

NEW ZEALAND.

ANNO VICESIMO SEXTO

VICTORIÆ REGINÆ.

No. 10.

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**An Act to amend the law relating to the Miner's Franchise.** Title.  
[9th September, 1862.]

**WHEREAS** it is expedient that the Gold Mining Population of New Zealand be enabled to elect Representatives to the General Assembly of New Zealand and the Provincial Councils of the respective Provinces thereof. Preamble.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows.

I. The Short Title of this Act shall be "The Miners Representation Act 1862." Short Title.

II. "The Miner's Franchise Act 1860" is hereby repealed. Act of 1860 repealed:

III. Every man of the age of twenty-one years or upwards not being disqualified under Clause VIII. of the Constitution Act and being the lawful holder of a Miner's Right and who shall have resided in the Province in which such Miner's Right has been issued and held a Miner's Right or Rights for not less than six months consecutively and immediately preceding the first day of October in any year shall be entitled to vote during the year from the said first day of October to the succeeding thirtieth day of September at all Elections of such Goldfields Members of the House of Representatives and of the Provincial Council of the Province in which such Miner's Right shall have been issued as shall be provided by any Act of the General Assembly or Ordinance of the Provincial Council of such Province respectively. Qualification of electors of Goldfields Members.

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*Miner's Representation.*

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If no Goldfields Members Miners may vote at ordinary elections.

IV. When no Goldfields Member of the House of Representatives or of the Provincial Council of any Province in which Miner's Rights shall have been issued shall have been by law appointed to be elected for the General Assembly or for the Provincial Council of such Province respectively every person so qualified as aforesaid shall be entitled to vote during the year aforesaid at the election of Members to the General Assembly or Provincial Council respectively for the Electoral District in which the Miner's Right held by him as aforesaid shall have been issued.

Miners' Right to be presented at elections and marked.

V. At every such election every person claiming to vote as an elector upon a Miner's Right shall present his Miner's Right and the Returning Officer or some person appointed by him for that purpose at each polling place shall at each election impress such a distinguishing stamp or mark as the Governor in Council shall appoint upon every Miner's Right in respect of which any person shall vote at such election And no person presenting a Miner's Right so stamped or marked as having been used at any particular election shall be allowed to vote in respect of such Right at such election.

Miners may hold other qualifications.

VI. Nothing herein contained shall limit or interfere with the right of any Miner to be registered for any district in respect of any other qualification which he may lawfully possess nor to limit or interfere with any Electoral District or the number of Members to be returned therefor under any Act or Ordinance in force in the Colony or any Province thereof for the time being.

Electoral Acts made applicable.

VII. All Elections of Goldfields Members under this Act shall be conducted as far as may be in the same manner and shall be subject to the provisions of the "Regulations of Elections Act 1858" "The Corrupt Practices Prevention Act 1858" "The Election Petitions Act 1858" and "The Election Petitions Act 1862" Provided always the questions to be put under Clause XVI of the "Regulations of Elections Act 1858" to any person claiming to vote under a Miner's Right shall be the following only

1. Are you the person whose name appears as (AB) on the Miner's Right now presented ?
2. Are you a natural born or a naturalized subject of Her Majesty Queen Victoria ?
3. Have you already voted here or elsewhere at this present election ?

And any person who shall personate at any election the individual named in any Miner's Right shall be guilty of a misdemeanor and on being convicted thereof shall be punished by imprisonment for a term not exceeding two years together with hard labour and Provided also that the Oath to be administered under Section XVII of the said "Regulation of Elections Act" shall be in the form set forth in the Schedule to this Act.

Interpretation.

VIII. The term "Miner's Right" in this Act shall mean the document so entitled in the "Goldfields Act 1858" or other Goldfields Act in force for the time being in the Colony.

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*Miner's Representation.*

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IX. It shall be lawful for the Governor in Council from time to time to make such Rules and Regulations as may be necessary for removing any obstacle of a technical or formal nature to the carrying out of the provisions of this Act.

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Governor may make Regulations.

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SCHEDULE.

I do swear that I am the person whose name appears as *(here specify name)* on the Miner's Right *(specify number and place of issue)* that I am a natural born or naturalized subject of Queen Victoria and that I have not already voted nor has such Miner's Right already been used either at this Polling Place or elsewhere at this present Election

Form of Oath.

So help me God.