

- (2.) The poll shall be taken throughout Queensland as one electorate.  
 (3.) The poll shall be taken throughout Queensland on one and the same day.  
 (4.) Each voter shall vote by ballot "Yes" or "No" on the question, in accordance with the direction on the ballot-paper in the First Schedule hereto.  
 (5.) No elector shall vote more than once, notwithstanding the fact that his name appears upon more than one electoral roll.

Any person who votes or attempts to vote more than once shall be liable, upon conviction before any two justices, to a penalty not exceeding fifty pounds, or to be imprisoned for a period not exceeding six months.

#### Returning Officers.

4. (1.) The Governor in Council may appoint, by commission under his hand and seal, a fit person to be the returning officer for taking the poll under the provisions of this Act.

In case of sickness or other cause preventing the returning officer from acting the Governor in Council may in like manner appoint some other person to act as returning officer in his stead.

Notification of the appointment of the returning officer shall be published in the *Gazette*.

(2.) The returning officer, in addition to the powers and duties vested in and imposed upon him by this Act, shall have such of the powers and shall perform such of the duties of a returning officer appointed under "The Elections Acts, 1885 to 1898," as are necessary for carrying into effect the provisions of this Act.

#### Assistant Returning Officers.

(3.) Every returning officer appointed under the last-mentioned Acts shall be an assistant returning officer for the purposes of this Act, and, in addition to the powers and duties vested in and imposed upon him by this Act, shall have such of the powers and shall perform such of the duties vested in and imposed upon a returning officer under the last-mentioned Acts as are necessary for carrying into effect the provisions of this Act.

(4.) The writ for the poll shall be directed by the Governor in Council to the returning officer.

A copy of the writ shall be published in the *Gazette*.

#### Application of general law.

5. Except as by this Act otherwise prescribed, the laws in force for the time being relating to the conduct of elections for the Assembly, the proceedings before and at and subsequent to such elections, electoral offences, and all incidental matters shall, so far as the same are applicable, apply *mutatis mutandis* to the poll to be taken under the provisions of this Act.

6. Notwithstanding the provisions of the Elections Acts, 1885 to 1898, an assistant returning officer or other presiding officer at a polling place may, if he thinks fit, put to any person claiming to vote, before he votes and not afterwards, the following questions or either of them, but no other question, that is to say,—

1st. Are you the same person whose name appears as [A.B., number       ] in the roll in force for this electoral district?

2nd. Have you already voted, either here or elsewhere, at the present poll?

No person required to answer the questions hereinbefore prescribed, or either of them, shall be permitted to vote until he has answered the same in writing, signed by him to the satisfaction of the assistant returning officer or other presiding officer, and in such a manner as to show that he is entitled to vote.

Any person who wilfully makes a false answer to any of the questions hereinbefore prescribed shall be liable, upon conviction before any two justices, to a penalty not exceeding fifty pounds, or to be imprisoned for a period not exceeding six months.

#### Duty of Assistant Returning Officer.

7. Every assistant returning officer shall, in manner provided by the law in force for the time being with respect to the election of members of the Assembly, ascertain the number of votes given for the acceptance of the Constitution and also the number of votes given for the rejection of the Constitution at the various polling-places within the Electoral District of which he is the returning officer, for which purpose the presiding officer at each such polling-place shall make a return (certified by him to be correct) to the assistant returning officer, of the number of votes so given respectively at such polling-place; but, instead of there and then publicly declaring the result of the poll, the assistant returning officer shall forthwith make out and furnish a return thereof (certified by him to be correct) to the returning officer appointed under this Act.

Every assistant returning officer and every presiding officer shall for the purpose of making the return hereinbefore mentioned permit any electors, not being more than six in number, to be present when the ballot-box is being opened and the votes are being counted.

Every return to be made under this section may be transmitted by telegraphic message or messages under the provisions of "The Telegraphic Messages Act of 1872."

#### Indorsement and return of writ.

8. The total number of votes given for the acceptance of the Constitution, and the total number of votes given for the rejection of the Constitution, shall be indorsed upon the writ by the returning officer, who shall forthwith return the writ so indorsed to the Governor.

The result of the poll so indorsed shall be published in the *Gazette*.

#### Evidence.

Such publication shall be conclusive evidence of the result of the poll.