Anno tricesimo primo

Georgii II. Regis.

An Act for further explaining the Laws touching the Electors of Knights of the Shire to to serve in Parliament for that Part of *Great Britain* called *England*.

WHEREAS by an Act made in the Eighteenth Year of the Reign of His present Majesty, intituled, An Act to explain and amend the Laws touching the Elections of Knights of the Shire to serve in Parliament for that Part of *Great Britain* called *England*; it is enacted, That no Person shall vote at the Election of any Knight or Knights of a Shire within that Part of Great Britain called England, or Principality of Wales, without having a Freehold Estate in the County for which he votes, of the clear yearly Value of Forty Shillings, over and above all Rents and Charges payable out of or in respect of the same: And whereas, notwithstanding the said Act, certain Persons who hold their Estates by Copy of Court Roll, pretend to have a Right to vote, and have, at certain Times, taken upon them to vote at such Elections; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty fourth Day of June, One thousand seven hundred and fifty eight, no Person, who holds his Estate by Copy of Court Roll, shall be intitled thereby to Preamble.

Copyholders disabled from voting for Knights of the Shire;

vote at the Election of any Knight or Knights of a Shire within that Part of Great Britain called England, or Principality of Wales: And if any Person shall vote in any such Election, contrary to the true Intent and Meaning hereof, every such Vote shall be void to all Intents and Purposes whatsoever; and every Person so voting shall forfeit to any Candidate for whom such Vote shall not have been given, and who shall first sue for the same, the Sum of Fifty Pounds, to be recovered by him or them, his, her, or their Executors and Administrators, together with Full Costs of Suit, by Action of Debt in any of his Majesty's Courts of Record at Westminster, wherein no Essoin, Protection, Wager of Law, Privilege, or Imparlance, shall be admitted or allowed; and in every such Action the Proof shall lie on the Person against whom such Action shall be brought.

their Vote void, and they to forfeit 50*l.*

with Full Costs of Suit.

Onus probandi.

Plaintiff's Plea in the Action upon the Case.

And be it further enacted by the Authority aforesaid, That it shall and may be sufficient for the Plaintiff in any such Action of Debt to set forth in the Declaration or Bill, that the Defendant is indebted to him in the Sum of Fifty Pounds, and to alledge the Offence for which the Action or Suit is brought, and that the Defendant hath acted contrary to this Act, without mentioning the Writ of Summons to Parliament, or the Return thereof; and upon Trial of any Issue in any such Action or Suit, the Plaintiff shall not be obliged to prove the Writ of Summons to Parliament, or the Return thereof, or any Warrant or Authority to the Sheriff grounded upon any such Writ of Summons.

Limitation of Actions.

Provided always, That every such Action or Suit shall be commenced within the Space of Nine Calendar Months next after the Fact, upon which the same is grounded, shall have been committed.

Statutes of Jeofails, &c. extended to such Suits.

And be it further enacted by the Authority aforesaid, That all the Statutes of Jeofails, and Amendments of the Law whatsoever, shall and may be construed to extend to all Proceedings in any such Action or Suit.

Plaintiff Nonsuited, &c. to pay Treble Costs.

Provided always, and be it further enacted by the Authority aforesaid, That in case the Plaintiff in any such Action or Suit, shall discontinue the same, or be Nonsuited, or Judgement be otherwise given against him, then, and in any of the said Cases, the Defendant, against whom such Action or Suit shall have been brought, shall recover his Treble Costs.

FINIS.