

XXXVI. And be it enacted, that it shall not be lawful for any Candidate for the Representation of any County, Riding, City, Town or Borough in this Province, or for any other person, to furnish or supply any Ribbon, Label, or the like Favor, to or for any person whomsoever, with intent that the same should be worn or used within such County, Riding, City, Town or Borough, on the day of Election, or within one fortnight before or after such day, by such person or any other, as a Party Badge, to distinguish the Wearer as the supporter of such Candidate, or of the political or other opinions entertained or supposed to be entertained by such Candidate, or for any person to use or wear any such Ribbon, Label, or other Favor, as such Badge, within such County, Riding, City, Town or Borough, on the day of any such Election, or within one fortnight before or after such day.

Party Ribbons
and Favors.

XXXVII. And be it enacted, that every person offending against any of the provisions of the next four preceding sections of this Act, shall be deemed guilty of a misdemeanor, punishable by fine not exceeding fifty pounds, and imprisonment not exceeding six calendar months, or by both, in the discretion of the Court whose duty it shall be to pass the sentence of the Law upon such person upon his conviction.

Offenders
against this
Act how pun-
ished.

XXXVIII. And be it enacted, that one copy of this Act for himself, and one for each of his Deputies, shall be transmitted with the Writ of Election to each and every Returning Officer throughout the Province.

Copies of Act.

XXXIX. And be it enacted, that this Act may be amended or repealed by any Act to be passed in the present Session of the Provincial Parliament.

Repeal of Act.

CAP. II.

An Act to make the Law for vacating the Seats of Members of the Legislative Assembly accepting Office, uniform throughout this Province.

[12th October, 1842.]

WHEREAS it is expedient to make the Law for vacating the Seats of Members of the Legislative Assembly accepting Office, uniform throughout the Province, and for that purpose to extend to Members elected for places in Canada West the enactments in that behalf applicable to Members elected for places in Canada East: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the

Preamble.

A Member for any place in Canada West accepting an office of profit or becoming accountable for the public monies, shall thereby vacate his seat.

Proviso;— such Member may be re-elected.

the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, intituled, *An Act to Re-unite the Provinces of Upper and Lower Canada, and for the Government for Canada*, and it is hereby enacted by the authority of the same, that if any person chosen and returned as a Representative or Member of the Legislative Assembly of this Province for any place within that part of this Province, which formerly constituted the Province of Upper Canada, 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; any Law, usage or custom to the contrary notwithstanding: Provided always, that such person shall nevertheless be as capable of being re-elected to serve as a Representative or Member of the Legislative Assembly during the same or any ensuing Parliament, as if his Election had not been made void and his Seat become vacant as aforesaid.

This Act not to extend to Officers in the Navy or Army or in the Militia except on the Staff.

II. Provided always, and be it enacted, that nothing herein contained shall extend or be construed to extend to any Member of the Legislative Assembly, being an Officer in Her 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.

CAP. III.

An Act for the qualification of Justices of the Peace.

[12th October, 1842.]

Preamble.

From and after the first of January, 1843, Justices of the

WHEREAS as well by the Criminal Laws of England, in force in this Province, as by divers Provincial Acts, Justices of the Peace are invested with great powers and authority, wherefore it is become of the utmost consequence to all classes of Her Majesty's Subjects, that none but persons well qualified should be permitted to act as Justices of the Peace: and whereas the Laws now in force in this Province, are insufficient for that purpose; Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council, and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in