

The Provincial Statutes of Lower-Canada, Being the fourth session of the fourteenth Provincial Parliament of Lower-Canada. Quebec: John Carleton Fisher & William Kemble, Law Printer to the King's Most Excellent Majesty, 1834.

4 William IV – Chapter 32

An Act for vacating the Seats of Members of the Assembly in certain cases therein-mentioned.

18th March, 1834.—Presented for His Majesty's Assent, and reserved for the signification of His Majesty's Pleasure thereon.

15th August, 1854.—Assented to by His Majesty in Council.

7th January, 1835.—The Royal Assent signified by the Proclamation of His Excellency the Governor in Chief.

MOST GRACIOUS SOVEREIGN.

Whereas it is expedient in certain cases to make void the Election, and to vacate the seats of persons elected to serve as Representatives in the Assembly of this Province:—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 to repeal certain parts of an Act passed in the fourteenth year of His of Majesty's Reign, 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 if any person chosen and returned as a Representative or Member in the Assembly of this Province, shall accept of any office of profit from the Crown, or accept as a Commissioner or otherwise, any appointment from the Crown, whereby he shall, become accountable for any public money, his Election shall be void, and the seat of such Member shall thereafter become and be vacant, and a Writ shall forthwith issue for a new Election, as if such person so accepting such office, commission or appointment as aforesaid, were naturally dead: Provided always, that such person shall nevertheless be as capable of being re-elected to serve as a Representative or Member of the Assembly during the same or any ensuing Parliament, as if his Election had not been made void, and his seat become vacant as aforesaid.

II. Provided always and be it further enacted by the authority aforesaid, that nothing herein contained shall extend or be construed to extend to any Member of the House of Assembly, being an officer in His Majesty's Navy or Army, or in the Militia of this Province, who shall be appointed or receive any new Commission in the Navy or Army or in the Militia of this Province respectively, excepting only Officers on the Staff of the Militia receiving permanent salaries.