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1st Session, 4th Parliament, 16 Victoria, 1852.

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## BILL.

An Act to extend the provisions of an Act, intituled "*An Act for better securing the Independence of the Legislative Asssembly of this Province.*"

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Received and Read a First time, Wednesday,  
25th August, 1852.

Second Reading, Monday, 30th August,  
1852.

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MR. CAUCHON.

**BILL.**

An Act to extend the provisions of an Act intituled, "An Act for better securing the Independence of the Legislative Assembly of this Province."

**W**HEREAS it is expedient to amend the Act of the Legislature of this Province, passed in the seventh year of Her Majesty's Reign, intituled; "*An Act for better securing the Independence of the Legislative Assembly of this Province.*" Be it enacted, &c. Preamble. Act 7 Vic., c. 65. cited.

5 And it is hereby enacted by the authority of the same, That from and after the passing of this Act, no Justice of the Peace, Magistrate, Superintendent of Police, Chairman of the Quarter Sessions of the Peace in and for any District, County, City or Town in this Province, no person employed by the Imperial Customs in this Province, nor generally, any  
10 person having or holding under appointment from the Crown, any office or place of profit, or receiving from the Crown any salary, remuneration or emolument whatsoever by virtue of any such office or employment, shall be capable of being elected a member of the Legislative Assembly of this Province or of sitting or voting in the said Legislative  
15 Assembly: And the election of any such person shall be *ipso facto* null and void; and every such person who shall sit or vote in the said Legislative Assembly, shall incur the penalty imposed by the second section of the Act herein first above cited. Certain persons shall not be Members of the Legislative Assembly. Penalty.

20 II. And be it enacted, That all such persons as are referred to in the preceding section, shall be and are hereby declared incapable of voting at any election of a Member of the said Legislative Assembly, to be held after the passing of this Act; and any such person who shall vote at any such election shall incur the penalty imposed by the third section of the Act herein first above cited, and the vote of any such person shall to all  
25 intents and purposes, be null and void. Certain persons disqualified from voting at elections of Members of the Legislative Assembly.

30 III. And be it enacted, That any Member of the Legislative Assembly, who shall, after the passing of this Act, receive directly or indirectly from the Crown, in lieu of a fixed salary, any fee or emolument for professional services rendered by him to the Crown, shall be  
35 disqualified and become incapable of sitting or voting in the said Legislative Assembly; and in such case the election of such Member shall be void and his seat in the said Legislative Assembly shall become vacant, and a writ shall issue for a new election, in like manner as if such Member were naturally dead; And no such Member, so disqualified, and whose seat shall become vacant as above mentioned, shall be capa-

ble of being re-elected to serve in the said Legislative Assembly during the twelve months next after the day on which his seat shall have become vacant as above mentioned.

*Exception.*

IV. And be it enacted, That nothing in this Act shall apply or be extended to the Assistant Secretaries for Upper and Lower Canada, respectively, the Assistant Commissioner of Crown Lands, the Deputy Inspector General of Public Accounts for this Province, nor to any Member of the said Legislative Assembly, who, being a Member of the Executive Council of this Province, shall, as such, be appointed to any employment or office of profit under the Crown. 5 10

*Recovery of penalties.*

V. And be it enacted, That the penalties imposed by this Act shall be sued for and recovered in the manner prescribed for suing for and recovering the penalties imposed by the said first above cited Act.

*Interpretation Act to apply.*

VI. And be it enacted, That the Interpretation Act shall apply to this Act. 15