ANNO TRICESIMO SEPTIMO

# Georgii III. Regis.

## CAP. CXXXVIII.

An Act to amend an Act, made in the Twenty-ſecond Year of the Reign of His preſent Majeſty, intituled, *An Act for better ſecuring the Freedom of Elections of Members to ſerve in Parliament, by diſabling certain Officers, employed in the Collection or Management of His Majeſty's Revenues, from giving their Votes at ſuch Elections*, by extending the Proviſions thereof to Perſons voting in any Meeting of Freeholders for Preſes or Clerk, or on any Queſtion relative to the Adjuſtment of the Roll of Freeholders, in that Part of *Great Britain* called *Scotland*; and for empowering Freeholders to adminiſter the Oath of Truſt and Poſſeſſion to Perſons offering to vote for Preſes and Clerk. [20th *July* 1797.]

WHEREAS an Act was made in the Twenty-ſecond Year of the Reign of His preſent Majeſty, intituled, *An Act for better ſecuring the Freedom of Elections of Members to ſerve in Parliament, by diſabling certain Officers, employed in the Collection or Management of His Majeſty's Revenues, from giving their Votes at ſuch Elections:* And whereas great Inconveniences have ariſen, in that Part of *Great Britain* called *Scotland*, at the Meetings for Elections of Members to ſerve in Parliament

Preamble.

22 *Geo.* III, Cap. 41, recited.

Parliament, by the Perſons who are declared by the ſaid Act incapable of voting at ſuch Elections giving their Votes for the Choice of Preſes or Clerk to the Freeholders, and on Queſtions relative to the Adjuſtment of the Roll, not only at ſuch Elections, but at other Meetings of Freeholders, whereby the Votes of ſuch Perſons ſo incapacitated, although not actually given for any Member to ſerve in Parliament, yet may often be deciſive of ſuch Election; 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 paſſing of this Act, no Perſon or Perſons deſcribed in the ſaid recited Act, and thereby rendered incapable of voting in the Election of Members to ſerve in Parliament, ſhall be capable of voting at any Election for the Choice of a Preſes or Clerk to the Freeholders of any County in that Part of *Great Britain* called *Scotland*, or on any Queſtions relative to the Adjuſtment of the Roll of Freeholders of any ſuch County, not only at ſuch Elections, but at all other Meetings of the Freeholders of any ſuch County; and if any Perſon, hereby made incapable of voting, ſhall nevertheleſs preſume to give his Vote during the Time he ſhall hold, or within Twelve Calendar Months after he ſhall ceaſe to hold or execute, any of the Offices mentioned in the ſaid Act, contrary to the true Intent and Meaning of this Act, ſuch Votes ſo given ſhall be held null and void to all Intents and Purpoſes whatſoever; and every Perſon ſo offending ſhall forfeit the Sum of One hundred Pounds, One Moiety thereof to the Informer, and the other Moiety thereof to be immediately paid into the Hands of the Clerk of the Juſtices of the Peace of the Counties or Stewartries in that Part of *Great Britain* called *Scotland*, to be applied and diſpoſed of to ſuch Purpoſes as the Juſtices at the next General Quarter Seſſions of the Peace to be held for ſuch County or Stewartry ſhall think fit; to be recovered by ſummary Complaint before the Court of Seſſion in *Scotland*; and the Perſon convicted on any ſuch Suit ſhall thereby become diſabled and incapable of their bearing or executing any Office or Place of Truſt whatſoever under His Majeſty, His Heirs and Succeſſors.

No Perſon deſcribed in the recited Act as incapable of voting for a Member of Parliament, to vote for a Preſes or Clerk to the Freeholders in *Scotland*, &c.

Penalty for voting.

II. And be it further enacted, That if any Perſon at an Election for a Member to ſerve in Parliament for any County, ſhall offer to vote in the Election of Preſes and Clerk, it ſhall and may be lawful for any Freeholder to put the Oath of Truſt and Poſſeſſion to him before giving his Vote, in the ſame Manner as is now practiſed after the Preſes and Clerk are choſen.

Any Freeholder may put the Oath of Truſt and Poſſeſſion to Perſons offering to vote for Preſes and Clerk.

III. Provided alſo, and be it enacted, 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 Penalty or Forfeiture ſhall be incurred.

No Perſon liable to Penalty unleſs proſecuted within a Year.



FINIS.