



GOLD FIELDS PROVINCIAL MANAGEMENT ORDINANCE, 1867.

IN THE THIRTIETH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION XXIII., No. 245.

ANALYSIS :

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“ An Ordinance to Provide for Testing Public Opinion in the Province of Otago with reference to the Management and Administration of the several Gold Fields in the said Province by the Provincial Government thereof.” [21ST MAY, 1867.]

WHEREAS it is expedient that provision should be made for testing the feeling of the People of Otago in reference to the Management and Administration of the Gold Fields in the said Province and as to whether such Management and Administration should be left in the hands of the Superintendent and his Executive Council as heretofore or should be conducted in any other manner :—

BE IT THEREFORE ENACTED by the Superintendent of the Province of Otago with the advice and consent of the Provincial Council thereof as follows :

I. This Ordinance may be cited and referred to as the “ Gold Fields Provincial Management Ordinance 1867.”

II. Upon the first day of June 1867 votes shall be taken in every Electoral District throughout the Province at such place or places within each Electoral District as the Superintendent of Otago shall by proclamation in the *Government Gazette* of the said Province appoint and the object of such voting shall be to ascertain in manner hereinafter provided whether the people resident in the said Province are desirous that the management and administration of the Gold Fields in the said Province shall be conducted by the Superintendent and Provincial Government of the said Province or otherwise.

III. It shall be lawful for the Superintendent of Otago by warrant under his hand to appoint fit and proper persons to preside at each place which he may appoint in manner aforesaid for taking such votes and also to appoint in like manner such and so many Clerks Secretaries Scrutineers and other persons as may be necessary to perform any of the acts by this

Ordinance required to be done for the due and efficient carrying out of the provisions of this Ordinance and for the purpose of obtaining the fullest expression of public opinion on the matters thereof.

Qualification of voter.

IV. Every male of the age of 21 years or upwards who shall have been resident in the said Province for at least six calendar months previous to the said first day of June 1867 shall be entitled to vote under this Ordinance for the purposes thereof.

Provision for conduct of voting.

V. The voting for the purposes of this Ordinance shall be held in each District before the person or persons appointed by the Superintendent in manner aforesaid to preside at the voting place or places therein (hereinafter called the Presiding Officers) and the voting shall commence at 9 o'clock in the forenoon and shall finally close at 5 o'clock in the afternoon of the said first day of June 1867 and shall be conducted in manner following that is to say: Every person claiming to vote shall on presenting himself at a voting place in any District be furnished by the Presiding Officer with a printed paper marked with the initials of such Presiding Officer containing the words following "Are you desirous that the management and administration of the Gold Fields in this Province shall be conducted by the Superintendent and Provincial Government?" And there shall be provided separate apartments or places forming part of the voting booth into which the voter shall immediately retire and there alone and in private without interruption shall write the word "Yes" if he is desirous of such management and administration being conducted by the Superintendent and Provincial Government or the word "No" if he shall not so desire and the voter shall then fold the same paper and immediately deliver it so folded to the Presiding Officer who shall forthwith publicly and without opening the same deposit it in a box provided for that purpose and no voting paper so deposited in any box shall on any account be taken therefrom till after the close of the voting and then only in the presence of the Presiding Officer and one Scrutineer: Any voter wilfully infringing any of the provisions of this section or obstructing the voting by any unnecessary delay in performing any act within the voting place or room shall be liable to a penalty not exceeding Twenty Pounds to be recovered in a summary way before two or more Justices of the Peace of the Colony of New Zealand in manner provided by law.

Provision in case of voter being unable to write.

VI. If any person entitled to vote under this Ordinance is unable to write it shall be lawful for the Presiding Officer on any such person by whom he shall be furnished a voting paper stating his inability to write and requesting such Presiding Officer so to do to write for such person the word "Yes" or the word "No" upon the voting paper according to the instructions of the voter and the Presiding Officer shall then sign such voting paper with the name of the voter in the presence of two persons present at the time when the voter shall have requested his vote to be recorded in manner aforesaid who shall see that such vote is recorded in the manner requested by the voter and shall subscribe their names as witnesses.

Questions to be put by Presiding Officer.

VII. The Presiding Officer shall put to every voter at the time of his claiming his voting paper the following questions:—

1. Are you of the full age of 21 years?
2. Have you been resident in this Province for six months at least?
3. Have you already voted upon the question contained in this voting paper?

No person shall be entitled to vote unless and until he shall have answered the first and second questions in the affirmative and the third question in the negative and if any person shall wilfully make a false answer to any or either of the questions aforesaid or shall vote or offer to vote more than once or shall personate any other person for the purpose of voting he shall be liable

to a penalty not exceeding £50 to be recovered in a summary way before two or more Justices of the Peace according to law.

VIII. Within seven days after the said first day of June 1867 the Presiding Officer in each Electoral District shall prepare two correct lists each of which lists shall be headed with the question contained in the voting papers as before-mentioned and underneath in separate columns shall be stated the answers given by the voters to such question according to the voting papers and each of such lists shall be verified by the signature of the Presiding Officer and by the signatures of Two Scrutineers to be appointed in manner hereinbefore mentioned and one of such lists shall be forwarded by such Presiding Officer to the Superintendent and the other thereof accompanied by the voting papers shall be forwarded to the Speaker of the Provincial Council who shall forward same without delay to His Excellency the Governor.

Duty of Presiding Officer.