

from the Registrar.

cited Act, the Returning Officer shall procure from the Registrar of the County or registration division, or if he be himself such Registrar shall furnish a copy certified by him to be correct, of the then last list of voters for such Municipality, part of a Municipality or Ward, filed in his office, and shall cause the same to be delivered to the Deputy Returning Officer; and the cost of such copy shall be paid by the Clerk or Secretary Treasurer, in default, and may be recovered from him or from the Municipality of which he is such Officer, by the Returning Officer or Registrar who shall have procured or furnished such copy.

Cost.

Interpretation of words "Occupant,"

S. The word "Occupant" in the said first cited Act shall, in Lower Canada, signify a person occupying property, otherwise than as owner, tenant, or usufructuary, either in his own right, or in the right of his wife, but being in possession of such property and enjoying the revenues and profits arising therefrom,—and the word "Tenant" shall include any person who instead of paying rent in money is bound to render to the owner any portion of the produce of such property.

"Tenant."

C A P . X I .

An Act to repeal An Act to improve the mode of obtaining evidence in cases of Controverted Elections.

[Assented to 4th May, 1859.]

Preamble.

HER Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :

Act 20 V. c. 23, repealed.

1. The Act passed in the twentieth year of Her Majesty's Reign, intituled, *An Act to improve the mode of obtaining evidence in cases of Controverted Elections*, shall be and the same is hereby repealed; Provided that all proceedings heretofore had and taken under the said Act, shall be held and deemed to be as valid and binding as if the said Act had not been repealed.

Proviso.

C A P . X I I .

An Act for indemnifying the Members of both Houses of the Legislature for their expenses in attending the Sessions thereof.

[Assented to 4th May, 1859.]

Preamble.

WHEREAS it is expedient to repeal the Act hereinafter mentioned, and to make provision for indemnifying the Members of both Houses of the Provincial Legislature for their expenses in attending the Sessions thereof: Therefore, Her

Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :

1. The Act passed in the twelfth year of Her Majesty's Reign, and intituled, *An Act to indemnify Members of the Legislative Assembly for their expenses in attending the Sessions of the Legislature*, shall be and is hereby repealed. Act 12 V. c. 33, repealed.
2. In each Session of the Provincial Parliament, after the present Session, there shall be allowed to each Member of the Legislative Council or of the Legislative Assembly, attending at such Session, six dollars for each day's attendance, if the Session do not extend beyond thirty days; and if the Session extends beyond thirty days, then there shall be payable to each Member of the Legislative Council or of the Legislative Assembly attending at such Session, a Sessional allowance of six hundred dollars, and no more. Allowance for attendance at the Sessions of the Legislature.
3. A deduction at the rate of five dollars per day shall be made from the said compensation, for every day on which the Member shall not attend a sitting of the House of which he is a Member, or of any Committee thereof; but each day during the Session on which there shall have been no sitting of such House, or on which the Member shall have been prevented by sickness from attending any sitting, but on which he shall, in either case, have been in the place where the Session is held, shall be reckoned as a day of attendance at such Session. Deductions for non-attendance, &c.
4. The said compensation may be paid from time to time as the Member becomes entitled to it, to the extent of four dollars for each day's attendance as aforesaid, but the remainder shall be retained by the Clerk of the proper House, until the close of the Session, when the final payment shall be made. When such allowance shall be paid.
5. There shall be also allowed to each Member of the Legislative Council or of the Legislative Assembly, ten cents for each mile of the distance between the place of residence of such Member and the place at which the Session shall be held, reckoning such distance going and coming. Allowance for mileage.
6. The sum due to each Member at the close of any Session shall be paid to him by the Clerk of the House of which he is a Member, on his making and signing, before the Clerk or Accountant of the House, a solemn declaration to be kept by the Clerk, stating the number of days' attendance and the number of miles of distance for which such Member is entitled to the said allowance, and the amount of such allowance, after deducting the number of days (if any), which are to be deducted under the third section of this Act; and such declaration may be in the Form A hereunto annexed, and shall have the same effect as an affidavit in the same form. Balance to be paid at the end of the Session on the Member's declaration.
Form.

Grant for paying the said allowances.

7. There is hereby granted to Her Majesty, out of any unappropriated moneys forming part of the Consolidated Revenue Fund of this Province, an annual sum, sufficient to enable Her Majesty to advance to the Clerk of the Legislative Council and to the Clerk of the Legislative Assembly, respectively, such sums as may be required to pay the estimated amount of the sessional allowance hereinbefore mentioned.

Clerk to account for moneys received under this Act.

8. The Clerk of the Legislative Council and the Clerk of the Legislative Assembly, shall respectively account for all moneys received by them under this Act, in the same manner as for moneys advanced to them for the contingent expenses of the said Legislative Council and Assembly, and they may respectively apply any surplus thereof to the payment of such contingent expenses, and may supply any deficiency of such estimated amount, out of any moneys in their hands respectively, applicable to the payment of such contingent expenses.

Short Title.

9. This Act shall be known and may be cited as "The Members' Indemnity Act, 1859."

SCHEDULE. FORM A.

I, A. B. 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 _____, was held: That during the said session I was present _____ days at _____ where the session was held; and that on each of the said days on which there was a sitting of the said Legislative Council (*or* Assembly) I attended such sitting or a sitting of some Committee thereof,—(*if the Member has not attended on any such day or days, say—except only on _____ days,—and if the Member was prevented by sickness from attending on any of the said days, add—on _____ of which days, I was prevented by sickness from attending any such sitting, though I was then present at _____ as aforesaid.*)

Wherefore, I am under the Members' Indemnity Act of 1859, entitled to the sum of _____ dollars, _____ cents, for travelling expenses, and to the sum of _____ dollars for my allowance for attending at the said session.

(Signature,) A. B.

Declared before me this _____ day of _____, one thousand eight hundred _____

C. D.

Clerk *or* Accountant of the Legislative Council *or* Assembly.

C A P .