

WESTERN AUSTRALIA

ANNO QUINQUAGESIMO SEPTIMO

VICTORIÆ REGINÆ

No. 14

An Act to amend 'The Constitution Act; 1889.'

[Assented to 13th October, 1893.]

Preamble

WHEREAS it is provided by the seventy-third section of 'The Constitution Act, 1889,' that the Legislature of Western Australia shall have full power and authority from time to time, by any Act, to repeal or alter any of the provisions of the said Act: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title, commencement, and division

1. This Act may be cited as 'The Constitution Act Amendment Act, 1893,' and shall, except as provided by section fourteen, come into operation on the eighteenth day of October, 1893, and is divided into Parts, as follows:—

- Part I.—Sections 3 to 13.—LEGISLATIVE COUNCIL.
- Part II.—Sections 14 to 22.—LEGISLATIVE ASSEMBLY.
- Part III.—Sections 23 to 27.—GENERAL.

The Constitution Act Amendment Act, 1893

2. (1) So much of 'The Constitution Act, 1889,' hereinafter called the Principal Act, as is mentioned in the First Schedule to this Act, is hereby repealed as from the respective times mentioned in the said Schedule. Repeal
First Schedule

(2) Such repeal shall not affect—

- (a) Anything done or omitted to be done under any enactment repealed by this Act; nor
- (b) Any duty imposed or liability or disqualification incurred under any enactment so repealed; nor
- (c) Any penalty or other punishment incurred in respect of any offence committed against any enactment so repealed; nor
- (d) The institution or continuance of any proceeding or other remedy, whether under any enactment so repealed or otherwise, for ascertaining any such liability or disqualification, or enforcing or recovering any such penalty or punishment as aforesaid.

PART I

LEGISLATIVE COUNCIL

3. Notwithstanding anything contained in the Principal Act, the Legislative Council constituted by that Act shall not cease to exist on the coming into operation of Part III. of the said Act, but shall continue and subsist until the issue of the writs for the first general election of members to serve in the Legislative Council constituted by this Act, when such last-mentioned Legislative Council shall take the place and have all the powers, functions, and privileges of the Legislative Council constituted by the Principal Act. Except as provided by section forty-three of the Principal Act, all the provisions thereof relating to the Legislative Council, except the enactments repealed by this Act, shall apply to the Council constituted under this Act. New Legislative
Council

4. The Legislative Council shall consist of twenty-one elected members, who shall be returned and shall sit for Electoral Provinces as hereinafter stated and defined. Constitution of
Council

5. The Colony shall be divided into seven Electoral Provinces, which shall return in all twenty-one members to serve in the Legislative Council, that is to say:— Electoral
Provinces

The Metropolitan Province, comprising Perth, East Perth, and West Perth Electoral Districts.

The West Province, comprising Fremantle, North Fremantle, and South Fremantle Electoral Districts.

The North Province, comprising East Kimberley, West Kimberley, Roebourne, De Grey, Pilbarra, and Ashburton Electoral Districts.

The Central Province, comprising Gascoyne, Murchison, Nanine, Geraldton, Greenough, and Irwin Electoral Districts.

The Constitution Act Amendment Act, 1893

The East Province, comprising Moore, Swan, Toodyay, Northam, York, Beverley, and Yilgarn Electoral Districts.

The South-West Province, comprising Murray, Wellington, Bunbury, Nelson, and Sussex Electoral Districts.

The South-East Province, comprising Williams, Plantagenet, and Albany Electoral Districts.

Each Electoral Province shall return three members.

Qualification of
Members of
Legislative
Council

6. Any man who has resided in Western Australia for two years shall be capable of being elected a member of the Legislative Council, if he be of the full age of thirty years, and not subject to any legal incapacity, and is a natural born subject of Her Majesty the Queen, or if not a natural born subject of the Queen, shall have been naturalised for five years previously to such election, and have resided in Western Australia during that period.

Quorum—
division, casting
vote

7. The presence of at least one-third of the members of the Legislative Council, exclusive of the President, shall be necessary to constitute a quorum for the despatch of business; and all questions which shall arise in the Legislative Council shall be decided by a majority of votes of the members present, other than the President, and when the votes shall be equal the President shall have the casting vote. Provided always, that if the whole number of members constituting the Legislative Council shall not be exactly divisible by three, the quorum of the Legislative Council shall consist of such whole number as is next greater than one-third of the members of the Legislative Council.

Members to
retire
periodically

8. (1) The seat of the senior member of the Legislative Council for the time being for each Province shall be vacated on the completion of a period of two years from the date of election, and also on the completion of each succeeding period of two years.

Seniority, how
determined

(2) For the purposes of this section the seniority of a member of the Legislative Council for any Province shall be determined by the date of his election, and, in the event of two or more persons being elected for a Province upon the same day, the member who polled the smallest number of votes shall be the member to retire; and, in the event of an equality of votes, or of an unopposed return, the seniority shall be determined by the alphabetical precedence of their surnames, and, if necessary, of their Christian names.

Writ for new
election

(3) The Governor may, in Her Majesty's name, issue a writ under the Public Seal of the Colony, for the election of a member to fill any seat vacated under this section.

Issue of writ
Retiring
member may sit
and vote until
return of his
successor

(4) The writ for every such election may be issued before the member to retire shall have retired, and every member so retiring shall, if not otherwise disqualified, be entitled to sit and vote as a member during the progress of and until the completion of the election and return of the member to supply the vacancy caused by such retirement.

Resignation of
members

9. Any member of the Legislative Council may resign his seat therein, by writing under his hand addressed to the President, or if there be no President to the Governor, and upon the receipt of such

The Constitution Act Amendment Act, 1893

resignation by the President or the Governor, as the case may be, the seat of such member shall become vacant.

10. (1) Whenever a vacancy, other than by effluxion of time as provided by section eight, occurs in the Legislative Council from any cause, upon a resolution by the Council declaring such vacancy and the cause thereof, the President shall cause a writ to be issued for supplying such vacancy. The President may, in the case of a vacancy caused by death or resignation, issue such writ without such preceding resolution when the Council is not in session, or when such vacancy occurs during any adjournment for a longer period than seven days.

Issue of writ in cases of vacancy

(2) If at the time of the occurrence of any such vacancy, caused by death or resignation, there be no President, and the Council be not in session, or if the President be absent from the Colony, the Governor shall, if satisfied of the existence of such vacancy, issue a writ for the election of a member to serve in the seat so vacated.

11. The member elected to fill any vacancy other than by effluxion of time shall hold the seat during the unexpired portion of the term for which the previous member would have been entitled to hold it, and no longer.

Tenure of seat by member filling vacancy

12. Every man of the age of twenty-one years, being a natural born or naturalised subject of Her Majesty and not subject to any legal incapacity, who shall have resided in Western Australia for twelve months, shall, subject to the provisions of this Act, if qualified as in this section is provided, be entitled to be registered as a voter and when registered to vote for each of any number of candidates not exceeding the number of members to be elected to serve in the Legislative Council for the Electoral Province in respect of which he is so qualified, that is to say, if he

Qualification of electors

- (1) Has a freehold estate in possession situate in the Electoral Province of the clear value of One hundred pounds sterling, above all charges and encumbrances in any way affecting the same of or to which he has been seized or entitled at law or in equity, for twelve months next before the time of making his claim to be registered; or
- (2) Is a householder within the Province occupying any dwelling house of the clear annual value of Twenty-five pounds sterling, and has occupied the same for twelve months next before the time of making the claim; or
- (3) Has a leasehold estate in possession situate within the Province of the clear annual value of Twenty-five pounds sterling, held upon a lease which at the time of making the claim has not less than eighteen months to run; or
- (4) Has a leasehold estate so situate, and of such value as aforesaid of which he has been in possession for eighteen months next before the time of making the claim; or
- (5) Holds and has held for twelve months previous to the time of making the claim a lease or license from the Crown to depasture, occupy, cultivate or mine upon Crown lands within the Province at a rental of not less than Ten pounds per annum;

The Constitution Act Amendment Act, 1893

Or if his name is on—

- (6) The Electoral List of any Municipality in respect of property within the Province of the annual rateable value of not less than Twenty-five pounds ; or
- (7) The Electoral List of any Road Board District in respect of property within the Province of the annual rateable value of not less than Twenty-five pounds.

Provided that—

- (a) No aboriginal native of Australia, Asia, or Africa shall be entitled to be registered, except in respect of a freehold qualification.
- (b) No elector possessing more than one qualification within a Province shall be thereby entitled to be registered more than once for that Province ; and
- (c) A person claiming to be registered as a naturalised subject of Her Majesty must have been so naturalised for the period of twelve months before making the claim.

Disqualifications

13. Every person nevertheless shall be disqualified from being registered as a voter who

- (1) Is of unsound mind or in the receipt of relief from Government or from any charitable institution ; or
- (2) Has been attainted or convicted of treason, felony, or any infamous offence in any part of Her Majesty's dominions, unless he shall have served his sentence for the same or have received a free pardon for such offence or a pardon conditional on his not leaving the Colony.

PART II

LEGISLATIVE ASSEMBLY

Commencement
of Part II

14. This part of this Act shall come into force on and after the dissolution of this present Legislative Assembly.

Constitution of
Assembly

15. The Legislative Assembly shall consist of thirty-three members, who shall be elected for the several electoral districts hereinafter named and defined.

Electoral
districts

16. The Colony shall be divided into thirty-three electoral districts, each returning one member to serve in the Legislative Assembly, that is to say, the districts of—

East Kimberley	Irwin	Bunbury
West Kimberley	Moore	Nelson
Roebourne	Swan	Sussex
De Grey	Perth	Toodyay
Pilbarra	East Perth	Northam
Ashburton	West Perth	York
Gascoyne	Fremantle	Beverley
Murchison	North Fremantle	Yilgarn
Nannine	South Fremantle	Williams
Geraldton	Murray	Plantagenet
Greenough	Wellington	Albany

The Constitution Act Amendment Act, 1893

(1) The boundaries of the East Kimberley, West Kimberley, Roebourne, Gascoyne, Greenough, Perth, East Perth, West Perth, Fremantle, North Fremantle, South Fremantle, Murray, Wellington, Bunbury, and Albany, shall remain those as described in Schedule A of the Principal Act.

Boundaries of districts remaining unaltered

(2) The boundaries of the De Grey, Ashburton, Murchison, Geraldton, Irwin, Moore, Swan, Nelson, Sussex, Toodyay, Northam, York, Beverley, Williams, and Plantagenet Electoral Districts, described in the Second Schedule of this Act, are substituted in lieu of the boundaries of the same districts described in Schedule A of the Principal Act.

Alteration of boundaries of certain districts

(3) The boundaries of the Yilgarn, Nannine, and Pilbarra Electoral Districts shall be those described in the Third Schedule of this Act.

Boundaries of new Electoral Districts

17. Any man who has resided in Western Australia for twelve months shall be capable of being elected a member of the Legislative Assembly, if he be of the full age of twenty-one years and not subject to any legal incapacity and is a natural born subject of Her Majesty the Queen, or if not a natural born subject of the Queen shall have been naturalised for five years and shall have resided in Western Australia for two years previously to such election.

Qualification of members of Legislative Assembly

18. The presence of at least one-third of the members of the Legislative Assembly, exclusive of the Speaker, shall be necessary to constitute a quorum for the despatch of business; and all questions which shall arise in the Legislative Assembly shall be decided by a majority of votes of the members present, other than the Speaker, and when the votes shall be equal the Speaker shall have the casting vote. Provided always, that if the whole number of members constituting the Legislative Assembly shall not be exactly divisible by three, the quorum of the Legislative Assembly shall consist of such whole number as is next greater than one-third of the members of the Legislative Assembly.

Quorum—
division, casting vote

19. Any member of the Legislative Assembly may resign his seat therein, by writing under his hand, addressed to the Speaker, or if there be no Speaker, to the Governor, and upon the receipt of such resignation by the Speaker or the Governor, as the case may be, the seat of such member shall become vacant.

Resignation of members

20. (1) Whenever a vacancy occurs in the Legislative Assembly from any cause, upon a resolution by the Assembly declaring such vacancy and the cause thereof, the Speaker shall cause a writ to be issued for supplying such vacancy. The Speaker may, in the case of a vacancy caused by death or resignation, issue such writ without such preceding resolution when the Assembly is not in session, or when such vacancy occurs during any adjournment for a longer period than seven days.

Issue of writs in cases of vacancy

(2) If at the time of the occurrence of any such vacancy, caused by death or resignation, there be no Speaker, and the Assembly be not in session, or if the Speaker be absent from the Colony, the Governor shall, if satisfied of the existence of such vacancy, issue a writ for the election of a member to serve in the seat so vacated.

21. Every man of the age of twenty-one years, being a natural

Qualification of electors

The Constitution Act Amendment Act, 1898

born or naturalised subject of Her Majesty and not subject to any legal incapacity, who shall have resided in Western Australia for twelve months, shall, subject to the provisions of this Act, if qualified as in this section is provided, be entitled to be registered as a voter and when registered to vote for a member to be elected to serve in the Legislative Assembly for the Electoral District in respect of which he is so qualified, that is to say, if he—

- (1) Is resident in the Electoral District at the time of making his claim to be registered, and during the six months then next preceding has resided therein ; or
- (2) Has a freehold estate in possession situate in the Electoral District of the clear value of Fifty pounds sterling, above all charges and encumbrances in any way affecting the same of or to which he has been seized or entitled at law or in equity, for six months next before the time of making the claim ; or
- (3) Is a householder within the District occupying any house, warehouse, counting house, office, shop, or other building of the clear annual value of Ten pounds sterling, and has occupied the same for six months next before the time of making the claim ; or
- (4) Has a leasehold estate in possession situate within the District of the clear annual value of Ten pounds sterling, held upon a lease which at the time of making the claim has not less than eighteen months to run ; or
- (5) Has a leasehold estate so situate, and of such value as aforesaid, of which he has been in possession for eighteen months next before the time of making the claim ; or
- (6) Holds and has held for six months previous to the time of making the claim a lease or license from the Crown to depasture, occupy, cultivate or mine upon Crown lands within the District at a rental of not less than Five pounds per annum.

Or if his name is on—

- (7) The Electoral List of any Municipality in respect of property within the Electoral District ; or
- (8) The Electoral List of any Road Board District in respect of property within the Electoral District.

Provided that—

- (1) No aboriginal native of Australia, Asia, or Africa, shall be entitled to be registered, except in respect of a freehold qualification.
- (2) No elector possessing more than one qualification within an Electoral District shall be thereby entitled to be registered more than once for that District ; and
- (3) A person claiming to be registered as a naturalised subject of Her Majesty must have been so naturalised for the period of six months before making the claim.

The Constitution Act Amendment Act, 1893

22. Every person nevertheless shall be disqualified from being registered as a voter who Disqualifications

- (1) Is of unsound mind or in the receipt of relief from Government or from any charitable institution; or
- (2) Has been attainted or convicted of treason, felony, or any infamous offence in any part of Her Majesty's dominions, unless he shall have served his sentence for the same or have received a free pardon for such offence or a pardon conditional on his not leaving the Colony.

PART III

GENERAL

23. In the case of a proposed Bill, which, according to law, must have originated in the Legislative Assembly, the Legislative Council may at any stage return it to the Legislative Assembly with a message requesting the omission or amendment of any items or provisions therein. And the Legislative Assembly may, if it thinks fit, make such omissions or amendments, or any of them, with or without modifications. Alterations in Money Bills

24. Wherever in the Principal Act reference is made to sections thirty-nine and fifty-three of that Act, such reference shall be read and construed to be to section twenty-one (after the coming into operation of Part II.), and to section twelve of this Act respectively. Sections 21 and 12 of this Act to take the place of Sections 39 and 53 of the Principal Act

25. The proviso to section forty-one of the Principal Act shall apply to the first General Election to the Legislative Assembly after the coming into operation of Part II. of this Act. First Elections under this Act

26. In this Act the words 'aboriginal native' shall include persons of the half-blood. Term aboriginal to include half-caste native

27. This Act shall be read and construed with the Principal Act. Incorporation

W. C. F. ROBINSON,
GOVERNOR.

The Constitution Act Amendment Act, 1893

SCHEDULES

Section 2

THE FIRST SCHEDULE

Time when Repeal takes effect	Extent of Repeal
From and after the coming into operation of Part II. of this Act	Sections eleven, sixteen, and seventeen So much of Sections eighteen, nineteen, twenty, and twenty-one as affect the qualification of members of the Legislative Assembly Sections thirty-one, thirty-seven, thirty-nine, and forty-four So much of Schedule 'A' as describes the boundaries of the Electoral Districts of De Grey, Ashburton, Murchison, Geraldton, Irwin, Moore, Swan, Nelson, Sussex, Toodyay, Northam, York, Beverley, Williams, and Plantagenet
From and after the coming into operation of this Act	So much of Sections eighteen, nineteen, twenty, and twenty-one as affect the qualification of members of the Legislative Council Sections ten, forty-five, forty-eight, fifty, fifty-one, fifty-two, and fifty-three

Section 16

THE SECOND SCHEDULE

DE GREY ELECTORAL DISTRICT

Bounded on the *North* by the parallel of 19° 30' South Latitude, and by the Sea Coast, including the islands adjacent, as far West as the mouth of a water-course known as Jones' Creek. On the *West* by said Creek upwards from its mouth aforesaid to a spot due East from Mount Gregory, thence due West to Mount Gregory aforesaid, and thence due South to a spot due West from Mount Brockman. On the *South* by a due East line passing through Mount Brockman to a spot due South from Mount Langenbeck, thence due North to Mount Langenbeck aforesaid, and thence due East to the Eastern boundary of the Colony; and on the *East* by the said Eastern boundary of the Colony.

ASHBURTON ELECTORAL DISTRICT

Bounded on the *South* by the Tropic of Capricorn. On the *East* by a due North line from the said Tropic of Capricorn, in the direction of Mount Langenbeck to a spot due East of Mount Brockman, thence due West through Mount Brockman aforesaid to a spot due South from Mount Gregory, thence due North to Mount Gregory aforesaid, thence due West to the Nickol River, thence by said river Northward, to where it enters the marsh, and thence due North; and on the *North* and *West* by the Sea Coast, including the islands adjacent.

MURCHISON ELECTORAL DISTRICT

Bounded on the *North* by a due East line from the Sea Coast in the direction of Mount Murchison to a spot due North from a point 8 miles West of Tallering

The Constitution Act Amendment Act, 1893

Peak, thence due North to a spot due West from a point 10 miles North of Mount Gould, thence due East. On the *West* by the Sea Coast, southward to a spot due West of the North-East corner of Murchison Location 1 at Geraldine Mine, thence due East to said North-East corner of Murchison Location No. 1 aforesaid, thence South-South-Easterly to the South-West corner of Victoria Location 1276 on the Greenough River near Earadoo Pool, thence Southerly along the centre of Greenough River to a spot due East of Wizard Peak. On the *South* by a due East line from the spot due East of Wizard Peak aforesaid, to a spot due South from a point 8 miles West of Talling Peak, thence due North to a spot due West from a point $1\frac{1}{2}$ miles North of Gulleway Spring, and thence due East. On the *East* by a due North and South line passing through the trigonometrical station on 'Woolgerong' or Mount Parr.

 GERALDTON ELECTORAL DISTRICT

Bounded on the *North* by an *East* line from the Sea Coast to the North-East corner of Murchison Location No. 1 at the Geraldine Mine. On the *East* by South-South-Easterly line to the South-West corner of Victoria Location 1276 on the Greenough River near Earadoo Pool, thence Southerly along the centre of Greenough River to a spot due East of Wizard Peak. On the *South* by a due West line to Wizard Peak aforesaid, and thence in a South-Westerly direction to the mouth of the Greenough River, and on the *West* by the Sea Coast, including the islands adjacent.

 IRWIN ELECTORAL DISTRICT

Bounded on the *North* by a North-East line from the Sea Coast to Mount Hill, thence due East to a spot due South from a point 8 miles West of Talling Peak, thence due North to a spot due West from a point $1\frac{1}{2}$ miles North of Gulleway Spring, and thence due East. On the *West* by the Sea Coast, including the islands adjacent. On the *South* by a due East line from the Sea Coast passing through the summit of Mount Lesneur; and on the *East* by a due North line produced from a spot 10 miles West of the trigonometrical station on Yorkrakine Hill.

 MOORE ELECTORAL DISTRICT

Bounded on the *North* by a due East line from the Sea Coast through Mount Lesneur. On the *East* by a due South line passing through the highest point of the Wongan Hills. On the *South* by a Westerly line passing through Bolgart Spring and through the 22nd mile post on the road from Newcastle to New Norcia, to the 59th mile post on the road from Perth to New Norcia; thence by a line in a Southerly direction towards the South-West corner of Swan Location 95 at Bailup, to a spot due East of the North-East corner of Swan Location 178; thence Westerly passing along the North boundaries of Swan Locations 178 and 875, through the 46th mile post on the road from Perth to Gingin, along the South boundary of Swan Location 369, and through the trigonometrical station on Wabling Hill to the Sea Coast; and on the *West* by the Sea Coast, including the islands adjacent.

 SWAN ELECTORAL DISTRICT

Bounded on the *North* by an Easterly line from the Sea Coast passing through the trigonometrical station on Wabling Hill, along the South boundary of Swan Location 369, through the 46th mile post on the road from Perth to Gingin, along the North boundaries of Swan Locations 875 and 178 till it intersects a line in a Southerly direction from the 59th mile post on the road from Perth to New Norcia, to the South-West corner of Swan Location 95 at Bailup. On the *East* by a line from the East end of the North boundary, in a Southerly direction to the aforesaid South-West corner of Swan Location 95 at Bailup; thence by a South-Easterly line to a spot on the Eastern Railway due North from the North-East corner of Helena Location 22, thence by a South line to the South-East corner of said location, thence in a Southerly direction to the summit of Mount

The Constitution Act Amendment Act, 1893

Dale. On the *South* by a due East line from the Sea Coast passing along the North boundary of Perthshire Location 111 at Nowergup Lake, to a spot due North of the North-East corner of Perthshire Location 104 at Gnangarra Lake; thence due South to said Location's South-East corner, thence by a straight line to the South corner of Swan Location X on the Swan River, thence South-Easterly along the North-East boundary of Swan Location 34 to its Easternmost corner, and thence by a South-Easterly line to Mount Dale aforesaid; and on the *West* by the Sea Coast, including the islands adjacent.

NELSON ELECTORAL DISTRICT

Bounded on the *Northward* by a line extending due East from the South-West corner of Wellington Location 171 to a spot due South from the South-East corner of Wellington Location 40, thence due North passing along the Eastern boundary of said Location 40 to the old road from Bunbury to Kojonup, known as the 'Old Post Road,' and thence by the said road Easterly to the junction of the Balgarup and Blackwood Rivers; on the *Eastward* by a straight line from the said junction South-South-Easterly to a spot 16 miles West of the 175-mile mark on the Perth-Albany road, thence in a Southerly direction to Upper Yerriminup Pool in the Frankland River, and thence by said Frankland River downwards to the sea; on the *Westward* by a South-Easterly line from the South-West corner of Wellington Location 171 aforesaid, to the junction of Padbury's Brook with the Blackwood River, and from thence to the South-West corner of Nelson Location 31 at Mangimup, thence in a Southerly direction to a spot known as Bullamurup, thence by the Bullamurup Creek downwards to its junction with the Warren River, and thence by a straight line South-South-Westerly to Point D'Entrecasteaux on the sea coast; and on the *Southward* by the sea coast, including the islands adjacent.

SUSSEX ELECTORAL DISTRICT

Bounded on the *Northward* by the shore of Geographe Bay, and by an East line from the shore of the said Bay to the Capel River, passing along the South boundary of Sussex Location 82, then by the river aforesaid upwards to Wellington Location 171, excluding such location; on the *Eastward* by a South-Easterly line from the South-West corner of Wellington Location 171 aforesaid to the junction of Padbury Brook with the Blackwood River, from thence to the South-West corner of Nelson Location 31 at Mangimup, thence in a Southerly direction to a spot known as Bullamurup, thence by the Bullamurup Creek downwards to its junction with the Warren River, and thence by a straight line South-South-Westerly to Point D'Entrecasteaux on the sea coast; and on the *Southward* and *Westward* by the sea coast, including the islands adjacent.

TOODYAY ELECTORAL DISTRICT

Bounded on the *North* by a due East line produced East through Mount Lesueur. On the *West* by a due South line passing through the highest summit in the Wongan Hills, thence Westerly through Bolgart Spring, and the 22nd mile post from Newcastle towards New Norcia to the 59th mile post on the road from Perth to New Norcia, thence by a line in a Southerly direction from the 59th mile post aforesaid to the South-West corner of Swan Location 95 at Bailup, thence by a South-Easterly line to a spot on the Eastern Railway due North from the North-East corner of Helena Location 22. On the *South* by the Eastern Railway to the Clackline, thence Northwards along the branch Railway to Newcastle to a spot West-South-Westerly from the North-West corner of Avon Location X, thence East-North-Easterly along Northern boundary of Location X to the East side of the Avon River, thence down said river to the North boundary of Avon Location U, thence East-North-Easterly along North boundary of Location U aforesaid and on to South-West corner of Avon Location 895, thence East-North-Easterly to the South-East corner of Avon Location 296, thence North-North-Westerly to the North-West corner of Avon Location W, thence East-North-Easterly to the North-East corner of Location W aforesaid, and thence due East; and on the *East*

The Constitution Act Amendment Act, 1893

by a due North and South line produced through a spot 10 miles West of the trigonometrical station on Yorkrakine Hill.

NORTHAM ELECTORAL DISTRICT

Bounded by lines starting from the Eastern Railway and extending due South five miles towards the North-East corner of Helena Location 22, thence East-North-Easterly to the North-West corner of Avon Location f, thence East-North-Easterly along North boundaries of Avon Locations f and J to the North-East corner of Location J, and thence due East. On the *North* by the Eastern Railway to the Clackline, thence Northwards along the branch Railway to Newcastle, to a spot West-South-Westerly from the North-West corner of Avon Location X; thence East-North-Easterly along Northern boundary of Location X to the East side of the Avon River, thence down said river to the North boundary of Avon Location U, thence East-North-Easterly along North boundary of Location U aforesaid, and on to the South-West corner of Avon Location 895, thence East-North-Easterly to the South-East corner of Avon Location 296, thence North-North-Westerly to the North-West corner of Avon Location W, thence East-North-Easterly to the North-East corner of Location W aforesaid, and thence due East. On the *East* by a due South line produced through a spot 10 miles West of the trigonometrical station on Yorkrakine Hill.

YORK ELECTORAL DISTRICT

Bounded on the *North* by an East-North-Easterly line, starting from a spot 5 miles due South from the Eastern Railway towards the North-East corner of Helena Location 22, and extending to the North-West corner of Avon Location f, thence East-North-Easterly along the North boundaries of Avon Locations f and J to the North-East corner of Location J, and thence due East. On the *West* by a due South line to the South-East corner of Helena Location 22, and thence in a Southerly direction to the summit of Mount Dale. On the *South* by an Easterly line from Mount Dale to the South-West corner of Avon Location 30, thence East-North-Easterly along South boundaries of Avon Locations 30 and O to the Avon River, thence downwards along East side of said river to the North boundary of Avon Location H 2, thence East-North-Easterly to the North-East corner of said Location H 2, thence to Mount Stirling and thence due East; and on the *East* by a due South line produced through a spot 10 miles West of the trigonometrical station on Yorkrakine Hill.

BEVERLEY ELECTORAL DISTRICT

Bounded on the *West* by a South-Easterly line from Mount Dale to a spot 20 miles due East from the 41-mile mark on the Perth-Albany Road, then in about the same direction to the Hotham River at Reserve 225A at Cojatotine Pool. On the *Southward* from the South end of the Western boundary extending in a North-Easterly direction along the Hotham River upwards to Millingnalling Pool and thence due East. On the *North* by an Easterly line from Mount Dale to the South-West corner of Avon Location 30, thence East-North-Easterly along South boundaries of Avon Locations 30 and O to the Avon River, thence downwards along East side of said river to the North boundary of Avon Location H 2, thence East-North-Easterly to the North-East corner of said Location H 2, thence to Mount Stirling, and thence due East; and on the *East* by a due South line produced through a spot 10 miles West of the trigonometrical station on Yorkrakine Hill.

WILLIAMS ELECTORAL DISTRICT

Bounded on the *North* by a due East line of 20 miles from the 41-mile mark on the Perth-Albany road, thence South-Easterly to the Hotham River at Reserve 225A at Cojatotine Pool, thence by the River aforesaid upwards to Millingnalling Pool, and thence due East. On the *West* by a line extending in a Southerly direction from the aforesaid 41-mile mark to the junction of the Hotham and

The Constitution Act Amendment Act, 1893

Williams Rivers, thence South-South-Easterly to the junction of the Balgarup and Blackwood Rivers, thence South-South-Easterly in the direction of a spot 16 miles West of the 175-mile mark on the Perth-Albany Road. On the *South* by a due East line to a post at the intersection of the West boundary of Kojonup Location 256 with the South side of the Road from Kojonup to Katanning, thence Easterly to the North-West corner of Kojonup Location 249, and thence due East; and on the *East* by the meridian of 120° East Longitude.

PLANTAGENET ELECTORAL DISTRICT

Bounded on the *North* by an East line to a post at the intersection of the West boundary of Kojonup Location 256 with the South side of the Road from Kojonup to Katanning, thence Easterly to the North-West corner of Kojonup Location 249, and thence due East to Longitude 120° East, thence due North to the 33rd parallel of South Latitude, thence due East along said parallel of Latitude to the 123rd meridian of East Longitude, thence due North to a point due East of Mount Stirling, and thence due East to Longitude 125° East, thence along it due North to a point due East of Mount Lesueur, and thence due East. On the *West* by the Frankland River upwards from the sea to Upper Yerriminup Pool, thence Northerly to a spot 16 miles West of the 175-mile mark on the Perth-Albany Road, and thence North-North-Westerly in the direction of the junction of the Blackwood and Balgarup Rivers. And on the *South* by the Sea Coast, including the islands adjacent, excluding all that portion of land comprised within the Municipality of Albany; and on the *East* by the Eastern boundary of the Colony.

Section 16

THE THIRD SCHEDULE

YILGARN ELECTORAL DISTRICT

Bounded on the *North* by a due East line produced from a spot 1½ miles North of Gulleway Spring. On the *West* by a line produced due North and South from a spot 10 miles West of the trigonometrical station on Yorkrakine Hill. On the *South* by a due East line produced from Millingnalling Pool on the Hotham River, to the 120th meridian of East longitude; thence due South to the 33rd parallel of South latitude, thence due East along said parallel of latitude to the 123rd meridian of East longitude, thence due North to a point due East of Mount Stirling, thence due East to longitude 125° East, thence along it due North to a point due East of Mount Lesueur, thence due East to the Eastern boundary of the Colony; and on the *East* by the Eastern boundary of the Colony.

NANNINE ELECTORAL DISTRICT

Bounded on the *North* by a due East line passing through a spot 10 miles North of Mount Gould. On the *West* by a due South line passing through Woolgerong Hill or Mount Parr. On the *South* by a due East line produced from a spot 1½ miles North of Gulleway Spring; and on the *East* by the Eastern boundary of the Colony.

PILBARRA ELECTORAL DISTRICT

Bounded on the *South* by the tropic of Capricorn. On the *West* by a due North line from said tropic of Capricorn to Mount Langenbeck. On the *North* by a due East line from Mount Langenbeck aforesaid; and on the *East* by the Eastern boundary of the Colony.