1852-3.] **BILL.** [No. 2.

An Act to amend the Act for better securing the Independence of the Legislative Assembly of this Province.

WHEREAS doubts have arisen as to the true intent and meaning of the 11th Section of the Act passed in the seventh year of Her Majesty's Reign, and intituled, "*An Act for better securing the independence of the Legislative Assembly of this Province,*" in reference to the issue of a new Writ of Election in cases where, after a General Election shall have been held in this Province, and before the meeting of Parliament, any Member who may have been elected at such General Election to serve in the Legislative Assembly of this Province, shall have accepted an office of profit or emolument under the Crown, or otherwise vacated his seat as a Member of the said Legislative Assembly; And whereas it is desirable to determine such doubts, and to make the practice of Parliament in this Province, with regard to the issuing of Writs to supply vacancies occurring in the Legislative Assembly by the acceptance of office or otherwise, conformable to the practice which obtains in England in similar cases; Be it therefore enacted, &c., Preamble. Act 7 Vic., cap. 65.

That from and after the passing of this Act, it shall not be lawful for any Warrant to issue to the Clerk of the Crown in Chancery, for the issuing of a new Writ for the election of a Member to fill up any vacancy which may have arisen subsequent to a General Election as aforesaid, by reason of the death, acceptance of office or resignation of any Member of the said Legislative Assembly, until after the expiration of fifteen days from the day on which Parliament shall have first assembled for the despatch of business after the said General Election, nor until the expiration of the time during which the Election of such Member may be contested, nor, if his Election be contested, until after such contestation shall have been decided. No Warrant for a Writ of Election to issue during a certain period after a General Election.

II. And be it enacted, That it shall not be lawful for any Member of the Legislative Assembly of this Province to have, take or receive, either directly or indirectly, any salary, fees or emoluments of office of any description whatsoever, out of the public monies of this Province, during the time for which he may continue a Member of the Provincial Parliament: Provided always, No Member to receive any public monies.