

*The Provincial Statutes of Lower-Canada, Being the first session of the fourteenth Provincial Parliament of Lower-Canada.* Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1831.

1 William IV – Chapter 42

**An Act to allow Members of the House of Assembly to vacate their Seats in certain cases and for other purposes. (31st March, 1831.)**

Whereas it is expedient that the Members of the House of Assembly should be enabled to vacate their Seats in certain cases:— Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great-Britain, intituled, "An Act for making more effectual provision for the Government of the Province of Quebec, in North-America," and to make further provision for the Government of the said Province," and it is hereby enacted by the authority of the same, that from and after the passing of this Act, it shall be lawful for any Member of the House of Assembly, legally elected, or who shall hereafter be so, who shall wish to abstain from the performance of the duties imposed on him by his election as Representative for any County, Town, or Borough in this Province, or for any County which may hereafter be legally erected or established therein, to vacate his Seat in the manner hereinafter provided.

II. And be it further enacted by the authority aforesaid, that such Member, in his place in the House of Assembly, may give notice of his intention of resigning his Seat, and immediately after such notice shall have been entered by the Clerk of the Assembly in the Journal, it shall be lawful for the Speaker to issue his Warrant in the usual form for the election of a new Member in the room of the Member who shall have so resigned. Provided always that the Member so tendering his resignation, shall be and be held and considered as being to all intents and purposes the Representative for the place for which he was elected, until the Return of the Election of such new Member to serve in his room, shall have been duly made.

III. And be it further enacted by the authority aforesaid, that if any Member shall wish so to resign in the interval between two Sessions of the Provincial Parliament, it shall be lawful for him so to do, by addressing and causing to be delivered to the Speaker a declaration to that effect, made and passed before two Notaries Public, or one Notary and two Witnesses, an entry of which Declaration shall be made in the Journal of the proceedings on the first day of the Session of the Provincial Parliament then next ensuing, and that it shall be lawful for the Speaker upon receiving such Declaration, forthwith to issue his Warrant for the Election of a Member in the room of the Member so tendering his resignation.

IV. And be it further enacted by the authority aforesaid, that no Member shall ask for leave to vacate his Seat in the first Session of any Parliament, before the expiration of the first

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fifteen days of the said Session, and that no Member whose election shall be contested shall so vacate his Seat until after such contestation shall have been decided.