

SUPPLEMENTARY ORDER PAPER.

HOUSE OF REPRESENTATIVES.

Tuesday, the 24th day of October, 1871.

1. Mr. CREIGHTON to move, in Committee on the Auckland Dock Bill, the following:—

Provided always that the rights in or to land of no person other than Her Majesty and the Superintendent of the Province of Auckland shall be taken or injuriously affected under this Act except under the provisions of "The Lands Clauses Consolidation Act 1863."

2. Mr. CREIGHTON to move, as an amendment on clause 6 of "The Sharebrokers Act, 1871"—

That the words "when employed by any person not being a broker to purchase and sell such shares," be struck out.

To move the following new clause, as follows:—

Whenever a share is sold or transferred it shall be the duty of the purchaser of such share to see that the share is duly registered in the books of the Company within three days from the time of purchase and no transfer whatsoever shall be executed in blank but shall before signature be fully filled in with the names of seller and purchaser and the true consideration money and shall be duly stamped. Every vendor or purchaser neglecting or omitting any of these provisions shall be liable on conviction to a penalty not exceeding ten pounds for every such neglect or omission.

3. Mr. T. L. SHEPHERD to move, when the Sharebrokers Bill is in Committee, the following new clause:—

That no licensed Sharebroker shall sell shares his own property to his principal while acting as his agent. Any infringement of this section to be subject to a fine of fifty pounds to be recovered before a Resident Magistrate.

4. The Hon. Mr. GISBORNE to move, in Committee, the following new clauses, in the Regulation of Elections Bill:—

POLLING AT ELECTIONS BY BALLOT.

a. The sections of the said Act numbered from eighty-eight to one hundred and four both inclusive shall from and after the first day of December next be repealed and thereupon the provisions contained in the sections of this Act numbered from three to eighteen both inclusive shall come into force in lieu thereof: Provided that

the said repeal shall not affect or apply to any elections the nomination of candidates for which shall have taken place before the said first day of December.

Contested election.

b. If at the expiration of the time limited as in the said Act provided for the nomination of candidates the number of candidates shall exceed the number of Councillors to be elected then the Returning Officer shall forthwith cause ballot papers to be printed with the Christian or first names and surnames of all the candidates in full in the form in the

Schedule.

Schedule hereto and shall also forthwith give public notice by advertisement inserted in some newspaper generally circulating in the borough stating the names of the persons so nominated and that a poll will be taken for the election of such Councillors on the day appointed for holding the election under the provisions of the said Act and this Act and named in such notice at such places within the borough as the said Returning Officer shall in and by such notice appoint and such poll shall take place accordingly and shall commence at eight o'clock in the forenoon and close at four o'clock in the afternoon.

Notice and time and place of poll.

Candidate may retire within certain time.

c. If after a poll shall stand appointed as aforesaid at any election any person who shall duly become a candidate for such election and two of the persons having signed the paper nominating him as aforesaid shall be desirous that he retire from such candidature such candidate and the persons aforesaid, not later than two clear days before the day of polling may sign and deliver to the Returning Officer a notice in the form in the Second Schedule hereto stating that such candidate so retires and may publish in some newspaper generally circulating in the borough a copy of such notice and the Returning Officer on such receipt of such notice and on sufficient proof of such publication as aforesaid if the number of candidates shall by such retirement be reduced to the number of persons to be elected at such election shall on the day appointed for the election declare the remaining candidates to be duly elected and if the said number shall not be so reduced shall omit the name of such person so retiring from the ballot papers to be used at the said election and if such papers shall have been already printed shall erase such name therefrom and such person shall not be capable of being elected at such election.

Schedule.

Polling booths &c.

d. At every such election the Returning Officer if it shall appear to him expedient for taking the poll may cause booths to be erected or rooms to be hired and used as such booths in places appointed as aforesaid for taking the poll and the same shall be so divided and allotted into compartments as to the Returning Officer shall seem most convenient and the Returning Officer may also appoint Poll Clerks to attend in each booth at such election: If there be more booths than one the said booths shall be numbered in arithmetical order and there shall be affixed over the entrance of each booth in succession so many letters of the alphabet in their alphabetical order as shall denote by the initial letter of the surname the burgesses entitled to vote thereat and no burgess shall vote in any booth save that denoted by the initial letter of his surname.

Returning Officer or Deputy to preside at each booth.

e. The Returning Officer or his Deputy or some one to be appointed by writing under the hand of the Returning Officer or his Deputy shall preside at each polling booth for taking the poll within the borough.

Scrutineers.

Who may be present in booth.

f. Each candidate shall be entitled to appoint in writing one Scrutineer to be present at each polling booth and such Scrutineers and the said Returning Officer or Deputy or other person and the Poll Clerks and any burgesses not exceeding six in number actually engaged in voting and to be named if necessary by the Returning Officer or Deputy or other person so appointed shall alone be permitted at any one time to enter or remain in the polling booth.

Power of Returning

g. Every such Returning Officer and Deputy and other person so

appointed shall have power and authority to maintain and enforce order and keep the peace at any election or polling held by him and without any other warrant than this Act to cause to be arrested and taken before a Justice any person reasonably suspected of knowingly and wilfully making a false answer to any of the questions hereinafter mentioned or of personating or attempting to personate any voter or of attempting unlawfully to vote more than once at the same election or leaving or attempting to leave the polling booth after having received a ballot paper and before having deposited the same in the box as hereinafter provided or who shall cause a disturbance at any election and to cause any person to be removed who shall obstruct the approaches to any polling booth or shall conduct himself in a disorderly manner and all Constables and Peace Officers shall aid and assist such Returning Officer or Deputy or other person so appointed as aforesaid in the performance of his duty.

Officer and Deputy
&c.

h. The Returning Officer or his Deputy or other person so appointed shall provide pencils in every polling booth for the use of the burgesses, and also a locked box to be called the ballot box with a cleft or opening therein capable of receiving the Ballot Papers and such box shall be opened and exhibited empty to the Poll Clerks and Scrutineers before the polling begins and shall stand on a table opposite the Returning Officer or Deputy or other person who shall keep the key of such box.

Pencils and ballot
box.

i. At all elections of Councillors of any borough in which a burgess roll shall be in force the Mayor shall supply to every Deputy Returning Officer and every Poll Clerk a written or printed copy of the burgess roll of the borough authenticated by the signature of the Mayor and every such copy shall be deemed sufficient to determine all questions and disputes which may arise before such Deputy Returning Officer or Poll Clerk in reference to anything contained in the burgess roll.

Copy of electoral
roll to be given to
each Deputy Return-
ing Officer.

k. The Returning Officer or his Deputy or other person so appointed shall deliver to every burgess who shall require the same a ballot paper or if such burgess shall appear by the roll to be entitled to give more votes than one then so many ballot papers as shall be equal to the number of votes which such burgess shall so appear to be entitled to give such ballot papers being in the form aforesaid and initialled by the Returning Officer and every such burgess shall without leaving the booth strike out from any or all of such papers the names of every candidate for whom he shall not desire to vote and in case any burgess shall be unable to read or write the Returning Officer or Deputy or other person so appointed if required shall in view of such one of the Scrutineers as such burgess may desire strike out the names of such candidates as such burgess may designate and after such names shall have been so struck out the ballot paper or ballot papers as the case may be shall be forthwith deposited in the said box: Provided that all the ballot papers to which any person may be entitled at any polling booth shall be demanded and received by him at one and the same time and no person having once demanded and received any such ballot paper and voted by the same shall at the same election receive any other such paper or exercise any further right of voting.

Ballot papers how
delivered and dealt
with.

Voter to give all his
votes at once.

l. Before delivering any ballot paper to a burgess the Returning Officer or his Deputy or other person so appointed shall write upon the back of each such ballot paper as near as practicable to the lower edge thereof the number corresponding to the number set opposite to the burgess's name in the burgess roll and shall thereupon upon a copy of such roll check off such burgess's name as having voted and mark against such name the number of papers delivered to such burgess.

Ballot paper to be
numbered.

m. If any burgess shall suffer to remain upon his ballot paper a greater number of names not struck out than the number of Councillors

Certain indefinite
votes to be void.

to be elected the vote given on and by such paper shall be void and of no effect.

Questions at election previous to making of burgess roll.

n. At every first election of Councillors under the said Act and this Act and at every election of Councillors under the said Act and this Act in a borough in which a burgess roll shall not for the time being be in force or in a borough to which any portion of New Zealand shall have been annexed if such portion shall not at the time be embraced by any burgess roll in force the Returning Officer or his Deputy shall put in the cases firstly and secondly hereinbefore mentioned to every person tendering his vote and in the case thirdly hereinbefore mentioned to every person tendering his vote in respect of rateable property within the annexed portion the questions following:—

- (1.) What are your Christian names and surname?
- (2.) Are you an elector enrolled on an electoral roll now in force under the provisions of "The Registration of Electors Act 1866" and is your qualification as such elector in respect of lands or tenements within this borough [*or if the case so require within the annexed portion (describing it) of this borough*]?
- (3.) On the roll of what Electoral District are you so enrolled as an elector?
- (4.) What is the property in respect of which you are so enrolled and the name and situation thereof?
- (5.) Have you already voted at this present election?

And no other question shall be put to any person tendering his vote and no person who shall refuse to answer any of such questions or whose answers to the same shall not show his right to give such vote shall receive a ballot paper or be permitted to vote.

Questions to be put to voter at all other elections.

o. At all elections of Councillors in any borough in which a burgess roll shall be in force the Returning Officer or his Deputy may if he see fit or if required so to do by any candidate or Scrutineer shall put to any person tendering his vote the questions following:—

- (1.) Are you the person whose name appears as A.B. in the burgess roll now in force for this borough being enrolled therein in respect of property described to be situated in [*Here specify the street or other place described in the burgess roll*]?
- (2.) Have you already voted at the present election?

And no other question shall be put to any person tendering his vote and no person who shall refuse to answer any of such questions or who shall not answer the first of such questions absolutely in the affirmative and the third of such questions absolutely in the negative shall receive a ballot paper or be permitted to vote.

p. Every person who shall wilfully make a false answer to any of the questions aforesaid or who shall poll more than once or offer to poll more than once at the same election or who shall depart or attempt to depart from any polling booth after having received a ballot paper without having deposited the same in the ballot box as hereinbefore mentioned or who shall personate any other person for the purpose of polling at such election shall on conviction before any two or more Justices for every such offence be imprisoned for any period not exceeding one year but nothing contained in this section shall apply to any person only by reason of his exercising the right of voting as often as it appears by the roll he is entitled so to do.

False answer polling twice and personations.

q. Immediately upon the close of the poll the Returning Officer or Deputy at each polling booth shall proceed in the presence and subject to the inspection of the Poll Clerks and of so many of the Scrutineers of the candidates as shall please to be present to ascertain the number of votes for each candidate and such Returning Officer or Deputy respectively shall abstain from inspecting the number written as

Ascertaining result of polling.

aforsaid on any ballot paper and take care that the same is not seen by any person before being sealed up as herein provided and the Deputy or such other person shall immediately forward the ballot papers sealed up together with a list made up under the inspection of the said Scrutineers of the total number of votes for each candidate to the Returning Officer and the Returning Officer shall in like manner seal up the ballot papers deposited in the booth in which he shall have presided and such Returning Officer shall as soon as conveniently may be on or after the day of the poll give public notice of the number of votes given to each candidate and shall declare the candidates not exceeding the number of vacancies to be filled up who have received at all the polling booths taken together the greatest number of votes to have been duly elected as Councillors for the borough and shall forthwith publish in some newspaper generally circulating in the borough the names of the Councillors so elected and if two or more candidates shall have received an equal number of votes the Returning Officer shall in each case have the casting vote.

Declaration.

Casting vote.

r. The Returning Officer shall forthwith after the declaration of the poll cause all the sealed parcels of ballot papers to be sealed up in a packet indorsed with a description of the contents thereof signed by the Returning Officer and delivered to the Town Clerk of such borough to be by the said Clerk safely and secretly kept for six months after such delivery of the same and such Clerk shall after the expiration of such period of six months cause such ballot papers to be destroyed in the presence of three of the Councillors.

Disposal of ballot papers.

s. If any person shall knowingly and wilfully break the seal of or open any such sealed parcel or packet of ballot papers as aforesaid unless by the lawful command of some competent Court or other tribunal he be required so to do or to produce some portion of the contents of such parcel or packet he shall be guilty of a misdemeanor.

Penalty for breaking seal of or opening parcel or packet.

t. If any Returning Officer or Deputy or any Scrutineer or Poll Clerk shall in the discharge of his duties under this Act at or concerning any election learn or have the means of learning for what candidate any person shall vote or have voted at such election he shall not by word or act or any other means whatsoever directly or indirectly divulge or discover or aid in divulging or discovering the same save in answer to some question which he is legally bound to answer and every such Returning Officer Deputy person appointed as aforesaid Scrutineer or Poll Clerk who shall knowingly and wilfully offend against the provisions of this section shall be guilty of a misdemeanour.

Penalty for Returning Officer or Deputy &c. divulging the name of the candidate for whom any person may vote.

SCHEDULES.

Schedules.

FIRST SCHEDULE.

BOROUGH of [If Borough divided into Wards add Ward.] Candidates' names arranged in alphabetical order of surnames—

A.B.,
C.D.,
E.F.

DIRECTIONS.

The voter is to strike out the name of the candidate or candidates for whom he does not intend to vote by drawing a line through the same with a pencil.

He must be careful not to leave uncanceled the names of more than candidates otherwise this ballot paper will be invalid.

The ballot paper so marked by or for the voter is to be dropped by him into the ballot box.

The voter is not permitted to take his ballot paper out of the ballot room or polling booth.

SECOND SCHEDULE.

WE the undersigned nominators of A.B. as a candidate at the election of Councillor to be held on the day of in and for the Borough of [or the Ward of the Borough of] do hereby withdraw the said A.B. as such candidate.

(Here follow signatures of nominators.)

And I the said A.B. do hereby retire from being such candidate.

A.B.