

DISQUALIFICATION AND VACANCY BY ACCEPTANCE OF OFFICE.

8. If any Member of the Legislative Assembly or any elected Member of the Legislative Council, by accepting any office or becoming a party to any contract or agreement, becomes disqualified by law to continue to sit or vote in the said Legislative Assembly or Council, his election shall thereby become void, and the seat of such Member shall be vacated, and a Writ shall forthwith issue for a new election as if he were naturally dead; but he may be re-elected as a Member of either House if he be eligible under section four of this Act. 20 V. c. 22, s. 6.

Member accepting office, to vacate his seat.

But may be re-elected if eligible under s. 4.

9. Nevertheless, whenever any person holding the office of Receiver General, Minister of Finance, Secretary of the Province, Commissioner of Crown Lands, Attorney General, Solicitor General, Commissioner of Public Works, Speaker of the Legislative Council, President of Committees of the Executive Council, Minister of Agriculture or Postmaster General, and being at the same time a Member of the Legislative Assembly or an elected Member of the Legislative Council, resigns his office, and within one month after his resignation accepts any other of the said offices, he shall not thereby vacate his seat in the said Assembly or Council. 20 V. c. 22, s. 7.

Certain officers may resign one office and accept another within a month without vacating.

RESIGNATION OF MEMBERS AND FILLING VACANCIES.

10. Any Member of the Legislative Assembly or any elected Member of the Legislative Council, may voluntarily resign and vacate his seat in the manner hereinafter provided. 20 V. c. 22, s. 8.

Members may resign their seats.

11. Any such Member wishing to resign his seat, may do so by giving in his place in the Legislative Assembly or Legislative Council notice of his intention to resign it, in which case and immediately after such notice has been entered by the Clerk on the Journals of the House, the Speaker may 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 resigning;

Member wishing to resign, may give notice in his place.

Notice to be entered on the Journals.

Speaker may issue his warrant, &c.

2. 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

Or the Member may send a declaration to the Speaker of his intention to resign, &c.

Speaker may issue his warrant, &c.

Writ to issue.