

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

FRIDAY, 21 JUNE 1872

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LEGISLATIVE ASSEMBLY.

Friday, 21 June, 1872.

Electoral Districts Bill.

ELECTORAL DISTRICTS BILL.

The COLONIAL SECRETARY moved—

That the Speaker leave the chair, and the House resolve itself into a Committee of the Whole for the further consideration of the Electoral Districts Bill.

Motion carried.

The COLONIAL SECRETARY moved the adoption of the various schedules of the Bill *seriatim*.

The schedules, with some amendments, were carried.

Clause 6—postponed on the previous evening—was moved, when

Mr. GRIFFITH moved the substitution of the following clauses:—

So soon as the first Electoral Rolls under "The Elections Act of 1872" for the present electoral districts shall have been respectively perfected the Governor shall appoint and notify by proclamation in the *Gazette* days for holding Preliminary Revision Courts for the purposes hereinafter stated for such of the electoral districts created by this Act as are wholly or in part comprised within all or any of the electoral districts now existing.

The Courts of Petty Sessions at the respective places next hereinafter mentioned shall be the Preliminary Revision Courts for the purposes of this Act in respect of the several electoral districts or groups of districts in that behalf respectively stated that is to say—

For Brisbane Wickham Fortitude Valley Enoggera South Brisbane Oxley East Moreton Redcliff and Logan the Court of Petty Sessions at Brisbane.

For Ipswich Bremer Bundamba Stanley West Moreton and Fassifern the Court of Petty Sessions at Ipswich.

For Toowoomba Aubigny Darling Downs and Carnarvon the Court of Petty Sessions at Toowoomba.

For Cunningham the Court of Petty Sessions at Warwick.

For Northern Downs and Dalby the Court of Petty Sessions at Dalby.

For Maranoa and Balonne the Court of Petty Sessions at Roma.

For Warrego the Court of Petty Sessions at Charleville.

For Maryborough Wide Bay and Gympie the Court of Petty Sessions at Maryborough.

For Burnett and Mulgrave the Court of Petty Sessions at Gayndah.

For Rockhampton and Blackall the Court of Petty Sessions at Rockhampton.

For Port Curtis the Court of Petty Sessions at Gladstone.

For Normanby the Court of Petty Sessions at St. Lawrence.

For Leichhardt and Springsure the Court of Petty Sessions at Springsure.

For Clermont the Court of Petty Sessions at Clermont.

For Mitchell the Court of Petty Sessions at Blackall.

For Bowen Kennedy and Ravenswood the Court of Petty Sessions at Bowen.

Every such court shall be a Preliminary Revision Court at once for all the electoral districts (if more than one) in respect whereof it has jurisdiction and shall proceed with the making up of the lists hereinafter described for all such districts concurrently and not separately except so far as may be necessary or convenient.

The clerk of petty sessions shall at the opening of each such preliminary court of revision produce the aforesaid first electoral rolls under "The Elections Act of 1872" for all the present electoral districts whereof any part shall be comprised in the electoral district or group of districts in respect whereof such court shall have jurisdiction as aforesaid. Such court shall thereupon from the names contained in such rolls make up lists of the persons therein named who shall be qualified to vote for the several electoral districts for which such court is a court of revision as hereinbefore provided and in so doing shall be guided by this Act and the following provisions—

(1.) The names of all persons on such rolls whose residence if their qualification is residence or the situation of whose property if their qualification is property shall be therein specified shall be inserted in the lists for the districts for which they are respectively qualified to vote unless such specification shall be insufficient to denote the electoral district within which such residence or property is situate.

(2.) In the event of such specification being insufficient or if the situation of the residence or property of any persons whose names are on such rolls shall not be therein specified the court shall proceed to inquire by such evidence as it shall think fit or upon its own knowledge into the situation of such residence or property and shall insert in such lists the names of such persons as it shall by such inquiry ascertain to be entitled to be so inserted.

(3.) Every such list shall specify the residence or the situation of the property as the case may be of every person so inserted therein.

(4.) For the purpose of ascertaining the situation of such property or residence the court shall be at liberty to refer to any claim theretofore sent in or made under "The Elections Act of 1872" or "The Elections Act of 1867" and the contents of such claims shall be taken to be *prima facie* true and correct.

(5.) No name shall be inserted in any such list of any person who shall be proved to the satisfaction of the court to be dead.

In every case in which the name of any person shall not be inserted in some one of the lists so made up by the court by reason only of the court being unable to ascertain within what electoral district his residence or property as the case may be shall be situate the clerk of petty sessions shall forthwith send by post to the usual or last known place of abode of such person a notice informing him that his name has been so omitted.

Every such court shall have power to adjourn from time to time for any period or periods not exceeding seven days from the first day of holding such court Provided that no such adjourned court shall be held after the thirtieth day from the day appointed for holding the same as aforesaid.

Except as hereinbefore otherwise provided the thirteenth fourteenth and sixteenth sections of "The Elections Act 1872" shall be applicable to the aforesaid Preliminary Revision Courts as if the said sections had been re-enacted herein with the necessary alterations.

The presiding Judge Crown Prosecutor or Justice shall sign his name to every page of such lists and the clerk of petty sessions shall immediately thereupon forward the same to the returning officers of the electoral district to which they respectively relate who shall cause the same to be arranged in alphabetical order and the names to be numbered in regular arithmetical progression and shall cause two fair copies thereof to be prepared one of which he shall forward certified under his hand to the Colonial Secretary and from the other he shall cause printed copies to be prepared duly certified by him at the Government Printing Office or other convenient printing office approved by the Colonial Secretary and every such list shall be in the following form—

PRELIMINARY ELECTORAL ROLL

Of persons qualified to vote for the electoral district of _____ of which I am Returning Officer.

The Returning Officer for each district shall cause printed copies of such Preliminary Rolls duly certified by him to be kept posted in some conspicuous place at every Court of Petty Sessions and Post Office in the district to which the same shall relate for one calendar month at the least.

With all convenient speed after such Preliminary Rolls shall have been respectively kept posted for the space aforesaid the Governor shall appoint and notify by proclamation in the *Gazette* a day for sending in claims for every electoral district and on or before such day all persons claiming to be placed on the electoral rolls of the several electoral districts shall make their claims as required by "The Elections Act of 1872," and the first electoral rolls of the said several districts shall be made up of and from such of the names in the said preliminary rolls as shall not upon due notice given or upon proof of death be duly

expunged therefrom and the names of such of the said claimants as shall be entitled to have their names inserted in the said electoral roll.

The COLONIAL SECRETARY said that he had no objection to the amendments at the present time, but only on the ground of expediency, so that they might have the draft Bill before them on Tuesday. There were, as the honorable member was no doubt aware, many faults in them which would have to be corrected. With the consent of the honorable member, he would make a few verbal amendments in the clauses now, which would save them being made when the clauses were next before them.

Mr. FERRETT thought there was a variance between the amendments proposed by the honorable member and the Bill as it now stood, in reference to the revision courts; for whilst, in the Bill, St. George was to be the place for revising the Balonne roll, Roma was proposed in the amendments. He thought, in regard to those courts, that every care should be taken that no voter for one electorate should be able to have his name placed on two rolls.

The clauses, as slightly amended, were agreed to.

Mr. GRIFFITH moved the insertion of the following clause after clause 8 in the Bill:—

For the purpose of such Courts of Revision the Preliminary Rolls made up as aforesaid shall be deemed and taken and shall have the same force and validity as if they were electoral rolls duly revised under "The Elections Act of 1872" for the year in which such Courts of Revision shall be held.

Agreed to.

The COLONIAL SECRETARY moved—

That the Chairman leave the chair, and report the Bill with amendments to the House.

Agreed to, and the House resumed.

The COLONIAL SECRETARY moved—

That the adoption of the Report of the Committee be an Order of the Day for Tuesday, the 25th June.