

ANNO NONO

GEORGII IV. REGIS.

CAP. LIX.

An Act to regulate the Mode of taking the Poll at the Election of Members to serve in Parliament for Cities, Boroughs, and Ports in *England* and *Wales*. [15th *July* 1828.]

WHEREAS much Inconvenience hath arisen at the Election of Members to serve in Parliament for Cities, Boroughs, and Ports, from the Want of a sufficient Number of Booths and Polling Places, or Divisions thereof, for the Voters to poll in: And whereas in many Instances the Duration of the Polls hath been vexatiously and unnecessarily protracted; And whereas it is expedient to provide further Regulations respecting the same: 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, at every Election of a Member or Members to serve in Parliament for any City, Borough, Town, or Port in *England* or *Wales*, where the Number of Electors shall exceed Six hundred, if One or more Candidates beyond the Number which the City, Borough, Town, or Port is entitled to return as a Member or Members to serve in Parliament shall be put in Nomination, and a Poll demanded, the Returning Officer shall and he is hereby required, on the Requisition of any Candidate or his Agent, (such Requisition being in Writing, and signed with the Names of such Candidate or his Agent,) to divide the Polling

At Elections where the Electors exceed 600, the Returning Officer, on being so required by a Candidate, shall divide the Polling Place into Compartments.

Polling Place into Compartments according to the Number of Voters, so that, as nearly as can be calculated, there shall be a Compartment for every Six hundred Voters; and each Compartment shall be provided with sufficient and convenient Accommodation for the Poll Clerk, and for an Agent and Check Clerk for each of the Candidates, and also with a distinct and separate Avenue for the Voters; and in all Cases where sufficient Space cannot be found in the Place where the Poll has been usually taken, the Returning Officer shall, when required as aforesaid, erect in some convenient Place as near as may be practicable to the Place where the Poll has been usually taken, and within the Precincts of the City, Borough, Town, or Port, a Polling Place or Booth, and shall divide it into Compartments in the Manner herein-before directed, and shall there take the Poll: Provided also, that to each Compartment the Returning Officer shall appoint a Clerk to take the Poll, and to administer to the Persons offering to vote (when required so to do by any Elector or Candidate, or Person acting on behalf of any Candidate,) such Oaths as may by Law be required of them; and such Clerk shall receive a Sum not exceeding One Guinea *per* Day.

Clerk to be appointed to each Compartment.

Expences of Booths to be defrayed by Candidates, &c.

II. And be it enacted, That all reasonable Expences of providing such Booths or Polling Places, and of paying such Poll Clerks as are herein-before mentioned, shall be defrayed by the Candidates in equal Portions; but if any Person shall be nominated as a Candidate, who if present shall not personally declare his Assent thereto at the Time such Nomination is made, or if not present shall not signify his Assent in Writing, addressed to the Returning Officer, before Proclamation of the Return is made, in such Case the Person putting such Candidate in Nomination shall, to all Intents and Purposes, be liable for the Payment of such Share of the Expence of providing Booths or Polling Places, and paying Poll Clerks, as the Candidate would have been liable to had the Nomination been assented to by him in the Manner herein-before directed.

The Returning Officer or his Assessor to attend to decide upon disputed Votes.

Objections to Votes not to delay the Poll.

III. Provided also, and be it enacted, That to prevent Delay or Obstruction in receiving Votes at the Place of polling, in consequence of Questions as to the Right of voting, the Returning Officer (or his Assessor) shall, at every Election of a Member or Members to serve in Parliament for any City, Borough, Town, or Port in *England* or *Wales*, continue during the Time of polling in some convenient Place adjacent to that in which the Poll is taken, for the Purpose of deciding on the Validity of disputed Votes; and if the Vote of any Person shall be objected to by any Candidate or Person acting on his Behalf, the Poll shall not on that Account be delayed, but the Poll Clerk shall enter the Name of such Person on the Poll Book, but shall not then receive his Vote, and shall proceed to receive the Vote of the next Person who shall tender his Vote or offer to poll; and the Person whose Vote shall have been objected to shall be referred to the Returning Officer (or his Assessor), who shall decide with respect to the Validity of his Vote: Provided also, that the Returning Officer or Assessor shall keep a List of all Persons whose Votes are referred to him for Decision, and shall, in all Cases where the Voters are ready

to be examined, proceed to decide with respect to the Validity of their Votes in the Order in which they have been referred to him.

So much of Act 25 G. 3. as Limits the Duration of Polls for Cities and Boroughs repealed.

IV. And whereas by an Act passed in the Twenty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to limit the Duration of Polls and Scrutinies, and for making other Regulations touching the Election of Members to serve in Parliament for Places within* England *and* Wales, *and* Berwick-upon-Tweed, *and also for removing Difficulties which may arise for Want of Returns being made of Members to serve in Parliament*, it is amongst other Things enacted, that from and after the First Day of *August* One thousand seven hundred and eighty-five, every Poll which shall be demanded at any Election for a Member or Members to serve in Parliament for any County, City, Borough, or other Place within *England*, *Wales*, or for the Town of *Berwick-upon-Tweed*, shall commence on the Day upon which the same shall be demanded, or upon the next Day at farthest, unless it shall happen to be a *Sunday*, and then on the Day after, and shall be duly and regularly proceeded in from Day to Day (*Sundays* excepted) until the same shall be finished, but so that no Poll for the Election of any Member or Members to serve in Parliament shall continue more than Fifteen Days at most (*Sundays* excepted); and if such Poll shall continue until the Fifteenth Day, the same shall be finally closed at or before Three in the Afternoon of the said Day: Be it enacted, That so much of the said recited Act as allows the Poll at any Election for a Member or Members to serve in Parliament for any City, Borough, Town, or Port within *England*, or for the Town of *Berwick-upon-Tweed*, to continue for Fifteen Days, shall be and the same is hereby repealed.

Poll not to continue longer than Eight Days in Cities, Boroughs, or Towns.

V. And be it further enacted, That from and after the passing of this Act, no Poll which shall be demanded at the Election of any Member or Members to serve in Parliament for any City, Borough, Town, or Port in *England* or *Wales*, shall continue longer than Eight Days at most (*Sundays* excepted); and if such Poll shall continue until the Eighth Day, then the same shall be finally closed at or before the Hour of Three of the Clock in the Afternoon of the same Day.

Returning Officer not to make Proclamation of Return until he has decided on doubtful Votes.

VI. And be it further enacted, That when the Poll shall finally be closed, and before Proclamation of the Return has been made, if any Candidate or his Agent, or Two Electors, shall certify to the Returning Officer that the Votes of any Persons offering to poll have been objected to, and referred to the Returning Officer or Assessor for Decision, in the Manner herein-before directed, and that such Returning Officer or Assessor has not declared his Decision with respect to all such Votes, in that Case the Returning Officer shall not make Proclamation of the Return until Three of the Clock in the Afternoon of the Third Day following (unless he shall before that Time have decided on all such Votes as have been referred to him), but he (or his Assessor) shall continue to decide with respect to the Validity of such Votes in the Manner herein-before directed, and shall cause the Names of all Persons whose Votes shall be adjudged valid to be added

to

Proviso. to the Poll: Provided always, that if at Three of the Clock in the Afternoon of the Third Day following that on which the Poll shall have finally been closed there shall still remain any Votes on which no Decision has been made, the Returning Officer shall notwithstanding proceed forthwith to proclaim the Return.

As to Scotland, Ireland, London, and Westminster. VII. Provided always, and be it enacted, That none of the Provisions of this Act shall extend to *Scotland* or *Ireland*, nor to the Cities of *London* or *Westminster*.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1828.