

staff receiving a salary) or any Justice of the Peace, by reason of his being such officer or Justice.

*Similar in effect to sect 4 of old act*

Contractors with H. M. or Public Departments, &c., not to be elected, or to sit or vote.

VI. It shall not be lawful for any person holding or enjoying, undertaking or executing, directly or indirectly, alone or with any other, of having any share or interest in any contract or agreement with Her Majesty, or with any public officer or department, or with any other person, with respect to the public service, or under or by virtue of which any public money of the Province is to be paid for any service, work, matter or thing, to be a candidate, or be elected a member of the Legislative Council or Legislative Assembly, or to sit or vote therein. 5 10

*no. sect 5.*

Returns of disqualified persons to be void.

VII. If any ineligible or disqualified person shall, nevertheless, be elected and returned as a member of either House, his election and return shall be null and void, and the person (if any) next highest on the poll shall, if not ineligible, be entitled to the seat; and for every day every person so ineligible or disqualified shall sit or vote in either House, he shall incur a penalty of two thousand dollars, which may be sued for and recovered by any person or persons in the same manner as the penalty in section two, may be sued for and recovered. 15

Penalty on such persons sitting or voting.

*no. sect 6.*

Members accepting office or becoming Contractors, to vacate their seats.

VIII. If any member of the Legislative Assembly or any elected member of the Legislative Council, shall at any time accept any office, place, commission, or employment, from the Crown, or become a party to, or interested in any such contract or agreement as aforesaid, the seat of such member shall thereby be vacated, and a writ shall be forthwith issue for a new election, as if he were naturally dead. 20 25

*Similar to sect 3. 100 proviso - Except Encl. That this proposed section excludes Solicitor General & Minister of Agriculture & Speaker of Legislature.*

Persons holding certain offices may be elected and sit.

IX. Any person holding one of the following offices, that is to say; the office of Receiver General, Inspector General, Secretary of the Province, Commissioner of Crown Lands, Commissioner of Public Works, President of Committees of the Executive Council, Attorney General, or Post Master General, may be elected a member of the Legislative Council or Legislative Assembly, and sit and vote therein, without incurring the penalty aforesaid; but any member of the Legislative Assembly, or elected member of the Legislative Council, accepting any of the said offices after election, shall thereby vacate his seat, provided that such acceptance of office by any member shall not render him ineligible to be re-elected. 30 35

But, accepting any such office after election, to vacate the seat, subject to re-election.

*in effect same as sect 9.*

Members may resign their seats, and how.

X. Any member of either House may voluntarily resign his seat by giving in his place notice of his intention to resign it, in which case, and immediately after such notice shall have 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 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 member in the 40 45 50

Speaker to issue his warrant for a new writ.