundary of 2443 acres granted to C. R. Prinsep by the south-west boundary of Lot 2 purchased by C. R. Prinsep to Quamby's Brook by that brook to the Parish of Exton thence by the division boundary of the Parishes of Exton and Calstock to the Meander River by that river to the Parish of Malling by the south-west boundaries of land purchased by G. Johnson H. Burrows and H. Reading respectively and by a

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continued north-westerly line to the east angle of 53a. 2r. 26p. purchased by T. Lacombe by the north-east boundary of that land to the Parish of Malling aforesaid thence by the south-eastern and north-eastern boundaries of that parish to the west angle of 100 acres purchased by P. Daley thence by a northerly line to the north boundary of the Parish of Parkham by that boundary to the River Rubicon by that river northerly to the boundary of the Parish of Goodleigh thence by the north-west boundaries of the Parishes of Goodleigh and Winkleigh north-easterly to the south-west angle of 50 acres purchased by A. Munro by the west boundary of that land and of land purchased by N. McCallum by the south and west boundary of the Parish of Phillips Norton by the south-west boundary of the Parish of Stockport to Badger Head on Bass Strait aforesaid and thence by that strait easterly to the point of commencement.

WESTMORLAND.

Commencing at the source of the North Esk River thence by a line to Youl's Lake thence by a line to the source of the Ben Lomond Rivulet by that rivulet to the South Esk River by that river to a point opposite the north-east angle of 1500 acres located to E. Wedge thence after crossing the South Esk River by the east boundary of that land by the east and south-east boundaries of Lot 617 purchased by E. D. Wedge thence by a north-westerly line to the east angle of land purchased by George Alston by the north-east boundary of that land by the north-east boundary of 1058 acres purchased by Thomas Archer thence by the south-east boundary of the Parish of Bramber to the Macquarie River by that river to a point opposite the west boundary of the Parish of Lincoln thence after crossing the Macquarie River by the west boundaries of that parish to the north boundary of land located to John Montagu by part of the north by the east by a south again by an east and again by part of a south boundary of that location 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 and by a westerly line to the east boundary of Lot 361 by part of that boundary and by a continued northerly line to the source of Quamby's Brook by that brook to the south-west boundary of Lot 2 purchased by C. R. Prinsep by that boundary and by the west and south boundaries of land granted to C. R. Prinsep by the south boundary of 1422 acres granted to T. Reibey to the River Liffey by that river to a point opposite the north boundary of 4220 acres granted to C. Swanston and J. W. Gleadow thence after crossing the river by that boundary by the northern by a west by a north-east and by a north-west boundary of 1813 acres granted to J. Robertson and W. D. Grubb by part of the south-west and by the north-west boundary of a grant to H. Clayton to the South Esk River by that river after crossing the same to the City of Launceston thence by a south-west the south-east and by a north-east boundary of that city to the south-east boundary of land granted to R. C. Gunn by that boundary to the North Esk River by that river northerly after crossing the same to Distillery Creek by that creek and by the watercourse supplying the City of Launceston to the St. Patrick's River by that river to the North Esk River and thence by that river to the point of commencement

GORDON.

Bounded by the sea from the Pieman River to the Mainwaring River by that river to its source from thence to the source of the Sprent River by that river to the Gordon River by that river to the Franklin River by that river to the Collingwood River by that river to its source thence by a line to Lake Augusta thence by a north-easterly line to the Canning River by that river to the Murchison River by that river to the Mackintosh River by that river to the Pieman River aforesaid and thence by that river to the point of commencement.

SOUTH ESK.

Commencing at Doctor's Creek on the sea and bounded by that creek to the north boundary of the Town of Seymour by that boundary to the north-west angle thereof thence by a south-westerly line to the north-east angle of a grant of 100 acres to R. Hepburn by the east boundary of that grant thence by a south-westerly

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line to the summit of the range lying to the south of St. Paul's River by the top of that range to the south-east angle of Lot 307 by the south boundary of that lot by the south boundary of Lot 306 and by a continued westerly line to the south-east angle of 291a. 3r. Op. purchased by A. F. A. O'Connor by the south boundary of 301 $\frac{1}{4}$ acres also purchased by A. F. A. O'Connor thence by a line to the south-east angle of Lot 888 purchased by Sherwin and Hart by the south boundary of that lot and by part of the north boundary of Lot 895 by the east and south boundaries of Lot 894 by the south-east and by part of the south-west boundary of Lot 708 purchased by Thomas Hill by the south-east boundary of Lot 823 to the west boundary of the Parish of Eastbourne by that boundary to Salisbury Rivulet by that rivulet to the South Esk River by that river after crossing the same to 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 line to Mount Maurice thence by a north-westerly line to the north-east angle of Lot 2656 purchased by W. H. Kidd thence by a north-westerly line to the Little Forester River at a point distant one mile southerly from the Forks thence by that river to Bass Strait thence by that strait and by the sea to the point of commencement.

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

MACQUARIE.

Commencing at the north angle of Lot 139 purchased by Gamaliel Butler on the River Jordan and bounded 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 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 McShane by part of the Coal Mine Rivulet by that rivulet and by the north boundary of the Coal Reserve to a road forming the west boundary of Lot 442 purchased by Michael M'Guire by that road and by the north boundary of that lot to the Coal River thence by that river southerly to the north-east boundary of 12a. 2r. 25p. purchased by M. Delaney by that boundary and by an easterly line to the south-east angle of land purchased by R. Duggan thence by an easterly line for a distance of 130 chains or thereabouts 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 grant to D. Stanfield and through a grant to S. Page to Little Swanport River by that river to a point opposite the south angle of Lot 892 thence after crossing that river by the south-west and north-west boundaries of that lot and by part of the south-west and by the north-west boundary of a grant to George Marshall by the back boundaries of Lots 235 236 259 and 123 by the south-east boundary of Lot 183 &c. to Toom's Lake by the south-eastern shores of that lake to the north-east angle of Lot 14 thence southerly along the eastern boundary of that lot to the southern boundary of Lot 374 by that boundary and a continued easterly line of 40 chains thence northerly to the south-west angle of Lot 252 by the south and east boundaries of that lot and a line from its north-east angle to the south-east angle of Lot 132 by the eastern and part of the northern boundaries of that lot by the eastern boundary of Lot 360 by a north-west line from the north-east angle of that lot for about four miles thence westerly for about a quarter of a mile to the south-east angle of Lot 1556 by the southern and western boundary of that lot by part of the southern and by the west boundary of Lot 1427 and the western boundary of 1000 acres granted to George Meredith to the Elizabeth River by that river westerly by the east and part of the north boundaries of Lot 107 by the east boundary of 400 acres granted to T. Parramore a grant of 800 acres

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to Thomas Parramore and Lot 110 and by part of the north boundary of the said lot and the eastern boundaries of Lots 111 and 112 by part of the northern boundary of the lastmentioned lot and the eastern boundary of Lot 39 and a line from thence to the south-east angle of Lot 308 and by the east and north boundaries of that lot thence by a continued westerly line to the south-east angle of 291 $\frac{3}{4}$ acres purchased by A. F. A. O'Connor by the south boundary of 301 $\frac{1}{4}$ acres also purchased by A. F. A. O'Connor thence by a line to the south-east angle of Lot 888 purchased by Sherwin and Hart by the south boundary of that lot and by part of the north boundary of Lot 895 by the east and south boundaries of Lot 894 by the south-east and by part of the south-west boundary of Lot 708 purchased by Thomas Hill by the south-east boundary of Lot 823 to the west boundary of the Parish of Eastbourne by that boundary to Salisbury Rivulet by that rivulet to the South Esk River by that river westerly after crossing the same to a point opposite the north-east angle of 1500 acres located to E. Wedge thence after crossing the South Esk River by the east boundary of that land by the east and south-east boundaries of Lot 617 purchased by E. D. Wedge thence by a north-westerly line to the east angle of land purchased by George Alston by the north-east boundary of that land by the north-east boundary of 1058 acres purchased by Thomas Archer thence by the south-east boundary of the Parish of Bramber to the Macquarie River by that river westerly to a point opposite the west boundary of the Parish of Lincoln thence after crossing the Macquarie River by the west boundaries of that parish to the north boundary of land located to John Montagu by part of the north by the east by a south again by an east and again by part of a south boundary of that location by the south-east boundary of the Wesleyan Mission property to the Lake River by that river southerly to Woods' Lake thence by an easterly line to the north-east angle of Lot 504 purchased by A. F. Kemp thence by part of the western shore of Lake Screll to a rivulet by that rivulet to Lake Crescent by the western shore of that lake to the west boundary of the Parish of Exmouth by that boundary to the Exe Rivulet by that rivulet to the River Jordan aforesaid and thence by that river southerly to the point of commencement.

CAMBRIDGE.

Commencing at the east angle of 60 acres granted to A. Davies on the River Derwent and bounded by that river to Kangaroo Bay by that bay to Kangaroo Rivulet by that rivulet to the north boundary of a grant to George Mercer by that boundary to the Main Road to Sorell by that road to Pittwater thence to a point distant one chain in a northerly direction from the Sorell Causeway at the Bluff thence by a line to the opposite shore near Medway Point (such line being distant one chain northerly from the said causeway) thence by Pittwater to the Oriulton Rivulet by that rivulet to the south boundary of the Oriulton Estate by the south the west the south-west and north-west boundaries of that estate to the south-west boundary of Lot 44 purchased by William Hodgson by a south-west the north-west and part of the north-east boundaries of that lot by the south and east boundaries of Lot 2538 purchased by William Hodgson to the Sorell Rivulet by that rivulet to the west angle of 40 acres purchased by W. Hodgson thence northerly to the south-east angle of Lot 566 purchased by C. O. Parsons thence northerly to the north-west angle of Lot 1477 purchased by Askin Morrison by part of the east and part of the north boundary of Lot 36 to the south-east angle of Lot 6 purchased by C. O. Parsons thence by a northerly line to the north-east angle of Lot 7 purchased by C. O. Parsons thence by a line to the south-east angle of Lot 73 purchased by Richard Lewis by the east boundary of that lot to Prosser's River by that river to the south boundary of 24 acres purchased by W. Brown by the south boundary of that land by the south and west boundaries of Lot 301 by part of the east the south and by part of the west boundary of 20a. 1r. 14p. purchased by A. Daniels thence by the north boundary of the Parish of Kilmanahan to the north-west angle thereof thence by a north-easterly line for a distance of 95 chains or thereabouts thence by a westerly line for a distance of 130 chains or thereabouts to the south boundary of 50 acres purchased by R. Duggan by that boundary and by a westerly line to the north boundary of 20a. 1r. 20p. purchased by J. Casey by that boundary and by a westerly line to the north-east boundary of 12a. 2r. 25p. purchased by Michael

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Delaney by that boundary to the Coal River by that river to the north boundary of Lot 442 purchased by M. McGuire by the north and by part of the west boundary of that lot by the north boundary of the Coal Reserve to the Coal Mine Rivulet by that rivulet to the north boundary of Lot 593 purchased by M. McShane by that boundary by the north-east and north-west boundaries of Lot 43 purchased by J. Robertson by the south-west boundary of Lot 128 purchased by G. Stokell by part of the south-east and by the north-east boundary of Lot 2514 purchased by J. Bisdee by a north-east a south-east and again by a north-east boundary of Lot 252 purchased by J. Bisdee by part of the south-east and by the north-east boundary of 3170 acres granted to George Mercer to the south angle of 928 acres granted to G. Mercer thence by a westerly line to the south-east angle of 1900 acres granted to E. P. Butler by the south the west and part of the north-west boundary of that grant by the south and the south-west boundaries of Lot 141 purchased by J. Jones by a north-east and a north-west boundary of Lot 140 purchased by J. Bisdee by the north-east boundary of Lot 139 purchased by G. Butler to the River Jordan thence by that river southerly to the south boundary of 500 acres granted to Thomas Hooper by the south boundary of that land and by a continued westerly line for a distance of one mile or thereabouts thence by a southerly line passing along the east boundaries of 100 acres purchased by D. Wylie and of 320 acres purchased by J. and C. Wylie to the north boundary of Lot 476 by part of the north and by the west boundaries of that lot by the west boundary of Lot 477 purchased by J. Clarke by the southern boundaries of Lots 2870 and 2869 purchased by A. Morrison and others by the southern boundary of Lot 2238 purchased by William Langdon and by part of the southern boundary of Lot 2237 also purchased by H. Hopkins and others to the eastern boundary of Lot 864 purchased by Edward Bisdee thence by part of the eastern boundary of that lot by part of the northern and by the eastern boundaries of Lot 69 purchased by Thomas Willison by part of the north and by the east boundary of Lot 863 purchased by W. M. Orr by a continued southerly line for a distance of 20 chains or thereabouts thence by an easterly line for a distance of 100 chains or thereabouts thence by a south-easterly line to the west angle of 60 acres purchased by J. E. Howard by the south-west boundary of that land by a continued south-easterly line passing along the north-eastern boundary of 15a. 3r. 29p. purchased by J. Smith to the north-west boundary of the Parish of Wallace by part of that boundary and by part of the south-west boundary of that parish to the south angle of 84½ acres purchased by W. Caville by a south-east boundary of 2260a. 1r. 10p. purchased by Maria Parsons thence by a south-easterly line to Platform Bluff thence by a south-easterly line to the north angle of 50 acres purchased by G. and T. and C. Aitken by the north-east boundary of that land by the north-east boundary of land purchased by C. Aitken by the south-west boundary of 50 acres purchased by J. Scott by part of the north-west and by the south-west boundary of land purchased by G. Williams by a north-east boundary of Lot 6469 by the north-east boundary of 29 acres purchased by A. Long by a north-east boundary of 156 acres purchased by W. H. Wise thence by a south-easterly line through a grant to Swanston and Pitcairn to the north angle of a grant to A. Davies thence by the north-east boundary of that grant to the point of commencement.

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PEMBROKE.

Commencing at the Kangaroo Rivulet on Kangaroo Bay by that rivulet to the south boundary of 60 acres granted to T. and R. O'May by part of the south boundary of that grant to the road from Bellerive to Sorell by that road to Pittwater to a point distant one chain in a northerly direction from the Sorell Causeway thence by a north-easterly line to the opposite shore on Medway Point (such line being distant one chain northerly from the said causeway) by Pittwater to Orielson Rivulet by that rivulet to the south boundary of the Orielson Estate by the south by the west by the south-west and by the north-west boundaries of that estate by a south-west and by the north-west boundary of Lot 44 purchased by W. Hodgson by the south-west and south boundaries of Lot 2538 purchased by W. Hodgson to Sorell Rivulet by that rivulet to the north-west angle of 40 acres purchased by W. Hodgson thence by a northerly line to the south-east angle of Lot 566 purchased by C. O. Parsons by the east boundary of that lot and by

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the east boundaries of Lots 565 567 by the east and part of north boundary of Lot 36 by the east boundaries of Lots 6 and 7 purchased by C. O. Parsons and by a line to the south-east angle of Lot 73 purchased by Richard Lewis by the east boundary of that lot to Prosser's River by that river to the south-east angle of 24 acres purchased by W. Brown by the south boundary of that land and by the south and part of the west boundary of Lot 301 to the south-east angle of 20a. 1r. 14p. purchased by A. Daniels by part of the east by the south and by part of the west boundary of that land by the north boundary of the Parish of Kilmanahan to the White Kangaroo Rivulet 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 grant to D. Stanfield and through a grant to S. Page to Little Swanport River by that river to a point opposite the south angle of Lot 892 thence after crossing that river by the south-west and north-west boundaries of that lot by part of the south-west and by the north-west boundary of a grant of 500 acres to G. Marshall by the back boundaries of Lots 235 236 259 and 123 by the south-east boundary of Lot 183 &c. respectively to Toom's Lake by the south-eastern shore of that lake to the north-east angle of Lot 14 thence southerly along the east boundary of that lot to the southern boundary of Lot 374 by that boundary and a continued easterly line of 40 chains thence northerly to the south-west angle of Lot 252 by the south and east boundaries of that lot and a line from its north-east angle to the south-east angle of Lot 132 by the eastern and part of the northern boundaries of that lot by the eastern boundary of Lot 360 by a north-west line from the north-east angle of that lot for about four miles thence westerly for about a quarter of a mile to the south-east angle of Lot 1556 by the southern and western boundaries of that lot by part of the southern and by the west boundary of Lot 1427 and the western boundary of 1000 acres granted to George Meredith to the Elizabeth River by that river westerly by the east and part of the north boundaries of Lot 107 by the east boundary of 400 acres granted to T. Parramore a grant of 800 acres to Thomas Parramore and Lot 11 and by part of the north boundary of the said lot and the eastern boundaries of Lots 111 and 112 by part of the northern boundary of the lastmentioned lot and the eastern boundary of Lot 39 and a line from thence to the south-east angle of Lot 308 and by the eastern boundary of that lot and by the southern and eastern boundaries of Lot 307 to the summit of the range lying to the south of the St. Paul's River by the summits of that range 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 and thence by the north boundary of that town and by Doctor's Creek to the sea thence by the sea to Cape Raoul thence by Storm Bay Frederick Henry Bay and Norfolk Bay to the River Derwent by that river to Kangaroo Bay thence by that bay to the point of commencement.

Schouten Island Maria Island and all other islands adjacent to the coast between Doctor's Creek and Cape Raoul 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.

DERWENT.

Commencing at the junction of the Black Snake Rivulet with the River Derwent and bounded by that rivulet and by a southerly line to the north-west angle of 24a. 1r. 17p. purchased by R. Howell by the west boundary of that lot by part of the north and by the west boundary of 47a. 2r. 27p. purchased by J. Watson by part of the north by the west and by the south boundary of land purchased by H. Cronan by part of the west boundary of land purchased by A. Priestley by a southerly line to the north-west angle of 22½ acres purchased by W. Farley by the west boundary of that lot by the west boundary of 46 acres purchased by G. Peddle by part of the north and by the west boundary of 100 acres formerly selected by J. H. R. Cruickshank thence by a south-westerly line to the east angle of 95 acres purchased by Edward Mace by the south-east boundary of that land to the Sorell River thence by a southerly line to the north boundary of 50 acres purchased by H. Fehlberg by part of the north boundary of that land by the north and west boundaries of 30 acres purchased by John White by

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part of the north boundary of land formerly purchased by F. H. Gall by part of the east by the north and by part of the west boundary of land purchased by M. Triebell by the north and west boundaries of land purchased by C. L. Triebell by part of the north and by part of the west boundary of 50 acres purchased by John White by the north the west and south boundaries of land purchased by F. H. Gall by the west boundary of land purchased by G. A. Robertson by part of the east and by part of the south boundary of land purchased by John Nicholson by the east boundaries of lands purchased by John Kellay and Alexander Riddoch respectively by part of the west and by the south boundary of land purchased by Alfred Laughler by a north-easterly line to the south-west angle of 15 acres purchased by W. Carlsen by the west boundary of 47a. 3r. 28p. formerly purchased by G. Ackroyd thence by a southerly line to the source of the Mountain River thence by a westerly line along the summit of the tiers thence by a line to the source of the Huon River by that river to the south-west boundary of the County of Cumberland by that boundary to Lake Pedder by the southern and western shores of that lake to the Serpentine River by that river to the Gordon River by that river to the Franklin River by that river to the Collingwood River by that river to its source thence by a line to Lake Augusta thence by a north-easterly line to the Canning River by that river for a distance of about eight miles thence by a due easterly line to Lake Ada thence by a northerly line to Pillan's Lake thence by a line to Lake Julian thence by a line to the source of the Meander River thence by an easterly line along the summits of the Great Western Mountains to the source of the Dabool Rivulet by that rivulet to the Lake River by that river to Woods' Lake thence by an easterly line to the north-east angle of Lot 504 purchased by A. F. Kemp thence by part of the western shores of Lake Sorell by a rivulet to Lake Crescent by that lake to the west boundary of the Parish of Exmouth by that boundary to the Exe Rivulet by that rivulet to the River Jordan by that river to the south-east angle of 500 acres granted to T. Hooper by the south boundary of that land and by a continued westerly line for a distance of one mile or thereabouts thence by a southerly line passing along the east boundaries of 100 acres purchased by D. Wylie and of 320 acres purchased by J. and C. Wylie to the north boundary of Lot 476 by part of the north and by the western boundaries of that lot by the west boundary of Lot 477 purchased by John Clarke by the southern boundaries of Lots 2870 and 2869 purchased by A. Morrison and others by the southern boundary of Lot 2238 purchased by William Langdon and part of the southern boundary of Lot 2237 purchased by H. Hopkins and others to the eastern boundary of Lot 864 purchased by Edward Bisdee thence by part of the eastern boundary of that lot by part of the northern and eastern boundaries of Lot 69 purchased by Thomas Willison by part of the north and by the east boundary of Lot 863 purchased by William Morgan Orr and by a continued southerly line for a distance of 20 chains or thereabouts thence by an easterly line for a distance of 100 chains or thereabouts thence by a south-easterly line to the west angle of 60 acres purchased by J. E. Howard by the south-west boundary of that land by a continued south-easterly line passing along the north-eastern boundary of 15a. 3r. 29p. purchased by J. Smith to the north-west boundary of the Parish of Wallace by part of that boundary and by part of the south-west boundary of that parish to the south angle of 84½ acres purchased by W. Caville by a south-east boundary of 2260a. 1r. 10p. purchased by Maria Parsons thence by a south-easterly line to Platform Bluff thence by a south-easterly line to the north angle of 50 acres purchased by G. and T. and C. Aitken by the north-east boundary of that land by the north-east boundary of land purchased by C. Aitken by the south-west boundary of 50 acres purchased by J. Scott by part of the north-west and by the south-west boundary of land purchased by G. Williams by a north-east boundary of Lot 6469 by the north-east boundary of 29 acres purchased by A. Long by a north-east boundary of 156 acres purchased by W. H. Wise thence by a south-easterly line through a grant to Swanston and Pitcairn to the north angle of a grant to A. Davies by the north-east boundary of that grant to the River Derwent and thence by that river to Bridgewater Causeway by that Causeway and by the southern bank of the River Derwent aforesaid to the point of commencement.

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BUCKINGHAM.

Commencing at the junction of the Black Snake Rivulet with the River Derwent and bounded by that rivulet and by a southerly line to the north-west angle of 24a. 1r. 17p. purchased by R. Howell by the west boundary of that lot by part of the north and by the west boundary of 47a. 2r. 27p. purchased by J. Watson by part of the north by the west and by the south boundary of land purchased by H. Cronan by part of the west boundary of land purchased by A. Priestley by a southerly line to the north-west angle of 22½ acres purchased by W. Farley by the west boundary of that lot by the west boundary of 46 acres purchased by G. Peddle by part of the north and by the west boundary of 100 acres formerly selected by J. H. R. Cruickshank thence by a south-westerly line to the east angle of 95 acres purchased by Edward Mace by the south-east boundary of that land to the Sorell River thence by a southerly line to the north boundary of 50 acres purchased by H. Fehlberg by part of the north boundary of that land by the north and west boundaries of 30 acres purchased by John White by part of the north boundary of land formerly purchased by F. H. Gall by part of the east by the north and by part of the west boundary of land purchased by M. Triebell by the north and west boundaries of land purchased by C. L. Triebell by part of the north and by part of the west boundary of 50 acres purchased by John White by the north west and south boundaries of land purchased by F. H. Gall by the west boundary of land purchased by G. A. Robertson by part of the east and by part of the south boundary of land purchased by John Nicholson by the east boundaries of lands purchased by John Kellay and Alexander Riddoch respectively by part of the west and by the south boundary of land purchased by Alfred Laughler by a north-easterly line to the south-west angle of 15 acres purchased by W. Carlsen by the west boundary of 47a. 3r. 28p. formerly purchased by G. Ackroyd to the south-west angle thereof thence by a line to the source of the Mountain River thence by a line to the source of the North-West Bay River by that river to North-West Bay by that bay and by the River Derwent to the Sandy Bay Rivulet by that rivulet by the south-west the north-west and the north-east boundaries of the City of Hobart to the River Derwent aforesaid and thence by that river to the point of commencement.

HUON.

Commencing at the most western point of Bruni Island thence by a line to Whale Head thence by the sea to the Mainwaring River by that river to its source thence by a line to the source of the Sprent River by that river to the Gordon River by that River to the Serpentine River by that river to Lake Pedder by the southern and eastern shores of that lake to the south-west boundary of the County of Cumberland by that boundary to the Huon River by that river to its source thence by an easterly line along the summit of the tiers to the source of the Mountain River thence by a line to the source of the North-West Bay River thence by that river to North-West Bay by the northern shores of that bay to Pearson's Point thence by a line to Kelly's Point thence by the eastern and southern shores of Bruni Island to the point of commencement.

All islands adjacent to the coast between Whale Head and the Mainwaring River form part of this district.

HOBART.

Commencing at the south-east angle of a grant to George Frankland on the Wellington or Sandy Bay Rivulet and bounded by that rivulet to its confluence with the River Derwent by that river and by Sullivan's Cove to the northern side of the Hobart Rivulet thence by the south-eastern and north-eastern boundaries of an allotment of 2a. 2r. 30p. now vested in the Municipal Council of Hobart for sanitary purposes thence by a continued north-westerly line to the east angle of the Slaughter Yards thence north-westerly by the north-eastern boundary of the said Slaughter Yards to the north angle thereof thence in a south-westerly direction by the north-western boundary of the said Slaughter Yards to the public road leading to the Slaughter Yards and continuing the same line across that road to the north-eastern boundary of the Royal Engineers' Yard thence in a south-easterly direction along that said boundary to the north-east angle of the said

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Royal Engineer's Yard thence south-westerly by the south-eastern boundary of the Royal Engineers' Yard to the northern boundary of land in the occupation of the Hobart Gas Company thence north-westerly along that said boundary to the northern angle of the said land in the occupation of Hobart Gas Company thence north-easterly by a straight line across the entrance of the road leading from Macquarie-street to the Royal Engineers' Yard to the south-western angle of land formerly in the occupation of the Territorial Police from thence to the angle of intersection formed by the northern building line of Park-street with the road leading to the Queen's Domain from Macquarie-street thence along the north and north-eastern building line of Park-street (crossing Liverpool-street) to a point on the south-western boundary of the Queen's Domain at Park-street and directly opposite the south-east building line of Clara or Ryde-street from thence south-westerly along the said south-eastern building line of Clara or Ryde-street (crossing Park-street and Letitia-street) to the eastern side of Argyle-street thence by a continuation of that line across Argyle-street to the eastern angle of a grant to James Milne Wilson thence by the south-eastern side of this grant to the eastern side of Commercial Road thence by a continuation of that line across Commercial Road through a grant to John Dunn and across New Town Road to the north angle of a grant to Janet M'Tavish thence by the north-west boundary of that grant to a point on the northern side of the Elphinstone Road thence in a south-easterly direction crossing Elphinstone Road and across Mount Stuart Road to the west angle of a grant to John Swan thence by the south-western boundary of that grant and also by the south-western boundary of a grant to John Dunn to the north-western side of Arthur-street thence by the north-western building line of Arthur-street in a south-westerly direction to the south-western side of Knocklofty Terrace thence by the south-western side thereof to Poet's Road and (crossing the same) to an allotment granted to William Harris thence by part of the north-western and by the north-eastern boundary of that grant and a continued south-easterly line (after crossing Salvator Rosa Glen) along the north-eastern boundaries of land granted to Joseph Bowden and of land granted to G. P. Fitzgerald and W. Hart (crossing Forest Road) and extending to the Hobart Rivulet thence by that rivulet in a south-westerly direction (after crossing the same) to a point intersected by a continuation of a line directly along the centre of Glen-street thence south-easterly along the centre of Glen-street to Macquarie-street and continuing across that street to a point intersected by the centre line of Washington-street thence southerly along the centre of that street to a point intersected by a straight line parallel to and distant 200 feet southwards from the southern building line of D'Arcy-street thence in a south-easterly direction along that parallel line with D'Arcy-street to Holbrook Place (Upper) and continuing across that roadway in the same line to a point in the centre thereof thence in a northerly direction along the centre of Holbrook Place to a point intersected by a line in continuation of the south boundary of a grant to George Frankland thence easterly by that continued line to the south-west angle of that grant and by the south boundary of that said grant to the point on the western bank of the Sandy Bay Rivulet to the point of commencement.

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LAUNCESTON.

Commencing at a point on the north-western side of the South Esk River such point being opposite the extremity of the north-east side of Hill-street produced thence in a south-westerly direction along that river to the south-west side of Dalrymple-street thence south-easterly along that street to the south-east side of Peel-street thence north-easterly along that street to the main road leading to the City of Hobart thence crossing that road thence north-westerly by that road to Melbourne-street thence north-easterly by the south-eastern side of Melbourne-street to High-street thence crossing that street thence north-westerly along the north-eastern side of the lastmentioned street to St. David's-street thence north-easterly along the south-eastern side of that street to Patterson's Plains Road thence crossing that road thence south-easterly by a line extending to the road leading to the bridge thence north-easterly along that road to the south angle of a grant to Richard Dry thence north-westerly along that grant and along other land granted to Richard Dry extending to Goderich-street thence north-easterly by the south-eastern side of that street thence crossing that street

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to the Church of England Cemetery thence along that cemetery to a location to Peter Archer Mulgrave thence north-easterly by the south-eastern side of that location to the North Esk River thence crossing that river thence following the downward course of that river to the south-western boundary of 112 acres granted to John Lamont thence on the north-east by part of that land thence by the south-east and part of the south-west boundary of land granted to Daniel Room by the south-east and south-west boundaries of land granted to J. R. Daniels by the south-west boundary of land granted to Daniel Room by the south-east boundary of land granted to Charles Box to George-street thence crossing that street to the east angle of land granted to Thomas Landale by the south-east the south-west and north-west boundaries of that grant by part of the south-west and part of the north-west boundaries of land granted to David Kennedy by the south-west boundary of land located to Jacob Montgarret by part of the south-east boundary of 30 acres located to J. Brown to the River Tamar thence crossing that river to high-water mark thence by high-water mark to the South Esk River aforesaid thence by the lastmentioned river to the point of commencement.

DESCRIPTIONS AND BOUNDARIES OF ASSEMBLY DISTRICTS.

BASS.

Commencing at Low Head on the River Tamar; thence after crossing that river by the west bank thereof to the boundary of the Town of Trevallyn; thence by the north-west and south-west boundaries of that town to the South Esk River; thence by that river and after crossing the same by the south-west the south-east and the north-east boundaries of the City of Launceston to the north Esk River, by that river (after crossing the same) to its source thence by a line to Youl's Lake, thence by a line to the source of the Ben Lomond Rivulet; by a north-easterly line from thence to the Butts of Ben Lomond; thence by a line to the source of the Buffalo Brook, and by that brook to the north-west boundary of lot 245; by that boundary to Storey's Creek; thence by that creek to the South Esk River; by that river to the north-east boundary of lot 24 granted to F. W. Stieglitz; by part of that boundary and by the south-east boundary of 300 acres of land granted to John Sinclair; thence by a south-easterly line to the south angle of lot 234; by the south-east boundary of that lot and by the south-east and north-east boundaries of lot 231, and by part of the south-east boundary of lot 2784 to the source of the Fingal Rivulet; thence by an easterly line to the north-west angle of the Town of Seymour; by the north boundary of that town to Doctor's Creek, by that creek to the sea, and by the sea northerly to Bass Strait; and thence by that strait to the point of commencement.

All the islands adjacent to the coast north of Doctor's Creek, and all islands in Bass Strait east of the 147th degree of longitude and south of 39 degrees and 12 minutes of latitude form part of this district.

DARWIN.

Commencing at the mouth of the Mainwaring River on the Southern Ocean; thence by the north bank of that river to its source; from thence to the source of the Sprent River, by that river to the Gordon River, by that river to the Franklin River, by that river to the Collingwood River, by that river to its source; thence by a line to Lake Augusta; thence by a north-easterly line to the Canning River; by that river north-westerly for a distance of 8 miles or thereabouts; thence by a northerly line to the south-east angle of the Van Diemen's Land Company's Surrey Hills Block; thence by part of the east boundary of that block for a distance of 2½ miles or thereabouts; thence by an easterly line to the source of the River Lea, by that river to the River Wilmot, by that river to the River Forth, by that river to Bass Strait; thence by Bass Strait and by the Southern Ocean aforesaid to the point of commencement. King Island and all islands in Bass Strait west of the 146th degree of longitude and south of 39 degrees and 12 minutes of latitude form part of this district

DENISON.

Commencing at the mouth of Humphrey's Rivulet on the River Derwent, and bounded by that rivulet to the north-west angle of 2000 acres of land granted to

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George Hull by the west, and by a south-west boundary of that grant to the south angle thereof; thence by a south-easterly line to the trigonometrical station on Mt. Wellington; thence by a south-easterly line to the source of Brown's River, by that river to the River Derwent aforesaid, and thence by that river to the point of commencement. A.D. 1907.

FRANKLIN.

Commencing at the mouth of the Mainwaring River and bounded by that river to its source; thence by a line to the source of the Sprent River, by that river to the Gordon River, by that river to the Franklin River, by that river to the Collingwood River, by that river to its source; thence by a line to Lake Augusta; thence by a north-easterly line to the Canning River, by that river for a distance of about eight miles; thence by a due easterly line to Lake Ada; thence by a northerly line to Pillan's Lake; thence by a line to Lake Julian; thence by a line to the source of the Meander River; thence by an easterly line along the summits of the Great Western Mountains to the source of the Dabool Rivulet, by that rivulet to the Lake River; thence crossing that river to the south-east boundary of the Wesleyan Mission property, by the south-east boundary of that property, by part of the south, by an east, by a south, again by an east, and by part of the north boundary of land located to John Montagu, by the west boundary of the Parish of Lincoln to the Macquarie River, by that river (after crossing the same) to the south-east boundary of 101½ acres granted to James Gibson and R. and J. Mercer, by that boundary, by a south-east boundary of land located to Henry Emmett, by the south-west and north-west boundaries of land granted to Robert William Nutt and Robert Pitcairn to the division boundary between the Parishes of Cleveland and Bathurst, by that boundary and by the south-east boundary of the Parish of Cleveland to the Hunting Ground Watercourse, by that watercourse to the road from Campbell Town to Avoca, by that road to the South Esk River, by that river (after crossing the same) to the Ben Lomond Rivulet, by that rivulet to its source, by a north-easterly line from thence to the Butts of Ben Lomond, thence by a line to the source of Buffalo Brook, and by that brook to the north-west boundary of lot 245, by that boundary to Story's Creek; thence by that creek to the South Esk River, by that river to the north-east boundary of lot 24 granted to F. W. Stieglitz, by part of that boundary and by the south-east boundary of 300 acres of land granted to John Sinclair; thence by a south-easterly line to the south angle of lot 234 by the south-east boundary of that lot and by the south-east and north-east boundaries of lot 231, and by part of the south-east boundary of lot 2784 to the source of the Fingal Rivulet; thence by an easterly line to the north-west angle of the Town of Seymour, by the north boundary of that town to Doctor's Creek, by that creek to the sea, by the sea southerly to Cape Raoul; thence by Storm Bay, Norfolk Bay, and Frederick Henry Bay to the River Derwent, by that river to the causeway at Bridgewater; thence by that causeway to the opposite bank of the River Derwent; thence by that river to the Humphrey's Rivulet, by that rivulet to the north-west angle of 2000 acres of land granted to George Hull, by the west and by a south-west boundary of that grant to the south angle thereof; thence by a south-easterly line to the trigonometrical station on Mt. Wellington; thence by a south-easterly line to the source of Brown's River; thence by that river to the River Derwent aforesaid; thence by that river, by D'Entrecasteaux Channel, and by the sea to the point of commencement.

Schouten Island, Maria Island, Bruni Island, and all other islands adjacent to the coast between Doctor's Creek and the Mainwaring River form part of this district.

WILMOT.

Commencing at the mouth of the River Forth on Bass Strait and bounded by Bass Strait to the River Tamar; thence by that river to the Town of Trevallyn; thence by the north-west and south-west boundaries of that town to the South Esk River; thence by that river, and after crossing the same by the south-west, the south-east and the north-east boundaries of the City of Launceston to the North Esk River, by that river (after crossing the same) to its source; thence

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by a line to Youl's Lake; thence by a line to the source of the Ben Lomond Rivulet; by that rivulet to the South Esk River; by that river to the road from Campbell Town to Avoca; by that road to the hunting ground watercourse; by that watercourse to the boundary of the Parish of Cleveland; by the south-east, a north-east, and the south boundary of that parish to the north-east boundary of 1000 acres of land located to Adam Turnbull; by part of that boundary and by the south-west and north-west boundaries of 8407 acres of land granted to Robert William Nutt and Robert Pitcairn to the Macquarie River; by that river to a point opposite the west boundary of the Parish of Lincoln; thence (after crossing the Macquarie River) by the west boundaries of that parish to the north boundary of land located to John Montagu; by part of the north, by the east, by a south, again by an east, and again by part of a south boundary of that location, by the south-east boundary of the Wesleyan Mission property, to the Lake River; by that river (after crossing the same) to the Dabool Rivulet; by that rivulet to its source; thence by a line along the summits of the Great Western Mountains to the source of the Meander River; by a line from thence to Lake Julian; by a line from thence to Pillan's Lake; by a southerly line to Lake Ada; thence by a westerly line to the Canning River; thence by a northerly line to the south-east angle of the Van Diemen's Land Company's Surrey Hills Block; by the east boundary of that block for a distance of 2 1/4 miles or thereabouts; thence by an easterly line to the source of the River Lea; by that river to the River Wilmot; by that river to the River Forth aforesaid; and thence by that river to the point of commencement.

All islands in Bass Strait between the 146th and 147th degrees of longitude and south of the 39 degrees and 12 minutes of latitude form part of this district.

SCHEDULE (3).

FORM A.

"THE ELECTORAL ACT, 1907."

LEGISLATIVE COUNCIL.

ELECTORAL CLAIM.

Electoral District of [here insert name of District].

To the Electoral Registrar,

- 1. I claim to have my name placed on the Electoral Roll for Polling-place or Sub-district for the above District.
2. I am not under the age of Twenty-one years
3. I am a natural-born [or naturalised] subject of the King.
4. I have been a resident in Tasmania for a period of Twelve months.
5. I possess the following qualification, viz.:—

.....
*

Dated the day of 19

Surname
Christian names at full length
Place of residence
Occupation
Usual signature

Received the day of 19, Electoral Registrar.

* If a property qualification, state where the qualifying property is situated, with sufficient particulars to identify the same.

Sect. 29.

Rep. by N. 63 of 11.5.28

Electoral.

FORM B.

A.D. 1907.

“THE ELECTORAL ACT, 1907.”

Sect. 29.

HOUSE OF ASSEMBLY.

ELECTORAL CLAIM.

Electoral District of [*here insert name of District*].

To the Electoral Registrar,

- 1. I claim to have my name placed on the Electoral Roll for Polling-place or Sub-district of the above District.
- 2. I am not under the age of Twenty-one years
- 3. I am a natural born [*or naturalised*] subject of the King.
- 4. I am an inhabitant of Tasmania, and have lived therein for Six months, and live in the above District.
- 5. My name is not on the Electoral Roll for any other Electoral District.

Dated the _____ day of _____, 19 .

Surname

Christian names in full

Place of living

Occupation

Usual signature

Rep. by N° 63 of 1911 p. 28

FORM C.

Sect. 32

“THE ELECTORAL ACT, 1907.”

APPLICATION TO TRANSFER.

ASSEMBLY ROLL.

Surname

Christian name at full length

Present place of living

Occupation

formerly living at [*here insert place*] in the Electoral District of [*here insert name of District*], and enrolled for _____ Polling-place or Sub-District, having *bonâ fide* changed my place of living and lived within the Electoral District of [*here insert name of District*] for not less than One month, do hereby claim to have my name transferred to the Electoral Roll for _____ Polling-place or Sub-district for the lastmentioned District.

Dated this _____ day of _____, 19 .

[Signature].

FORM D.

Sect. 32

“THE ELECTORAL ACT, 1907.”

APPLICATION TO TRANSFER.

COUNCIL ROLL.

Surname

Christian names at full length

Present residence

Occupation

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registered on the Electoral Roll for the Electoral District of [*here insert name of District*] Polling-place or Sub-district in respect of the following qualification —

situated at*
and possessing another qualification, as follows:—

situated at*
do hereby apply to have my name transferred to the Polling-place
or Sub-district of the said Electoral Roll in respect of the last mentioned qualification.

Dated this day of 19 ..

..... [Signature].

Witness:

* State where the qualifying property is situated, with sufficient particulars to identify the same.

Rep. by No 63 of 1911 s. 28.

Sect. 43.

FORM E.

“THE ELECTORAL ACT, 1907.”

NOTICE OF OBJECTION.

I object to the name of [*here insert the name, place of residence, and occupation of person objected to, as in the Roll*] being retained on the Electoral Roll for the Electoral District of [*here insert name of District*] on the ground that [*here state grounds of objection*].

Dated this day of 19 ..

(Signed) A.B., of [*here state address and occupation of objector*].

Sect. 66.

FORM F.

“THE ELECTORAL ACT, 1907.”

Electoral District of [*here insert name of District*].

NOMINATION OF A MEMBER OF THE [*here state whether Council or Assembly*].

To the Returning Officer for the Electoral District of [*here insert name of District*].

We, the undersigned Electors on the Electoral Roll for the Electoral District of [*here insert name of District*], do hereby nominate [*Christian name, surname,*

Electoral.

residence, and occupation of person nominated] as a Member of the [*here state whether Legislative Council or Assembly*] of the Parliament of Tasmania for the said District. A.D. 1907

Dated the _____ day of _____ 19 .

Signatures of Nominators.	Place of Residence.	Polling-places.	Number on Roll.

I, _____ of _____ consent to the above nomination, and to act if elected.

[*Signature of Candidate*].

N.B.—The Candidate's consent to the nomination may be on a separate paper and in any form, but if given on the Nomination paper in the above form its sufficiency is not to be questioned.

FORM G.

Sect. 78.

"THE ELECTORAL ACT, 1907."

APPLICATION FOR A POSTAL VOTE CERTIFICATE.

To the Returning Officer, Electoral District of [*here insert name of District*]. I [*here state Christian names, surname, residence, and occupation*] hereby apply for a Postal Vote Certificate.

1. I am an Elector on the Electoral Roll for the [*here state Council or Assembly, as the case may be*] District of [*here insert name of District*] to vote at [*here insert name of Polling-place*].

2. The ground on which I apply for the Certificate is—

(a) That I have reason to believe that I will not on polling-day, during the hours of polling, be within Seven miles by the nearest road of the above Polling-place. My reasons for this belief are:—

.....

(b) That I will be prevented, by illness or infirmity, from attending the Polling-place on polling-day.

NOTE.—The Elector will rule out any ground which does not apply to his or her particular case, as only one ground is necessary for the application.

Electoral.

A.D. 1907.

3. I request that a Postal Vote Certificate and a Postal Ballot-paper may be forwarded to me at [*here state address to which the papers are to be forwarded*].

Dated this day of 19 .

[*Signature.*]

Signed in the presence of—

[*Authorised witness to sign here and insert his title.*]

N.B.—Any one of the following persons is an authorised witness, namely:—

[*The persons who are authorised witnesses within the meaning of this Act to be enumerated here.*]

Witness to
application
must satisfy
himself of truth
of statements.

An authorised witness shall not witness the signature of any Elector to an application for a Postal Vote Certificate and Postal Ballot-paper unless—

- (a) He has satisfied himself as to the identity of the applicant; and
- (b) He has seen the applicant sign the application in his (the applicant's) own handwriting.

Penalty : Fifty Pounds, or One month's imprisonment.

Sect. 81.

FORM H.

"THE ELECTORAL ACT, 1907."

POSTAL VOTE CERTIFICATE.

Electoral District of [*here insert name of District*].

I hereby certify that of is entitled to vote at the Election for [*here insert purpose for which the Election is to be held, and whether for the Council or Assembly*] to be held on the day of

Dated this day of 19 .

(Signed)—

Returning Officer.

Sect. 81.

FORM I.

Election of [*here insert number to be elected, and whether for the Council or Assembly*].

POSTAL BALLOT-PAPER.

INSTRUCTIONS TO ELECTOR.

1. The Elector shall exhibit his Postal Ballot-paper (in blank) and his Postal Vote Certificate to an authorised witness.

2. In the case of any election for a district where only One member has to be returned, the elector shall mark his vote by writing on the ballot-paper, in the presence of an authorised witness, but so that he does not see the vote, the name of the candidate for whom he votes as his first preference opposite a square, and by placing the number **1** within the square; the elector shall also (where there are more than Two candidates) write the names of at least Two more candidates on the ballot-paper, and indicate the order of his preference for them by placing the numbers **2** and **3** within squares opposite their names; the elector may also in addition write the names of as many more of the other candidates (if any) as he pleases on the ballot-paper, and indicate the order of his preference for them by placing within squares opposite their names other numbers next in numerical order after those already used by him.

3. In the case of an election for a district where more than One Member has to be returned, the elector shall mark his vote by writing on the ballot-paper, in the presence of an authorised witness, but so that he does not see the vote, the names of Three candidates opposite squares, and shall indicate the order of his preference for them by placing the numbers **1**, **2**, and **3** within the squares opposite their names. The elector may also in addition write the names of as many more candidates as he pleases on the ballot-paper, and indicate the order of his preference for them by placing within the squares respectively opposite their names other numbers next in numerical order after those already used by him.

Electoral.

4. If the Elector's sight is so impaired that he cannot vote without assistance, the authorised witness, if so requested by the Elector, may act for him in the presence of a witness. A.D. 1907.

5. The Elector shall then fold the Ballot-paper.

6. The Elector shall then himself sign his name on the counterfoil, in the place provided for the signature of the voter.

7. The authorised witness shall then himself sign his name in the place provided for the signature of the witness, and shall add the title under which he acts as authorised witness, and place of living, and the date.

8. The Elector shall then place the Ballot-paper, with the counterfoil attached, into the envelope addressed to the Returning Officer, and fasten the envelope, and duly stamp and hand it to the authorised witness for posting.

INSTRUCTIONS TO AUTHORISED WITNESS.

The authorised witness shall—

- (a) See that the above directions are substantially complied with;
- (b) Refrain from looking at the vote given by the Elector except where the Elector's sight is so impaired that he cannot vote without assistance, and the Elector requests his assistance;
- (c) Not disclose any knowledge officially acquired by him touching the vote of the Elector; and
- (d) Forthwith post the envelope containing the Postal Ballot-paper.

Penalty: One hundred Pounds, or Three months' imprisonment.

AUTHORISED WITNESSES.

Any one of the following persons is an authorised witness, namely:—

[The persons who are authorised witnesses within the meaning of this Act to be enumerated here].

COUNTERFOIL.

No—

Signature of Voter—

Witness—

[Authorised witness to sign here and insert his title].

.....

BALLOT-PAPER.

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

FORM J.

Sect. 85.

DECLARATION OF ELECTOR CLAIMING TO VOTE AT POLLING-BOOTH.

I, _____ residing at _____, do hereby declare that my name is included in the Electoral Roll for the Electoral District of _____, and that I have not received a Postal Ballot-paper entitling me to vote by post at the election of members for the _____ now being held

Electoral.

<i>Expenditure.</i>	£ s. d.	A.D. 1907.
(1.) * Paid for purchasing Electoral Rolls		* The names of persons to whom the money is paid and the sum paid to each must be set out separately.
(2.) † Paid for printing, advertising, publishing, issuing, and distributing addresses by me as candidate, and notices of meetings		† The name and description and the nature of the work done by each person to whom any payment is made must be set out separately.
(3.) ‡ Paid for stationery, messages, postages, and telegrams...		‡ The name, occupation, and address of each person to whom any sum is paid and the reason for which it was paid to him must be set out separately.
(4.) § Paid for committee-rooms		§ The name, occupation and address of each person to whom any sum is paid, and the reason for which it was paid to him, must be set out separately.
(5.) || Paid for public meetings and halls therefor .....		|| The name, occupation, and address of each person to whom any sum is paid and the reason for which it was paid to him must be set out separately.
(6.) ¶ Paid for scrutineer		¶ The name of the scrutineer, the name of the polling-place at which he was employed, and the sum paid to him, must be set out separately.
(7.) ** Paid for conveying voters to the Poll.		** The name, occupation, and address of each person to whom any sum is paid, and the reason for which it was paid to him, must be set out separately.

Electoral.

A.D. 1907.

In addition to the foregoing I am aware of the following disputed and unpaid claims, viz. :—

The name, occupation, and address of each person whose claim is disputed or unpaid, the ground of the claim, and its amount, must be set out separately

Total

And I do solemnly and sincerely declare that this return is true in every particular, and that, except as appears by this return, I have not, and no person has with my knowledge or authority, paid any electoral expense incurred by me or on my behalf or in my interest at or in connection with the said Election, or incurred any such expense, or any liability for any such expense, or given or promised any reward, office, employment, or valuable consideration on account or in respect of any such expense.

[Signature of Candidate].

Declared and subscribed before me, this

day of 19 .
Justice of the Peace.

Sect. 184.

FORM N.

MEMBER OF PARLIAMENT'S DECLARATION.

I, *A.B.*, do hereby declare, upon my honour, 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, 1907," in reference to my Election as a Member of this House [*or Council*] for the Electoral District of _____; and I do also declare, upon my honour, that I have done no act unduly to influence any Elector in the vote which he has given at such Election.

A.B.

SCHEDULE (4.).

Sect. 130.

In this Schedule, unless the contrary intention appears—

"Returning Officer" means the Returning Officer for the District:

"Quota" means the number of votes sufficient to elect a candidate:

"Surplus" means the number of votes which a candidate has obtained, at any stage of the scrutiny, over and above the quota:

"First choice recorded for a candidate" means a voting-paper on which the number **1** is placed in the square opposite the name:

"Second choice recorded for a candidate" means a voting-paper on which the number **2** is placed in the square opposite his name:

"Transfer value" means that portion of a vote which is unused by—

(a) an elected candidate who has obtained a surplus,

(b) a candidate excluded on account of his being lowest on the Poll, and which is therefore transferred to the candidate next in the order of the voter's preference. The transfer value of all votes is either 1 or some fraction of 1.

*Electoral.***METHOD OF COUNTING VOTES WHERE ONE MEMBER ONLY HAS TO BE RETURNED FOR A DISTRICT.**

A.D. 1907.

1. The number of first choices recorded for each candidate shall be counted, and all informal ballot-papers shall be rejected.

First choice for each candidate to be counted.

2. The candidate obtaining an absolute majority of votes shall be elected.

Candidate obtaining absolute majority to be elected.

An absolute majority of votes means a number greater than One-half of the whole number of ballot-papers other than exhausted and informal ballot-papers. The casting vote of the Returning Officer shall be included in reckoning an absolute majority of votes.

3. If no candidate has an absolute majority of votes, the candidate who has the fewest votes shall be excluded, and each ballot-paper counted to him shall (unless exhausted) be counted to the unexcluded candidate next in the order of the voter's preference.

4. If no candidate then has an absolute majority of votes, the process of excluding the candidate who has the fewest votes and counting each of his ballot-papers (unless exhausted) to the unexcluded candidate next in the order of the voter's preference, shall be repeated until one candidate has an absolute majority of votes.

5. Every ballot-paper, not rejected as informal, shall be counted in every count until it becomes exhausted, when it shall be rejected in all further counts. When a candidate is excluded, any ballot-paper counted to him shall be deemed to be exhausted if there is not indicated upon it a consecutive preference for one unexcluded candidate.

Exhausted ballot-papers.

6. If on any count two or more candidates have an equal number of votes and one of them has to be excluded, the Returning Officer shall decide which is to be excluded, and if in the final count two candidates have an equal number of votes, the Returning Officer shall decide by his casting vote which shall be elected, but otherwise no Returning Officer shall vote at any election.

Casting-vote.

METHOD OF COUNTING VOTES WHERE MORE THAN ONE MEMBER HAS TO BE RETURNED FOR A DISTRICT.

1. The number of first choices recorded for each candidate shall be counted, and all informal voting-papers shall be rejected.

First choice of each candidate to be counted.

2. The aggregate number of such first choices shall be divided by one more than the number of candidates required to be elected, and the quotient increased by one, disregarding any remainder, shall be the quota, and (except as hereinafter provided in Rule 10) no candidate shall be elected until he obtains a number of votes equal to or greater than the quota.

To find the quota.

3. Any candidate who has, upon the first choices being counted, a number of such votes equal to or greater than the quota shall be declared elected.

Candidates who have the quota to be declared elected.

4. Where the number of such votes obtained by any candidate is equal to the quota, the whole of the voting-papers on which a first choice is recorded for such elected candidate shall be set aside as finally dealt with.

If first choices exactly equal to quota voting-papers to be set aside.

5. Where the number of such votes obtained by any candidate is in excess of the quota, the proportion of votes in excess of the quota shall be transferred to the other candidates not yet declared elected, next in the order of the voters' respective preferences, in the following manner:—

If a surplus, surplus to be transferred.

i. All the voting-papers on which a first choice is recorded for the elected candidate shall be re-examined, and the number of second choices, or (in the case provided for in Rule 12) third or next consecutive choices, recorded for each unelected candidate thereon shall be counted:

Voting papers re-examined and second choices counted.

ii. The surplus of the elected candidate shall be divided by the total number of votes obtained by him on the counting of the first choices, and the resulting fraction shall be the transfer value:

Find the transfer value.

iii. The number of second or other choices, ascertained in paragraph i. to be recorded for each unelected candidate, shall be multiplied by the transfer value:

Multiply second choices by transfer value.

iv. The resulting number, disregarding any fractional remainder, shall be credited to each unelected candidate, and added to the number of votes obtained by him on the counting of the first choices.

Add result on.

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If more than one surplus, largest to be first dealt with.

If surpluses equal, last difference to decide.

If transfer raises candidate up to or above quota he to be declared elected.

If votes exactly equal to quota voting-papers to be set aside.

If surplus created, surplus to be transferred.

Voting-paper of last transfer re-examined and third choices counted.

Find the transfer value.

Multiply third choices by transfer value.

Add result on.

When all surpluses dealt with candidate lowest on poll to be excluded and his votes transferred.

First choices to be transferred first. Then other votes in order.

Each transfer deemed a separate transfer.

If transfer raises candidate up to quota, he to be declared elected.

If votes exactly equal to quota, voting-papers to be set aside.

If surplus created, surplus to be transferred.

6.—(a) Where, on the counting of the first choices or on any transfer, more than one candidate has a surplus, the largest surplus shall be first dealt with. If then more than one candidate has a surplus, the then largest surplus shall be dealt with, and so on: Provided that, if one candidate has obtained a surplus at a count or transfer previous to that at which another candidate obtains a surplus, the surplus of the former shall be first dealt with.

(b) Where two or more surpluses are equal, the surplus of the candidate who was the highest on the poll at the count or transfer at which they last had an unequal number of votes shall be first dealt with; and if they have had an equal number of votes at all preceding counts or transfers, the Returning Officer shall decide which candidate's surplus shall be first dealt with.

7.—(a) Where the number of votes obtained by a candidate is raised up to or above the quota by a transfer as aforesaid, he shall thereupon be declared elected. And in such case, notwithstanding the fact that he may have reached the quota, such transfer shall be completed, and all the votes to which he is entitled therefrom shall be transferred to him, but no votes of any other candidate shall be transferred to him.

(b) Where the number of votes obtained by a candidate is raised up to, but not above, the quota by a transfer as aforesaid, the whole of the voting-papers on which such votes are recorded shall be set aside as finally dealt with.

(c) Where the number of votes obtained by a candidate is raised above the quota by a transfer as aforesaid, his surplus shall be transferred to the candidates next in the order of the voters' respective preferences, in the following manner:—

- I. The voting-papers on which are recorded the votes obtained by the elected candidate in the last transfer shall be re-examined, and the number of third, or (in the case provided for in Rule 12) next consecutive choices recorded for each unelected candidate thereon counted:
- II. The surplus of the elected candidate shall be divided by the total number of voting-papers mentioned in paragraph I., and the resulting fraction shall be the transfer value:
- III. The number of second (or other) choices, ascertained in paragraph 1 to be recorded for each unelected candidate, shall be multiplied by the lastmentioned transfer value:
- IV. The resulting number, disregarding any fractional remainder, shall be credited to each unelected candidate, and added to the number of votes previously obtained by him.

8.—(a) Where, after the first choices have been counted and all surpluses (if any) have been transferred as hereinbefore directed, no candidate, or less than the number of candidates required to be elected, has or have obtained the quota, the candidate who is lowest on the poll shall be excluded, and all the votes obtained by him shall be transferred to the candidates next in the order of the voters' respective preferences, in the same manner as is directed in Rule 5.

(b) The votes obtained by such excluded candidate as first choices shall first be transferred, the transfer value of each vote in this case being 1.

(c) The other votes of such excluded candidate shall then be dealt with in the order of the transfers in which, and at the transfer value at which, he obtained them.

(d) Each of the transfers which takes place under the two previous clauses of this rule shall be deemed for all purposes to be a separate transfer.

9.—(a) Where the number of votes obtained by a candidate is raised up to or above the quota by any such transfer as aforesaid, he shall thereupon be declared elected. And in such case, notwithstanding the fact that he may have reached the quota, such transfer shall be completed, and all the votes to which he is entitled therefrom shall be transferred to him, but no other votes shall be transferred to him.

(b) Where the number of votes obtained by a candidate is raised up to, but not above, the quota by any such transfer as aforesaid, the whole of the voting-papers on which such votes are recorded shall be set aside as finally dealt with.

(c) Where the number of votes obtained by a candidate is raised above the quota by any such transfer as aforesaid, his surplus shall be transferred to the candidates next in the order of the voters' respective preferences in the same

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manner as is directed in Rule 7, Clause (c): Provided that such surplus shall not be dealt with until all the votes of the excluded candidate have been transferred.

(d) Where any surplus exists it shall be dealt with before any other candidate is excluded.

10. The same process of excluding the candidate lowest on the poll and transferring to other candidates his votes shall be repeated until all the candidates, except the number required to be elected, have been excluded, and the unexcluded candidates, who have not already been so declared, shall then be declared elected.

11. Where at any time it becomes necessary to exclude a candidate, and two or more candidates have the same number of votes and are lowest on the poll, then whichever of such candidates was lowest on the poll at the last count or transfer at which they had an unequal number of votes shall be first excluded, and if such candidates have had an equal number of votes at all preceding counts or transfers the Returning Officer shall decide which candidate shall be first excluded.

12. In determining what candidate is next in the order of the voter's preference, any candidates who have been declared elected or who have been excluded shall not be considered, and the order of the voter's preference shall be determined as if the names of such candidates had not been on the voting-paper.

13. Where on any transfer it is found that on any voting-paper there is no candidate opposite whose name a number is placed, other than those who have been already either declared elected or excluded, such voting-paper shall be set aside as exhausted

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Surpluses to be dealt with before further exclusion.

Process of exclusion to be repeated until there remain number of candidates required.

If lowest candidates equal last difference to decide.

If a candidate elected or excluded his name not considered on voting-paper.

Exhausted votes.

1971

1972

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1974

1975

1976