

4. Every person within the province who shall be legally qualified as an elector, and duly registered as such, shall be qualified to be elected a member of the said Legislative Council: Provided always, that it shall not be necessary that he reside or possess the qualification in the particular district for which he may be elected to serve as a member.

5. The elective members of every such Council shall be chosen by the votes of the inhabitants of the province who may be qualified as hereinafter mentioned—that is to say: Every man of the age of twenty-one years or (except as hereinafter mentioned) upwards, and having a freehold estate in possession situate within the district for which the vote is to be given of the clear value of £50 above all charges and incumbrances, and of or to which he has been seized or entitled either at law or in equity for at least six calendar months next before the last registration of electors; or being a householder within such district, occupying a dwelling-house within the limits of a town (to be proclaimed as such by the Governor-in-Chief for the purposes of this Ordinance) of the clear annual value of ten pounds, or without the limits of a town of the clear annual value of five pounds, and having resided therein six calendar months next before such registration as aforesaid; or having a leasehold estate in possession, situate within the districts for which the vote is to be given, of the value of ten pounds per annum, held upon a limit which at the rate of such registration shall have not less than three years to run, shall, if duly registered, be entitled to vote at the election of a member or members for the district.

6. Provided always that no person shall be entitled to vote at any such election who is an alien, or who at any time theretofore shall have been attainted or convicted of any treason, felony, or infamous offence within any part of Her Majesty's dominions.

7. The non-elective members of every such Council shall be appointed in manner hereinafter mentioned—that is to say: It shall be lawful for the Governor of the province by Letters Patent under the Great Seal of the province, from time to time to appoint such persons as he may think proper to be personally or by virtue of their office non-elective members of any such Council: Provided always that no such appointment shall be made until the return of the writs for the election of the elective members.

8. Every non-elective member of any such Council shall hold his seat therein for two years from the day of his appointment, or until the Council shall be sooner dissolved.

9. It shall be lawful for any Legislative Councillor—elective or non-elective—by writing under his hand, addressed to the Governor of the province, to resign his seat in the said Council, and upon such resignation the seat of such Legislative Councillor shall become vacant.

10. If any Legislative Councillor shall for two successive sessions of the Legislature of the province fail to give his attendance in the said Council, or shall become bankrupt, or take the benefit of any law relating to insolvent debtors, or become a public defaulter, or be attainted of treason, or be convicted of felony, or any infamous offence, or shall become *non compos mentis*, his seat in such Council shall thereupon become vacant.

11. If any person who shall have been designated as a non-elective member of any such Council as the holder of a public office shall cease to hold such office, his seat in the said Council shall thereupon become vacant.

12. Any question which shall arise respecting any vacancy in the said Council on occasion of any of the matters aforesaid, shall be heard and determined by such Council on such questions being referred to them for that purpose by the Governor of the province, and not otherwise.

13. Whenever it shall be established to the satisfaction of the Governor of the province that the seat of any Legislative Councillor hath become vacant, such Governor shall forthwith issue a writ for the election of, or shall appoint a new member (as the case may require) to serve in the place so vacated during the remainder of the term of the continuance of such Council, and no longer.

14. Every such new appointment or election shall be made in manner hereinbefore provided.

15. Every such Legislative Council shall continue for the period of two years from the day of the return of the writs for closing the same and no longer, subject nevertheless to be sooner prorogued or dissolved, as hereinafter mentioned.

16. There shall be a session of every such Council once at least in every year, so that a greater period than twelve calendar months shall not intervene between the last sitting of the Council in one session to the first sitting of the Council in the next session.

17. The first writs for the election of members of such Council for the provinces of New Ulster and New Munster shall be issued at some period not later than twelve calendar months after the passing of this Ordinance. And the first writs for the election of members of such Council for any such new province as aforesaid shall be issued at some period not later than twelve calendar months after this Ordinance shall be proclaimed, to come into operation within the same as hereinafter provided.

18. It shall be lawful for the Governor of the province for the time being, by Proclamation in the Government Gazette, to fix such place or places within the limits of the province, and such times, for holding the first and every other session of the said Council as he may think fit, and from time to time in manner aforesaid to alter and vary the same as he may judge advisable and most consistent with general convenience.

19. It shall also be lawful for the Governor of the province to prorogue the said Council from time to time, and by Proclamation or otherwise to dissolve the same whenever he shall deem it expedient so to do.

20. Every member of the said Council whose ordinary place of abode shall be more than twenty-five miles from the place where any meeting of such Council may be holden shall be entitled to receive, and there shall be paid over to him, on the first day of each session, by the Clerk of the Council, the sum of £50 for and towards defraying the travelling and other expenses incurred by such member in attending the meeting of the Council, and all sums so paid shall be chargeable upon and payable out of the general revenue of the province.

II. Jurisdiction of the Council.

21. It shall be lawful for the Governor of the province, with the advice and consent of the Legislative Council thereof, to make and ordain all such laws and Ordinances as may be required for