Anno tertio

Georgii III. Regis.

CAP. XXIV.

An Act to prevent fraudulent and occaſional Votes in the Elections of Knights of the Shire, and of Members for Cities and Towns which are Counties of themſelves, ſo far as relates to the Right of Voting by virtue of an Annuity or Rent Charge.



WHEREAS Annuities or Rent Charges granted for a Life or Lives, or a greater Eſtate, iſſuing out of Freehold Lands or Tenements, are of a Private Nature, and therefore liable to fraudulent Practices in the Elections of Knights of Shires, to the Prejudice of the Candidates, and of thoſe who have juſt Right to vote at ſuch Elections: And whereas the Right of Election of Members to ſerve in Parliament for ſeveral Cities and Towns which are Counties of themſelves, in that Part of Great Britain called England, is veſted Partly, or in the Whole, in Freeholders, in reſpect of Freeholders of the yearly Value of Forty Shillings, lying within ſuch Cities and Towns: And whereas Annuities and Rent Charges for a Life or Lives, or a greater Eſtate, iſſuing out of ſuch Freehold Lands or Tenements, are liable to the like fraudulent Practices: For Remedy whereof, be it 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 Preamble.

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No Person may vote in Elections of Knights of the Shire, or of Members for Cities and Towns which are Counties of themselves, in Right of any Annuity or Rent Charge granted before 1 *June*, 1763, unless a Certificate be entered with the Clerk of the Peace, or other proper Officer, 12 Months before any such Election begins;

after the First Day of August, One thousand seven hundred and sixty four, no Person shall vote for electing any Knight or Knights of a Shire, Citizen or Citizens, Burgess or Burgesses, of any such City or Town for that Part of Great Britain called England, for or in respect of any Annuity or Rent Charge issuing out of Freehold Lands or Tenements, and granted before the First Day of June, One thousand seven hundred and sixty three, unless a Certificate, upon Oath, shall have been entered Twelve Calendar Months, at least, before the First Day of such Election, with the Clerk of the Peace for the County, Riding, or Division, or with the Clerk of the Peace, Town Clerk, or other publick Officer, having the Custody of the Records within such City or Town where such Lands or Tenements do lie, as follows (that is to say)

I *A. B.* of am really and *bona fide* seized of an Annuity or Rent Charge, for my own Use and Benefit, of the clear yearly Value of Forty Shillings, above all Rents and Charges payable out of the same, wholly issuing out of Freehold Lands, Tenements, or Hereditaments, belonging to *C. D.* of situate, lying, and being, in the Parish, Township, or Place, or in the Parishes, Townships, or Places, of *E.* in the County of without any Trust, Agreement, Matter, or Thing, to the contrary notwithstanding; and I, or the Person or Persons under whom I claim, was or were seized of the said Annuity or Rent Charge before the First Day of *June*, One thousand seven hundred and sixty three.

and in like Manner with respect to such Qualifications as shall come by Descent, Marriage, Devise, Presentation, or Promotion:

And be it further enacted by the Authority aforesaid, That no Person shall vote for the electing any Knight or Knights of a Shire, or for a Citizen or Citizens, Burgess or Burgesses, of any such City or Town, for that Part of Great Britain called England, in respect of any Annuity or Rent Charge issuing out of Freehold Lands, Tenements, or Hereditaments, which shall come to such Person by Descent, Marriage, Marriage Settlement, Devise, or Presentation to a Benefice in a Church, or Promotion to an Office, within Twelve Calendar Months next before such Election respectively, unless a Certificate upon Oath, or Affirmation if a Quaker, shall have been entered with the Clerk of the Peace, Town Clerk, or other Officer as aforesaid, before the First Day of such Election, as follows; that is to say,

I *A. B.* of am really and *bona fide* seized of an Annuity or Rent Charge, to my own Use and Benefit, of the clear yearly Value of Forty Shillinge a Year, above all

all Rents and Charges payable out of the ſame, wholly iſſuing out of Freehold Lands, Tenements, or Hereditaments, belonging to *C. D.* of ſituate, lying, and being in the Pariſh, Townſhip, or Place, or in the Pariſhes, Townſhips, or Places, of in the County of without any Truſt, Agreement, Matter, or Thing, to the contrary notwithſtanding; and I became ſeized of the ſaid Annuity or Rent Charge, on the Day of laſt paſt, by Deſcent or otherwiſe *(as the Caſe may happen.)*

Nor may any Perſon vote in any Election as aforeſaid, after 1 *Aug.* 1764.

And be it further enacted by the Authority aforeſaid, That from and after the ſaid Firſt Day of Auguſt, One thouſand ſeven hundred and ſixty four, no Perſon ſhall vote at any Election of a Knight or Knights of the Shire, or of any Citizen or Citizens, Burgeſs or Burgeſſes, of any ſuch City or Town, within that Part of Great Britain called England, for or in reſpect of any Annuity or Rent Charge to be granted after the ſaid Firſt Day of June, One thouſand ſeven hundred and ſixty three, unleſs a Memorial of the Grant of ſuch Annuity or Rent Charge ſhall have been regiſtered with the Clerk of the Peace of the County, Riding, or Diviſion, or with the Clerk of the Peace, Town Clerk, or other public Officer, having the Cuſtody of the Records, within ſuch City or Town where the Lands or Tenements out of which ſuch Annuity or Rent Charge iſſues ſhall lie, Twelve Calendar Months at leaſt before the Firſt Day of ſuch Election; which Memorial ſhall be wrote on Parchment, and directed to ſuch Clerk of the Peace, Town Clerk, or other publick Officer, and ſhall be under the Hand and Seal of the Grantor or Grantors, and atteſted by Two Witneſſes, One whereof to be One of the Witneſſes to the Execution of ſuch Grant; which Witneſs ſhall upon Oath before ſuch Clerk of the Peace, Town Clerk, or other Officer as aforeſaid, or their Deputies, prove the ſealing and delivering of ſuch Grant, and the ſigning and ſealing of ſuch Memorial; and which Memorial ſhall contain the Day and Year of the Date, and the Names, Additions, and Abodes, of the Parties and Witneſſes, and all the Lands and Tenements out of which the Annuity or Rent Charge iſſues, and the Pariſh, Townſhip, or Place, or the Pariſhes, Townſhips, and Places, where ſuch Lands and Tenements lie; and that every ſuch Grant, of which ſuch Memorial is ſo to be regiſtered, ſhall, at the Time of entering ſuch Memorial, be produced to ſuch Clerk of the Peace, Town Clerk, or other Officer, as aforeſaid, or their Deputies, who ſhall thereon endorſe a Certificate, in which ſhall be mentioned

in reſpect of any Annuity or Rent Charge granted after the ſaid 1 *June*, 1763, unleſs a Memorial of the Grant duly atteſted, be regiſtered as aforeſaid.

Such Grant to be produced at the Time of regiſtering, and the Day and Year of entering the Memorial to be endorſed thereon by the proper Officer.

the Day and Year on which such Memorial shall be so entered.

Nor may any one vote in Right of any Assignment of any Annuity or Rent Charge made before 1763,

And be it further enacted by the Authority aforesaid, That from and after the said First Day of August, One thousand seven hundred and sixty four, no Person shall vote at any Election of a Knight or Knights of the Shire, or of any Citizen or Citizens, Burgess or Burgesses of any such City or Town, in that Part of Great Britain called England, by reason of an Assignment of any Annuity or Rent Charge, or any Part or Parts thereof, made before the said First Day of June, One thousand

unless a Certificate of the Original Annuity be entered as aforesaid;

seven hundred and sixty three, unless a Certificate of such Assignment upon Oath, to the Purport herein before mentioned, with respect to an Original Annuity or Rent Charge, shall have been entered with such Clerk of the Peace, Town Clerk, or other Officer as aforesaid, Twelve Calendar Months at least before the First Day of such Election; and that no Person shall vote at any such Elec-

and if the Assignment be made after the said 1 *June*, then a Memorial thereof, and of the Grant, to be attested and registered as is directed in Cases of Original Grants.

tion as aforesaid, by reason of an Assignment of any Annuity or Rent Charge, or any Part or Parts thereof, made after the First Day of June, One thousand seven hundred and sixty three, unless a Memorial of such Assignment, and also a Memorial of the Grant of such Annuity or Rent Charge of which such Assignment shall be made, shall have been attested and registered Twelve Calendar Months at least before the First Day of such Election, in the same Manner as is herein before directed with respect to the Memorial of an Original Grant of an Annuity or Rent Charge.

Books to be kept by the proper Officers for entering such Certificates and Memorials.

Fees for Entry, and Search,

and for Copies.

And be it further enacted by the Authority aforesaid, That the Clerk of the Peace of every County, Riding, or Division, and the Clerk of the Peace, Town Clerk, or other Officer as aforesaid, of every such City or Town, shall keep a Book or Books for the entering of every such Certificate and Memorial, and shall be allowed for the Entry of every such Certificate the Sum of One Shilling, and of every such Memorial, Two Shillings, and no more; and for every Search for any Certificate or Memorial, One Shilling, and no more; and that any Person or Persons may, at all seasonable Times, resort to and inspect the Certificates, Memorials, and Books of Entries thereof: And such Clerk of the Peace, Town Clerk, or other Officer as aforesaid, or their Deputies, is hereby directed and required forthwith to give a Copy of any Certificate or Memorial to any Person or Persons who shall desire the same, paying for such Copy, if it contains not more than Two hundred Words, the Sum of Six Pence; and so in proportion for any greater

Number of Words: And such Clerk of the Peace, Town Clerk, or other Officer as aforesaid, or their Deputies, is hereby impowered to administer an Oath in all Cases where an Oath is required by this Act; and true Copies of the aforesaid Certificates and Memorials attested by such respective Clerks of the Peace, Town Clerk, or other Officer as aforesaid, or their Deputies, shall, at all Times, be allowed and admitted as legal Evidence in all Cases whatsoever.

Officer may administer an Oath in Cases aforesaid.

Copies attested by the proper Officer, deemed legal Evidence.

Provided always, and be it further enacted by the Authority aforesaid, That a Memorial of such Grant or Assignment as shall be made and executed in any Place not within Forty Miles of the Office of the Clerk of the Peace for the respective County, Riding, or Division, or of the Town Clerk, or other Officer, as aforesaid, shall be entered and registered by such Clerk of the Peace, Town Clerk, or other Officer, as aforesaid, or their Deputies, in case an Affidavit sworn, or Affirmation of a Quaker, before One of the Judges at Westminster, or a Master in Chancery Ordinary or Extraordinary, be brought with the said Memorial to the said Clerk of the Peace, Town Clerk, or other Officer, as aforesaid, wherein One of the Witnesses to the Execution of such Grant or Assignment shall swear that he or she saw the same executed; and the same shall be a sufficient Authority to the Clerk of the Peace, Town Clerk, or other Officer, or their Deputies, to give the Party that brings such Memorial a Certificate of the Registering such Memorial; which Certificate, signed by the said Clerk of the Peace, Town Clerk, or other Officer, as aforesaid, or their Deputies, shall be taken and allowed as Evidence of the Registry of the same Memorial in all Courts of Record whatsoever; any thing herein contained to the contrary notwithstanding.

Memorials of Grants or Assignments made and executed above 40 Miles from the Office of Clerk of the Peace, &c. to be registered, upon producing an Affidavit made by One of the Witnesses before One of the Judges at *Westminster*, or a Master in *Chancery*.

And be it further enacted by the Authority aforesaid, That the Clerk of the Peace of every County, Riding, or Division, and the Clerk of the Peace, Town Clerk, or other Officer, as aforesaid, of every such City or Town, or their Deputies, shall, upon reasonable Notice, attend at any such Election with the Book or Books of Entries of every such Certificate and Memorial, at the Request of any Candidate or Candidates; he or they making him reasonable Satisfaction for such Attendance.

Officer, or Deputy, to attend, upon reasonable Notice and Satisfaction, with the Books of Entries at any such Election.

And be it further enacted by the Authority aforesaid, That if any Clerk of the Peace, Town Clerk, or other Officer, as aforesaid, shall be guilty of any wilful Neglect, Misdemeanor, or fraudulent Practice, contrary to the true Intent and Meaning of this Act, every such Clerk

Officer guilty of any Neglect or Misdemeanor, forfeits 100*l.*

of &c.

of the Peace, Town Clerk, or other Officer, as aforesaid, shall, for every such Offence, forfeit One hundred Pounds to the Person who shall sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster; wherein no Essoin, Protection, Wager of Law, or more than One Imparlance, shall be allowed.

Limitation of Prosecutions.

Provided always, and it is hereby further enacted and declared by the Authority aforesaid, That no Person shall be liable to any Forfeiture or Penalty by this Act laid or imposed, unless Prosecution be commenced within Twelve Months after such Forfeiture or Penalty shall be incurred.

FINIS.