

An Act further to secure the Independence of Parliament.

WHEREAS it is expedient to repeal the Act passed in the twentieth year of Her Majesty's Reign, intituled, "An Act further to secure the Independence of Parliament," with a view to amend its provisions: Therefore Her Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly, enacts as follows:

Preamble. 20 V. c. 22.

Notwithstanding this preamble, there is no clause in this Bill, repealing the 20 V. c. 22.

I. From and after the passing of this Act, it shall not be lawful for any person holding any office, place, commission, or appointment from the Crown, or from or in any public department, or from the Legislative Council or Legislative Assembly or any officer thereof, to vote at any election of a member of the Legislative Council or of the Legislative Assembly: Provided that nothing in this section shall prevent any officer of the army, or navy, or any officer of the militia, or any Justice of the Peace, or any Postmaster whose salary or income as such does not exceed \$ per annum, from voting at such election, if not otherwise incapacitated.

Office holders not to vote at Elections.

This is an altogether new provision as to employees of the Govt Council or Assembly but why except the Postmasters?

II. The vote of every person rendered incapable of voting by section one, shall be null and void; and for giving the same, he shall incur a penalty of two thousand dollars, to be recovered by any person who shall sue therefor in any Court of competent jurisdiction; and if the first plaintiff in any action for the penalty shall not proceed to trial at the sittings of the Court next after the issue of his writ, it shall be lawful for any other person to sue for the penalty, and the person who first obtains judgment shall be entitled to execution.

Votes of such persons to be null if given.

off. to his own use?

III. Except as hereinafter specially provided it shall not be lawful for any person holding any office, place, commission, or employment, permanent or temporary, from the Crown, to which any salary, fee, allowance, emolument, or profit appertains, to be a candidate, or be elected at any election of a member of the Legislative Council or Legislative Assembly.

Office holders not to be elected.

as this includes temporary employt. it ought to say "during such holding or employment, permanent or temporary"

what for to 20 V. 5.3 except intended 30

IV. Except as hereinafter specially provided it shall not be lawful for any person to sit or vote in the Legislative Assembly, or in the Legislative Council as an elected member thereof, while holding any such office, place, commission, or employment.

Nor to sit or vote in either House.

V. But nothing in this Act shall render ineligible to be elected, or disqualified to sit and vote in either House, any officer of the army, or of the navy, or any officer of the militia, (except an officer on the

Exceptions—Officers of the army.

for V. c. 5.3. 20:2.

R.S. The principal objections are that the Bill propose

1st To Exclude from seats in Parliament

- 1- Solicitor general
2- Minister of agriculture

2d. Requires the Speaker of Leg. Council to go to ...

It also abolishes the plan of changing Offices.