ANNO QUINQUAGESIMO PRIMO

GEORGII III. REGIS.

C A P. CXXVI.

An Act to extend an Act made in the Eighteenth Year of His late Majesty King *George* the Second, to explain and amend the Laws touching the Elections of Knights of the Shire to serve in Parliament for *England*, respecting the Expences of Hustings and Poll Clerks, so far as regards the City of *Westminster*. [9th *July* 1811.]

WHEREAS by an Act passed in the Eighteenth Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act to explain and amend the Laws, touching the Elections of Knights* 18 G. 2. c. 18.
of the Shire to serve in Parliament for that Part of the United Kingdom called England, it is amongst other Things provided, that the Expences of erecting Booths and of engaging Poll Clerks, should be borne and defrayed by the respective Candidate or Candidates at such Elections, in the Cases and in Manner as in the same Act are more particularly mentioned and provided for: And whereas the Right of Election of Citizens to serve in Parliament for the City and Liberty of *Westminster*, is, by the last Determination of the House of Commons, of the Nineteenth Day of *March* One thousand seven hundred and ninety-five, declared to be in the Inhabitants Householders, paying Scot and Lot, of the united Parishes of *Saint Margaret* and *Saint John*, and of the several Parishes of *Saint Paul Covent Garden*, *Saint Anne*, *Saint James*, *Saint George Hanover Square*, *Saint Martin in the Fields*, *Saint Clement Danes*, and *Saint Mary le Strand*, (including so much and such Parts of the said Parishes of *Saint Martin in the Fields*, *Saint Clement Danes*, and *Saint Mary le Strand*, as are within the Liberties, Districts, Limits, or Jurisdictions of the Duchy of *Lancaster*), and of the Liberty or District of *Saint Martin le Grand*, in the County of *Middlesex*, and of the Precinct of *The Savoy*: And whereas the Number

of Persons entitled to vote under and by virtue of such last Determination, is very considerable, and far exceeding in Number the Voters in many of the Counties of the Kingdom; and there is no convenient public Building within the said City, wherein to hold the Election, and to take a Poll in Writing of the Electors, in the Event of the same being legally demanded: And whereas by Reason of the Populousness of the said City, the taking of a Poll in Writing is attended with considerable Expence, from the Number of Clerks necessarily employed therein; And whereas Controversies having of late arisen, as to the Payment of the Expences attending the building of a convenient Booth or Hustings, heretofore usually erected for the holding of such Election, and of the Expences attending the Clerks employed in the taking of a Poll, when demanded, it has been deemed expedient, under the Circumstances aforesaid, to make some certain Provision for defraying such necessary Expences, by extending the Directions and Provisions of the said Act in that Behalf to the Election of Citizens to serve in Parliament for the City and Liberty of *Westminster*: Now to the Intent that a Stop may in future be put to such Controversies as aforesaid, and the ill Consequences of the same, and for maintaining good Order and Uniformity of Proceeding within that populous City and Borough, which is of great Consequence to the whole Kingdom; 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 at all Times from and after the passing of this Act, upon every Election of a Citizen or Citizens to serve for the said City of *Westminster* in Parliament, the Bailiff, or in his Absence his sufficient Deputy, shall appoint, make, or erect, or cause to be appointed, made, or erected, at the Expence of the Candidate or Candidates, a convenient Booth or Place for holding the Election; and the said Bailiff or Deputy shall, in case of a Poll being demanded by any of the Candidates, or any Two or more of the Electors, appoint a convenient Number of Clerks, not exceeding in the Whole the Number of Twenty-six, to take the Poll (which said Clerks shall be at the Expence of the Candidates as aforesaid, and be paid not exceeding One Guinea *per* Day each Clerk); and the said Bailiff or Deputy shall also make out a List of the several Parishes, Districts, or Divisions, (not exceeding Eleven in Number in the Whole), into which the said Booth or Polling Places shall be apportioned or allotted, and shall upon Request made deliver a true Copy thereof to any of the Candidates or their Agents who shall desire the same, taking for each of the said Copies the Sum of Two Shillings, and no more.

Booth to be erected at the Expence of the Candidates.

Poll Clerks to be appointed by the Bailiff at the Expence of the Candidates.

A Cheque Book for every Poll Book allowed each Candidate.

II. And be it further enacted, That the Bailiff, or in his Absence, his sufficient Deputy, shall at every such Election, allow a Cheque Book for every Poll Book for each Candidate, to be kept by their respective Inspectors, at the Place where the Poll for such Election shall be taken or carried on.

Bailiff offending to be prosecuted.

III. And be it further enacted, That in case any such Bailiff or his Deputy as aforesaid shall wilfully offend against or act contrary to the true Intent and Meaning of this Act, such Bailiff or Deputy shall be liable to be prosecuted, by Information or Indictment, in His Majesty's Court of King's Bench at *Westminster*, in which no *Noli Prosequi* or *Cesset Processus* shall be granted; any Law, Custom, or Usage to the contrary thereof in anywise notwithstanding.

IV. And be it further enacted, That it shall and may be sufficient for the Plaintiff, in any Action of Debt given by this Act, to set forth in the Declaration or Bill, that the Defendant is indebted to him in the Sum of and to alledge the particular 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, the Precept thereon, or the Return thereto; and it shall be sufficient in any Indictment or Information for any Offence committed contrary to this Act, to alledge the particular Offence charged upon the Defendant, and that the Defendant is guilty thereof, without mentioning the Writ of Summons to Parliament, the Precept thereon, or the Return thereto; and upon Trial of any Issue in any such Action, Suit, Indictment, or Information, the Plaintiff, Prosecutor, or Informer shall not be obliged to prove the Writ of Summons to Parliament, the Precept thereon, or the Return thereto, or any Warrant or Authority to the Bailiff, grounded upon any such Writ of Summons. The Manner of proceeding in case of Offence against this Act.

V. Provided always, That every Action, Suit, Indictment, or Information given by this Act, shall be commenced within the Space of Six Calendar Months after the Fact upon which the same is grounded shall have been committed. Limitation of Actions.

VI. And be it further enacted, That all the Statutes of Jeofails and Amendments of the Law whatsoever shall and may be construed to extend to all Proceedings in any Action, Suit, Indictment, or Information, given or allowed by this Act, or which shall be brought in pursuance thereof. Statutes of Jeofails, &c. to extend to Proceedings on this Act.

VII. Provided always, and be it further enacted, That in case the Plaintiff or Informer in any Action, Suit, Indictment, or Information given by this Act, 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, Suit, or Information shall have been brought, shall recover his Treble Costs. Treble Costs.

VIII. Provided also, and be it further enacted, That all and every the Clauses, Powers, Directions, Provisions, Penalties, and Forfeitures mentioned and contained in the several Acts made and now in force, concerning Elections for Cities and Boroughs not herein or hereby specifically altered or otherwise provided for, shall be construed as heretofore to extend to the City and Liberty of *Westminster*, in the same Manner as if the same and every of them were severally repeated and re-enacted in the Body of this present Act; any Thing herein contained to the contrary thereof in anywise notwithstanding. Powers and Provisions of former Acts relative to Electors to continue in force, except where hereby altered.

IX. And be it further enacted, That this Act shall continue and be in force from the passing thereof until the First Day of *August* One thousand eight hundred and thirteen. Continuance of Act.

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