

to any new province as aforesaid, that the said recited Ordinance shall be repealed at such time as the Governor-in-Chief, by Proclamation in the New Zealand Government *Gazette*, shall for that purpose direct and appoint.

I.—*Constitution of the Council, and the Election, &c., of Members.*

1. For each of the provinces into which the Islands of New Zealand now are or may hereafter be divided there shall be a Legislative Council, to consist of such number of members—not less than nine—as the Governor-in-Chief shall by proclamation in that behalf from time to time direct and appoint. And every such Legislative Council shall have such power and authority and be subject to such limitations and restrictions as are hereinafter provided.

2. One-third of the members of every such Council shall be appointed by the Governor of the province, and two-thirds of the members of every such Council shall be elected by the inhabitants of the province, as hereinafter provided.

3. It shall be lawful for the Governor-in-Chief, until provision be made by law in that behalf, by Proclamation to be published in the New Zealand Government *Gazette* to constitute within every such province convenient electoral districts, and to appoint and declare the number of members to be elected for each such district, and to make provision for the registration and division of lists of all persons qualified to vote at the elections to be holden within such districts, and for the appointing of returning officers, and for the issuing, executing, and returning the necessary writs for such elections, and for taking the poll thereat, and for determining the validity of all disputed returns, and otherwise for insuring the orderly, effective, and impartial conduct of such elections: Provided always that the mode of election be by open voting, and that the voting shall finally close at four of the clock in the afternoon of the day on which the election shall commence. And provided also that, in determining the number and extent of such electoral districts, regard shall be had to the population and wealth of the same; and that in determining the number of members to be elected for each district, regard be had to the number of electors within the same, so that the number of members to be assigned to any one district may bear to the whole number of the elective members of the said Council the same proportion as the number of electors within such district shall bear to the whole number of electors within the limits of the province.

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 seised 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 tenement 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 district for which the vote is to be given, of the value of ten pounds per annum, held upon a lease which at the date of such registration shall have not less than three years to run, or having a leasehold estate situated and of the value as aforesaid, of which at the date of such registration he shall have been in possession for three years or upwards previous to the date of such registration, 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, or by the Speaker of the said Council, 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