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5th Session, 8th Parliament, 29-30 Vic., 1866

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BILL.

An Act to postpone for a limited time the issuing of Writs for the next election of Members of the Legislative Council.

Received and read, first time, Tuesday, 31st July, 1866.

Second reading, Wednesday, 1st August, 1866.

Hon. Sir N. F. BELLEAU.

OTTAWA :

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BILL.

An Act to postpone for a limited time the issuing of writs for the next election of members of the Legislative Council.

WHEREAS, on the twentieth day of February, in the year of Preamble.
 Our Lord, one thousand eight hundred and sixty-five, the Legislative Council of this Province voted an humble Address to Her Majesty, praying that Her Majesty might be graciously pleased to cause
 5 a measure to be submitted to the Imperial Parliament for the purpose of uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland and Prince Edward's Island in one government, with provisions based on certain resolutions which were adopted at a conference of delegates from the said colonies held at the city of Quebec on the
 10 tenth day of October, one thousand eight hundred and sixty-four, and set forth in the said Address; and on the fourteenth day of March, in the same year, the Legislative Assembly of this Province voted an humble Address to Her Majesty, containing the same prayer; and whereas the said Addresses were transmitted by His Excellency the
 15 Governor, to Her Majesty's Principal Secretary of State for the Colonies, to be laid at the foot of the Throne, and the said Principal Secretary of State for the Colonies, in a despatch to His Excellency, dated the eighth day of April, one thousand eight hundred and sixty-five, and communicated by His Excellency to both Houses of the Provincial
 20 Legislature during the now last session, informed His Excellency that Her Majesty had been pleased to receive the said Addresses very graciously, and that Her Majesty's Government had seen with great satisfaction that both Houses of the Canadian Legislature had adopted Addresses, to the Crown expressive of their desire for the accomplishment
 25 of a measure calculated materially to add to the strength and promote the welfare of the Provinces of British North America; and whereas there is therefore reason to believe that the measure aforesaid for the union of the Provinces of British North America will be submitted to and enacted by the Imperial Parliament at an early date, and in view of the
 30 said Union and of the changes which will be thereby effected, it is inexpedient that an election of Legislative Councillors for the Electoral Divisions of the Province hereinafter mentioned should be held during the present year; Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as
 35 follows:

1. For and notwithstanding any provision in the first chapter of the Consolidated Statutes of Canada, requiring the Governor to issue writs on or before the first day of September of the present year, one thousand eight hundred and sixty-six, for the election of twelve Legislative Councillors to represent the Electoral Divisions of Gulf, Lasalle, Saurel, Repentigny, Montarville, Alma, Tecumseth, Gore, Erie, York, Cataraque and St. Lawrence, and to make the same returnable on the first Tuesday in November in the said year, such writs shall not be issued before the 16th day of July, in the year, 1867, and the members
 40 of the Legislative Council representing the said Electoral Divisions therein at the time of the passing of this Act, shall continue to be the
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Periodical elections of Legislative Councillors for certain Electoral Divisions postponed.

members representing the same in the Legislative Council until the day next preceding the return day of the writs (if any) to be issued on the day last aforesaid, for the election of their successors.

When Writs of election for such Electoral Divisions shall issue and be returnable. **2.** If it be not in the meantime otherwise provided by some Act of the Imperial or Provincial Legislature, the writs of Election for the Electoral Divisions mentioned in the next preceding section, shall be issued on the day therein mentioned, and shall be returnable on the 17th day of September, in the same year; but the writs for the then next periodical election of Councillors for the said Electoral Divisions shall issue and be returnable at the periods when they would have issued and been returnable without this Act. 5 10

Accidental vacancies of seats for said Electoral Divisions provided for. **3.** Any accidental vacancy of a seat in the Legislative Council for any of the Electoral Divisions named in this Act, which may happen before the day to which the issue of the writs for the next periodical vacancy is postponed by this Act, shall be held and deemed to be an accidental vacancy happening within three months next before the regular periodical vacancy of such seat within the meaning of the twenty-second section of the said Act, the provisions of which shall apply to such accidental vacancies. 15