

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1859. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1859.

22 Victoria – Chapter 72 (1858)

An Act to disqualify persons holding certain offices under Government from being elected or capable to hold Seats in the Assembly. Passed 6th April 1858.

Section.

1. Certain Office-holders disqualified as Candidates for the Assembly.
2. Government Contractors and their sureties disqualified.
3. Government Appraisers, Arbitrators, or Investigators, disqualified.

Section.

4. Act not to extend to Members of Executive Council.
5. Commencement of Act.
6. Suspensive clause.

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That no person shall be eligible to be a Candidate, or capable of being elected or returned as a Member to serve in the Assembly of this Province, or capable to sit and vote therein, who holds any office connected with the collection or protection of the Revenue, or holds the office of Deputy Surveyor of Crown Lands, or Supervisor of Great Roads, or Postmaster, Registrar of Deeds, Judge of Probates, Registrar of Probates, or Clerk of the Peace, or of the Crown, or of the Pleas, or of the Circuits, or Equity side of the Supreme Court.
2. That no Contractor with or under the Government, nor any Surety of such Contractor, shall be capable of being elected or sitting in the House of Assembly while such Contract is subsisting, or such person has any interest therein; nor shall any Member of the Assembly be capable of accepting or entering into any Contract with or under the Government, or of being such surety as aforesaid.
3. That no Commissioner, Appraiser, or Arbitrator to investigate, adjust, settle or determine any claim, matter or difference between the Government of this Province and any person therein, or the Government or subjects of any other Colony, or to investigate or inquire into the management or affairs of any Public Institution in this Province, shall be capable of being elected or of sitting in the House of Assembly; and any Member of the Assembly accepting any such office or appointment shall forthwith vacate his Seat, and be incapable of re- election while holding such appointment, and his Seat as such Member is, on the acceptance of any such appointment, hereby declared vacant.
4. That this Act shall not extend to Members of the Executive Council.
5. That this Act shall take effect immediately upon the passing thereof, except that it shall not during the term of the present House apply to any officer named in the first section, now being a

Member of the General Assembly, nor to any Member of the House by reason of his now being a Contractor under the Government, or having an interest in any Contract, or to any Member who is now surety for any Contractor, or to any Member in the third section who may have already been appointed by the Government, and the duties of whose appointment are not yet concluded.

6. That this Act shall not come into operation or be in force until Her Majesty's Royal approbation be thereunto first had and declared.

[This Act was specially confirmed, ratified, and finally enacted, by an Order of Her Majesty in Council dated the thirteenth day of November 1858, and published and declared in this Province the eighth day of December 1858.]