

House, provided he be elected while holding such office, and not otherwise disqualified ;

Exception,—as to Officers in the Army, Navy or Militia.

3. Nothing in this section shall render ineligible, as aforesaid, or disqualify to sit or vote in either House, any Officer in Her Majesty's Army or Navy, or any Officer in the Militia or Militiaman (except Officers on the Staff of the Militia receiving permanent salaries) unless he be otherwise disqualified ; 20 V. c. 22, s. 3.

Exception,—as to the Speaker of the Legislative Council.

4. The acceptance by a member of the Legislative Council of the office of Speaker thereof shall not vacate his seat. 19, 20 V. c. 140, s. 22, and 20 V. c. 22, s. 15.

No public contractor, &c., to be eligible as a Member of either House.

5. No person whosoever holding or enjoying, undertaking or executing, directly or indirectly, alone or with any other, by himself or by the interposition of any trustee or third party, any contract or agreement with Her Majesty, or with any Public Officer or Department, with respect to the public service of the Province, or under which any public money of the Province is to be paid for any service, work, matter or thing, shall be eligible as a Member of the Legislative Council or of the Legislative Assembly, nor shall he sit or vote in the Legislative Assembly, or in the Legislative Council as an elected Member thereof. 20 V. c. 22, s. 4.

Election of persons disqualified, to be null.

6. If any person hereby disqualified or declared incapable of being elected a Member of the Legislative Council or of the Legislative Assembly, is nevertheless elected and returned as a member of either House, his election and return shall be null and void. 20 V. c. 22, s. 5.

PENALTY ON DISQUALIFIED PERSONS SITTING.

No disqualified person to sit or vote in either House.

7. No person disqualified by the next preceding sections or by any other law, to be elected a Member of the Legislative Council or of the Legislative Assembly, shall sit or vote in the House in respect of which he is disqualified, while he remains under such disqualification :

Penalty for so doing in certain cases.

2. And if any person disqualified or declared incapable of sitting or voting in the Legislative Council or in the Legislative Assembly, by the fourth, fifth or sixth sections, sits or votes therein, he shall thereby forfeit the sum of two thousand dollars, for each and every day on which he so sits or votes ; and such sum may be recovered from him by any person who will sue for the same, by action of debt, bill, plaint or information in any Court of competent civil jurisdiction in this Province. 20 V. c. 22, s. 5, *part.*

How recoverable.