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No. 152.

3rd Session 6th Parliament, 28 Victoria, 1860.

BILL.

An Act to amend Act containing special provisions concerning both Houses of the Provincial Parliament.

Received and read, 1st time, Tuesday, 3rd April, 1860.

Second Reading, Wednesday, 4th April, 1860.

Hon. Mr. Attorney General CARTIER.

QUEBEC :

PRINTED BY THOMPSON & CO., ST. CECILIA STREET.

An Act to amend the Members' Indemnity Clauses of the Act forming Chapter Three of the Consolidated Statutes of Canada.

TH amendment of the Members' Indemnity Clauses of the Act containing special provisions concerning both Houses of the Provincial Parliament, Her Majesty, &c., enacts as follows:—

Preamble.

1. Section Nineteen of the said Act shall be so amended as to read as follows:—"A deduction at the rate of five dollars per day shall be made from the said Sessional Allowance, for every day on which the Member does not attend a sitting of the House of which he is a Member or of some Committee thereof, provided the House sits on such day; but each day during the Session, after the first on which the Member attends as aforesaid, on which there has been no sitting of such House in consequence of its having adjourned over such day, or on which the Member was in the place where the Session was held, but was prevented by sickness from attending any such sitting as aforesaid, shall be reckoned as a day of attendance at such Session, for the purposes of the Act hereby amended and of this Act; and a Member shall, for the purposes aforesaid, be held to be at the place where the Session is held, whenever he is within _____ miles of the such place."

Section 19 of Cap. 3, of Con. Stat. of Canada amended.

No deduction to be made for days on which the House does not sit.

2. A Member shall not be entitled to the said Sessional Allowance for less than thirty-one days' attendance reckoned as aforesaid, but his allowance for any less number of days shall be six dollars for each day's attendance.

Less than 31 days attendance not to entitle to Sessional allowance.

3. If any person is, from any cause, a Member of either House for a part only of any Session, then, provided he is a Member for upwards of thirty days during each Session, he shall be entitled to the Sessional allowance last mentioned, subject to the deduction aforesaid for non-attendance as a Member, and also to a deduction of five dollars for each day of such Session before or after he was a Member; but if he is a Member for only thirty days or less, then he shall be entitled only to six dollars for each day's attendance at such Session, whatever be the length thereof.

Case of Member for part only of a Session provided for.

4. The form of declaration in the Schedule annexed to this Act is hereby substituted for that annexed to the Act hereby amended, and shall have the same effect; and the Clerk or Accountant of the proper House shall thereupon calculate and pay the sum due to the Member; and such declaration may be made before any Assistant to the Accountant or before any Justice of the Peace, or before the Clerk or Accountant as provided by the said amended Act.

New form of declaration.

5. This Act shall apply to the present Session of the Provincial Parliament.

Act to apply to present Session.

SCHEDULE.—FORM A.

I, A. B., [*name of member*] one of the Members of the Legislative Council [*or Assembly*], solemnly declare,—

That I reside at _____, in _____,—which is distant _____ miles from _____, where the Session of the Provincial Parliament which began on the _____ day of _____, one thousand eight hundred and _____ was held: 5

That the first day during the said Session on which I was present at _____, where the said Session was held, was the _____ day of _____, 18 _____:

That on the said day and on each day of the said Session after the said day on which there was a sitting of the said House, I attended such sitting, or a sitting of some Committee thereof, * except only on days, ** on _____ of which I was prevented by sickness from attending as aforesaid, though I was then present at _____ ***. 10

(*Signature*) _____ A. B. 15
Declared before me at _____ this _____ day of _____, 18 _____ C. D. ,

Clerk [*or Accountant or Assistant Accountant*], of the Legislative Council [*or (Assembly,) or Justice of the Peace for the _____ of _____ as the case may be.*] 20

If the Member attended a sitting of the House or of some Committee on every sitting day after the first on which he so attended, omit the words from * to *** ;—and if his non-attendance was not on any day occasioned by sickness, omit the words from ** to ***

If the person making the declaration became or ceased to be a Member after the commencement of the Session vary the form, so as to state correctly the facts upon which the sum due to the Member is to be calculated. 25