ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

CAP. CXVIII.

An Act for better securing the Independence and Purity of Parliament, by preventing the procuring or obtaining of Seats in Parliament by corrupt Practices. [19th *June* 1809.]

WHEREAS it is expedient to make further Provision for preventing corrupt Practices in the procuring of Elections and Returns of Members to sit in the House of Commons: And whereas the giving, or procuring to be given, or promising to give or to procure to be given any Sum of Money, Gift, or Reward, or any Office, Place, Employment, or Gratuity, in order to procure the Return of any Member to serve in Parliament, if not given to or for the Use of some Person having a Right or claiming to have a Right to act as Returning Officer, or to vote at such Election, is not Bribery within the Meaning of an Act passed in the Second Year of King *George* the Second, intituled, *An Act for the more effectual preventing Bribery and Corruption in the Election of Members to serve in Parliament*, but such Gifts or Promises are contrary to the ancient Usage, Right, and Freedom of Elections, and contrary to the Laws and Constitution of this Realm; be it declared and 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 if any Person or Persons shall, from and after the passing of this Act, either by himself, herself, or themselves, or by any other Person or Persons for or on his, her

2 G. 2. c 24.

Penalty on Persons entering into any Engagement

for Money, Gifts, or Rewards, to procure or endeavour to procure the Election or Return of a Member in Parliament.

her, or their Behalf, give or cauſe to be given, directly or indirectly, or promiſe or agree to give any Sum of Money, Gift, or Reward, to any Perſon or Perſons, upon any Engagement, Contract, or Agreement, that ſuch Perſon or Perſons to whom, to whoſe Uſe, or on whoſe Behalf ſuch Gift or Promiſe ſhall be made, ſhall, by himſelf, herſelf, or themſelves, or by any other Perſon or Perſons whatſoever at his, her, or their Solicitation, Requeſt or Command, procure or endeavour to procure the Return of any Perſon to ſerve in Parliament for any County, Stewartry, City, Town, Borough, Cinque Port, or Place, every Perſon ſo having given or promiſed to give, if not returned himſelf to Parliament for ſuch County, Stewartry, City, Town, Borough, Cinque Port, or Place, ſhall for every ſuch Gift or Promiſe forfeit the Sum of One thouſand Pounds, to be recovered in ſuch Manner as is herein-after provided, with reſpect to the Sum of Five hundred Pounds, and every ſuch Perſon ſo returned and ſo having given or ſo having promiſed to give, or knowing of and conſenting to ſuch Gifts or Promiſes, upon any ſuch Engagement, Contract, or Agreement, ſhall be and is hereby declared and enacted to be diſabled and incapacitated to ſerve in that Parliament for ſuch County, Stewartry, City, Town, Borough, Cinque Port, or Place, and that ſuch Perſon ſhall be deemed and taken, and is hereby declared and enacted to be deemed and taken to be no Member of Parliament, and enacted to be, to all Intents, Conſtructions, and Purpoſes, as if he had never been returned or elected a Member in Parliament; and any Perſon or Perſons who ſhall receive or accept of, by himſelf, herſelf, or themſelves, or by any other Perſon or Perſons in Truſt for or to the Uſe or on the Behalf of him, her, or them, any ſuch Sum of Money, Gift, or Reward, or any ſuch Promiſe upon any ſuch Engagement, Contract, or Agreement, ſhall forfeit to His Majeſty the Value and Amount of ſuch Sum of Money, Gift, or Reward, over and above the Sum of Five hundred Pounds, which ſaid Sum of Five hundred Pounds he, ſhe, or they ſhall forfeit to any Perſon who ſhall ſue for the ſame, to be recovered with ſuch Coſts of Suit by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, if the Offence be committed in that Part of the United Kingdom called *England* and *Wales*, and in any of His Majeſty's Courts of Record at *Dublin*, if the Offence be committed in *Ireland*, wherein reſpectively no Eſſoign or Wager of Law, or more than one Imparlance ſhall be allowed; and if the Offence be committed in *Scotland*, then to be recovered with full Coſts of Suit by ſummary Action or Complaint before the Court of Seſſion, or by Proſecution before the Court of Juſticiary there.

Act not to extend to legal Expences.

II. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to any Money paid or agreed to be paid to or by any Perſon, for any legal Expence *bona fide* incurred at or concerning any Election.

Penalty on Perſons entering into Contracts or Agreements to give or procure any Office, Place, or Employ-

III. And be it further enacted, That if any Perſon or Perſons ſhall, from and after the paſſing of this Act, by himſelf, herſelf, or themſelves, or by any other Perſon or Perſons for or on his, her, or their Behalf, give or procure to be given, or promiſe to give or procure to be given, any Office, Place, or Employment, to any Perſon or Perſons whatſoever, upon any expreſs Contract or Agreement that ſuch Perſon or Perſons, to whom or to whoſe Uſe or on whoſe Behalf ſuch Gift or Promiſe ſhall be

made, shall by himself, herself, or themselves, or by any other Person or Persons at his, her, or their Solicitation, Request, or Command, procure or endeavour to procure the Return of any Person to serve in Parliament for any County, Stewartry, City, Town, Borough, Cinque Port, or Place, such Person so returned, and so having given or procured to be given, or so having promised to give or procure to be given, or knowing of and consenting to such Gift or Promise upon any such express Contract or Agreement, shall be and is hereby declared and enacted to be disabled and incapacitated to serve in that Parliament for such County, Stewartry, City, Town, Borough, Cinque Port, or Place, and that such Person shall be deemed and taken, and is hereby declared and enacted to be deemed and taken to be no Member of Parliament, and enacted to be to all Intents, Constructions, and Purposes as if he had never been returned or elected a Member in Parliament; and any Person who shall receive or accept of, by himself, herself, or themselves, or by any other Person or Persons in Trust for or to the Use or on the Behalf of such Persons, any such Office, Place, or Employment, upon such express Contract or Agreement, shall forfeit such Office, Place, or Employment, and be incapacitated for holding the same, and shall forfeit the Sum of Five hundred Pounds, which said Sum of Five hundred Pounds shall be recovered as is herein-before enacted; and any Person holding any Office under His Majesty, who shall give such Office, Appointment, or Place, upon any such express Contract or Agreement, that the Person to whom or for whose Use such Office, Appointment, or Place shall have been given, shall so procure or endeavour to procure the Return of any Person to serve in Parliament, shall forfeit the Sum of One thousand Pounds, to be recovered in such Manner as is herein-before provided.

ment, in order to the Election or Return of a Member in Parliament, or who shall receive or accept of any such Office, &c.

IV. And be it further enacted, That no Person shall be made liable to any Forfeiture or Penalty by this Act created or imposed, unless some Prosecution, Action, or Suit, for the Offence committed, shall be actually and legally commenced against such Person within the Space of Two Years next after such Offence against this Act shall be committed, and unless such Person shall be actually and legally arrested, summoned, or otherwise served with any original or other Writ or Process within the same Space of Time, so as such Arrest, Summons, or Service of any original or other Writ or Process shall not be prevented by such Person absconding or withdrawing out of the Jurisdiction of the Court out of which such original or other Writ or Process shall have issued; and in case of any such Prosecution, Suit, or Process as aforesaid, the same shall be proceeded in and carried on without any wilful Delay; and that all Statutes of Jeofails and Amendments of the Law whatever shall and may be construed to extend to all Proceedings in any such Prosecution, Action, or Suit.

Limitation of Actions.

LONDON: Printed by George Eyre and Andrew Strahan, Printers to the King's most Excellent Majesty. 1809.