CHAP. 21.

An Act to amend the law relating to the Payment of the Expenses of Commissioners of Inquiry into Corrupt Practices at Elections of members to serve in Parliament. A.D. 1869.

[24th June 1869.]

WHEREAS by the Act of the session of the fifteenth and sixteenth years of the reign of Her present Majesty, chapter fifty-seven, entitled "An Act to provide for more effectual inquiry "into the existence of corrupt practices at the elections of members "to serve in Parliament," power is given to Her Majesty, in the events therein mentioned, by warrant under Royal Sign Manual, to appoint commissioners, in this Act called Commissioners of Inquiry, for the purpose of making inquiry into the existence of corrupt practices in any election or elections of a member or members to serve in Parliament: 15 & 16 Vict. c. 57.

And whereas by the said Act it is provided that the Commissioners of Her Majesty's Treasury are to make order for the payment of the necessary expenses of any inquiry under that Act:

And whereas by The Parliamentary Elections Act, 1868, it is provided that the expenses of such inquiry as aforesaid shall be defrayed as if they were expenses incurred in the registration of voters for the county or borough in respect of which commissioners of inquiry have been appointed:

And whereas it is expedient to make further provision with respect to the payment of the said expenses:

Be it enacted by the Queen'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, as follows:

Preliminary.

1. This Act may be cited for all purposes as The Corrupt Practices Commission Expenses Act, 1869. Short title.

A.D. 1869.

Power of Treasury to advance money for payment of expenses of commission.

2. When commissioners of inquiry have been appointed as aforesaid, in the case of any county, city, or borough, the Commissioners of Her Majesty's Treasury may from time to time advance out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, or out of the growing produce thereof, such moneys as may be required for payment of the expenses of the inquiry to be made by such commissioners, and may pay the same accordingly, and such advances shall be repaid in manner herein-after mentioned upon a requisition of the Commissioners of the Treasury stating the amount of such advances, and such requisition shall be conclusive evidence of the amount therein stated, and of the payment thereof by the Commissioners of the Treasury.

Payment of expenses in England.

Repayment of advances made by the Treasury.

3. The following enactments shall be made with respect to the repayment to the Commissioners of the Treasury, of any advance made by them for payment of the expenses of any inquiry made by commissioners of inquiry in England:

1. The Commissioners of the Treasury shall forward their requisition to the local officer of the county, city, or borough, in respect of which commissioners of inquiry have been appointed, and shall require such officer to repay to them within one year the sum mentioned in such requisition, and it shall be the duty of the local officer to comply with the requisition made by the Commissioners of the Treasury.
2. The local officer shall mean in the case of a city or borough the town clerk, and in the case of a county the treasurer of the county.
3. In the case of a county the treasurer shall pay the amount required to the Commissioners of the Treasury out of the public stock of the county in the same manner in all respects as if the requisition of the Commissioners of the Treasury were an order of the justices of the peace for the payment to the clerk of the peace of the county of expenses incurred by him under The Registration Act, 1843, and the justices for such county shall levy the same by an addition to the county rate, to be assessed on the several parishes and townships within the county or division of the county, as the case may be, in respect of which such Commissioners of Inquiry have been appointed.
4. In the case of a city or borough the requisition of the Commissioners of the Treasury shall be laid before the local authority of such city or borough, and the local authority shall make and give to the local officer a certificate of the

sum to be paid by, and as the contribution of each of the parishes or townships situate within the city or borough, towards defraying the amount required, and thereupon the overseers of every such parish or township shall, out of the first monies to be collected for the relief of the poor, pay to the local officer the sum directed by such certificate to be paid as the contribution of the said parish or township, and the said local officer shall by means of such contributions defray the amount required to be paid to the Commissioners of the Treasury.

"The local authority of a city or borough" shall mean the common council or town council of the said city or borough, or if there be no such council, then the justices of the peace at the quarter sessions to be holden in or for the county in which such city or borough is situate.

5. If default is made by the local officer of any county, city, or borough in complying with a requisition made in pursuance of this Act by the Commissioners of the Treasury, then the said Commissioners shall determine the amount to be paid by and as the contribution of each of the parishes or townships situate within the city or borough toward the amount required, and thereupon the justices in general or quarter sessions assembled having jurisdiction over each of the parishes or townships respectively within such county, city, or borough shall, on the application of the Commissioners of the Treasury, raise the sum specified in such requisition, together with a further sum of ten per cent. in addition, by a rate on each of the parishes or townships respectively within the county, city, or borough, the local officer of which has so made default, and shall pay the amount so raised to the Commissioners of the Treasury, and any rate made by such justices in pursuance of this Act shall be levied in the same manner in all respects as a county rate or contribution to a county rate in any such county, city, or borough, and may be enforced accordingly.

6. "The Registration Act, 1843," shall mean the Act of the session of the sixth year of the reign of Her present Majesty, chapter 18, intituled "An Act to amend the law "for the registration of persons entitled to vote, and to "define certain rights of voting, and to regulate certain "proceedings in the election of members to serve in Parlia-"ment for England and Wales."

A.D. 1869.

7. All expressions in this Act shall have the same meaning as in The Registration Act, 1843, and the definitions of the said Act shall, so far as they are applicable, be deemed to be re-enacted in this Act.

Payment of expenses in Scotland.

Expenses of commission in Scotch counties.

4. In Scotland, where commissioners have been appointed in respect of a county, the requisition of the Commissioners of the Treasury for payment of the advances shall be forwarded to the commissioners of supply of the county, and the amount therein stated shall be paid by them within the specified time, being not less than three months from the date of such requisition, in the same manner in all respects as if such expenses were expenses incurred in the formation of a register of voters for such county.

Expenses of commission in Scotch burghs.

5. In Scotland, where commissioners have been appointed in respect of a burgh, the requisition of the Commissioners of the Treasury for payment of the advances shall be forwarded to the magistrates of the burgh, and the amount therein stated shall be paid by them within the specified time, being not less than three months from the date of such requisition, in the same manner in all respects as if such expenses were expenses incurred in the formation of a register of voters for such burgh.

Payment of expenses in Ireland.

Payment of expenses in Ireland.

6. In Ireland the requisition of the Commissioners of Her Majesty's Treasury for payment of the advances in the case of any county, county of a city, county of a town, or of any borough situate in any county at large shall be forwarded to the treasurer of such county, county of a city, or county of a town, and in the case of the city of Dublin to the city treasurer: Provided always that when such commission of inquiry shall have issued in respect of any borough situate in two or more counties the said Commissioners of the Treasury shall forward to the treasurer of every county in which any part of such borough is situate a certificate of the sum to be paid by and as the contribution of such county towards defraying the expenses of such commission, and the sum to be paid by every such county shall be calculated as nearly as may be according to the same relative proportion as the number of persons in each county placed on the register for such borough bears to the total number of persons upon the same register, and every such requisition shall have the force and effect of a presentment duly made by the grand jury of such county, county of a city, or county of a town, and in the case of the city of Dublin by the

town council of the borough of Dublin, and the treasurer shall forthwith issue his warrant for the levying and collecting the amount mentioned in such requisition, and such amount shall be raised and levied within six months after the date of such requisition in like manner to all intents and purposes as if the same had been presented under the provisions of section seventy of the Act of the session of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter sixty-nine, and shall be paid by the said treasurer as aforesaid to the said Commissioners of the Treasury.

Duration of Act.

7. This Act shall be in force until the expiration of two years from the passing thereof and to the end of the then next session of Parliament.

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