

new member in the place of the member resigning; or such member may address and cause to be delivered to the Speaker a declaration of his intention to resign his seat, made in writing under his hand and seal before two witnesses, which declaration may be so made and delivered either during a Session of Parliament or in the interval between two Sessions, and the Speaker may upon receiving such declaration forthwith address his Warrant under his hand and seal to the Clerk of the Crown in Chancery, for the issue of a Writ for the Election of a new member in the place of the member so resigning, and a Writ shall issue accordingly, and an entry of the declaration so delivered to the Speaker shall be thereafter made in the Journals of the House, and the Member so tendering his resignation, shall be held to have vacated his seat and cease to be a member of such House.

Or by notice in writing.

Warrant for new election.

Entry in journals:

Member resigning not to sit.

X. Provided always, that no Member shall so tender his resignation while his election is lawfully contested, nor until after the expiration of the time during which it may by law be contested on other grounds than corruption or bribery.

Not to resign while election is or may be contested.

XI. If any Member of the Legislative Assembly or any elected Member of the Legislative Council, shall wish to resign his seat in the interval between two Sessions of Parliament, and there be then no Speaker of the House to which such Member belongs, or if such Member be himself the Speaker, he may address and cause to be delivered to any two Members of the said House, the declaration before mentioned of his intention to resign; and such two Members upon receiving such declaration shall forthwith address their warrant under their hands and seals to the Clerk of the Crown in Chancery, for the issue of a new writ for the election of a Member in the place of the Member so notifying his intention to resign, and such writ shall issue accordingly. And the member so tendering his resignation shall be held to have vacated his seat and cease to be a member of such House.

Case of resignation between two Sessions provided for.

Member resigning to cease to sit.

XII. If any vacancy shall happen in the Legislative Council or in the Legislative Assembly by the death of any Member or by his accepting any office, the Speaker of the House to which such Member belonged, on being informed of such vacancy by any Member of such House in his place, or by notice in writing under the hands and seals of any two Members of such House, shall forthwith address his warrant to the Clerk of the Crown in Chancery for the issue of a new writ for the election of a Member to fill such vacancy, and a new writ shall issue accordingly; and if when such vacancy shall happen or at any time thereafter before the Speaker's warrant for a new writ shall have issued, there be no Speaker of the House, or the Speaker be absent from the Province, or if the Member whose seat is vacated be himself the Speaker, then any two Members of the House may address their warrant under their hands and seals to the

Proceedings for filling vacancies occasioned by death or acceptance of office.

And in case of absence of the Speaker, no Speaker, &c.