Penalty on Persons offending.

Pharmaceutist, or shall use, assume, or exhibit any Name, Title, or Sign implying that he is a Person registered under this Act, or that he is a Member of the said Society, every such Person shall be liable to a Penalty of Five Pounds; and such Penalty may be recovered by the Registrar to be appointed under this Act, in the Name and by the Authority of the Council of the said Society, in manner following; (that is to say,)

Penalties, how recoverable in England and Wales;

In *England* or *Wales*, by Plaint under the Provisions of any Act in force for the more easy Recovery of Small Debts and Demands:

in Scotland.

In *Scotland*, by Action before the Court of Session in ordinary Form, or by summary Action before the Sheriff of the County, or in the Royal Burghs before the Magistrates of the Burghs where the Offence may be committed or the Offender resides, who, upon Proof of the Offence or Offences either by Confession of the Party offending or by the Oath or Affirmation of One or more credible Witnesses, shall convict the Offender, and find him liable in the Penalty or Penalties aforesaid, as also in Expenses; and it shall be lawful for the Sheriff or Magistrate, in pronouncing such Judgment for the Penalty or Penalties and Costs, to insert in such Judgment a Warrant, in the event of such Penalty or Penalties and Costs not being paid, to levy and recover the Amount of the same by Poinding:

Provided always, that it shall be lawful to the Sheriff or Magistrate, in the event of his dismissing the Action and assoilzieing the Defender, to find the Complainer liable in Expenses; and any Judgment so to be pronounced by the Sheriff or Magistrate in such summary Application shall be final and conclusive, and not subject to Review, by Advocation, Suspension, Reduction, or otherwise.

Limitation for Recovery of Penalties, &c.

XIII. Provided always, That no Action or other Proceeding for any Offence under this Act shall be brought after the Expiration of Six Months from the Commission of such Offence; and in every such Action or Proceeding the Party who shall prevail shall recover his full Costs of Suit or of such other Proceedings.

Application of Penalties.

XIV. All and every Sums and Sum of Money which shall arise from any Conviction and Recovery of Penalties for Offences incurred under this Act shall be paid as the Commissioners of Her Majesty's Treasury shall direct.

Registrar falsifying Register, &c. guilty of a Misdemeanor.

XV. If any Registrar under this Act shall wilfully make or cause to be made any Falsification in any Matters relating to any Register or Certificate aforesaid, every such Offender shall be deemed guilty of a Misdemeanor.

Any Person wilfully procuring false Certificate guilty of a Misdemeanor.

XVI. If any Person shall wilfully procure by any false or fraudulent Means a Certificate purporting to be a Certificate of Registration under this Act, or shall fraudulently exhibit a Certificate purporting to be a Certificate of Membership of the Pharmaceutical Society, every such Person so offending shall be adjudged guilty of a Misdemeanor.

CAP. LVII.

An Act to provide for more effectual Inquiry into the Existence of corrupt Practices at Elections for Members to serve in Parliament. [30th *June* 1852.]

'WHEREAS it is expedient to make more effectual Provision for inquiring into the 'Existence of corrupt Practices at Elections of Members to serve in Parliament:' Be it therefore 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:

Upon Address of Houses of Parliament, Her Majesty may appoint

I. Where by a joint Address of both Houses of Parliament it shall be represented to Her Majesty that a Committee of the House of Commons appointed to try an Election Petition, or a Committee of that House appointed to inquire into the Existence of corrupt Practices in any Election or Elections of a Member or Members to serve in Parliament, have reported to

to the House that corrupt Practices have, or that there is Reason to believe that corrupt Practices have, extensively prevailed in any County, Division of a County, City, Borough, University, or Place in the United Kingdom electing or sharing in the Election of a Member or Members to serve in Parliament, at any Election or Elections of such Members or Member, and the said Houses shall thereupon pray Her Majesty to cause Inquiry to be made under this Act, by Persons named in such Address, such Persons being (where the Inquiry to be made relates to a Place in *England* or *Ireland*) Barristers-at-Law of not less than Seven Years Standing, or (where such Inquiry relates to a Place in *Scotland*) Advocates of not less than Seven Years Standing, and not being Members of Parliament, or holding any Office or Place of Profit under the Crown, other than that of a Recorder of any City or Borough, it shall be lawful for Her Majesty, by Warrant under Her Royal Sign Manual, to appoint the said Persons to be Commissioners for the Purpose of making Inquiry into the Existence of such corrupt Practices; and in case any of the Commissioners so appointed die, resign, or become incapable to act, it shall be lawful for the surviving or continuing Commissioners or Commissioner to act in such Inquiry as if they or he had been solely appointed to be Commissioners or a sole Commissioner for the Purposes of such Inquiry, and (as to such sole Commissioner) as if this Act had authorized the Appointment of a sole Commissioner; and all the Provisions of this Act concerning the Commissioners appointed to make any such Inquiry shall be taken to apply to such surviving or continuing Commissioner or Commissioners.

Commissioners to make Inquiry into corrupt Practices at Elections.

II. Every Commissioner appointed in pursuance of this Act shall, before beginning to act in the Execution of this Act, take the following Oath; (that is to say,)

Commissioners to be sworn.

'I *A.B.* do swear, That I will truly and faithfully execute the Powers and Trusts vested in me by an Act intituled [*here insert the Title of the Act*], according to the best of my Knowledge and Judgment. So help me GOD.'

And every such Commissioner appointed in *England* or *Ireland* shall take such Oath before a Justice of the Court of Queen's Bench or Common Pleas, or a Baron of the Court of Exchequer, in *England* or *Ireland* respectively; and every such Commissioner appointed in *Scotland* shall take such Oath before a Judge of the Court of Session in *Scotland*.

III. It shall be lawful for any Commissioners appointed under this Act to appoint, and at their Pleasure to dismiss, a Secretary, and so many Clerks, Messengers, and Officers as shall be thought necessary by One of Her Majesty's Principal Secretaries of State, for the Purpose of conducting the Inquiry to be made by them, and to pay to such Secretary, Clerks, Messengers, and Officers such Salaries and Allowances as shall be thought reasonable by the Commissioners of Her Majesty's Treasury.

Secretary and Clerks to be appointed.

IV. The Commissioners appointed under this Act to make Inquiry as aforesaid in relation to any County, Division of a County, City, Borough, University, or Place shall, upon their Appointment, or within a reasonable Time afterwards, go to such County, Division of a County, City, Borough, University, or Place, and shall from Time to Time hold Meetings for the Purposes of such Inquiry at some convenient Place within the same, or within Ten Miles thereof, and shall have Power to adjourn such Meetings from Time to Time, and from any One Place to any other Place within such County, Division of a County, City, Borough, University, or Place, or within Ten Miles thereof, as to them may seem expedient; and such Commissioners shall give Notice of their Appointment, and of the Time and Place of holding their First Meeting, by publishing the same in some Newspaper in general Circulation in such County, Division of a County, City, Borough, University, or Place, or the Neighbourhood thereof: Provided always, that such Commissioners shall not adjourn the Inquiry for any Period exceeding One Week, without the Consent and Approbation of One of Her Majesty's Principal Secretaries of State.

Place of Meeting.

V. Provided also, That it shall be lawful for the said Commissioners, with such Consent and Approbation as aforesaid, to hold Meetings of the said Commissioners in the Cities of *London* or *Westminster*, and to adjourn the same from Time to Time, as they may deem fit.

Commissioners may hold Meetings in London and Westminster.

Inquiry by the Commissioners.

VI. Such Commissioners shall, by all such lawful Means as to them appear best, with a view to the Discovery of the Truth, inquire into the Manner in which the Election in relation to which such Committee as aforesaid may have reported to the House of Commons, or where the Report of such Committee has referred to Two or more Elections, the latest of such Elections, has been conducted, and whether any corrupt Practices have been committed at such Election, and if so, whether by way of the Gift or Loan or the Promise of the Gift or Loan of any Sum of Money or other valuable Consideration, to any Voter or Voters, or to any other Person or Persons on his or their Behalf, for the Promise or the giving of his or their Vote or Votes, or for his or their refraining or promising to refrain from giving his or their Vote or Votes, at such Election, or for his or their procuring or undertaking to procure the Votes of other Electors at such Election, or whether by the Payment of any Sum of Money or Loan or other valuable Consideration whatsoever to any Voter, or to any other Person on his Behalf, before, during, or after the Termination of such Election, by way of Head Money, or in compliance with any Usage or Custom in the County, Division of a County, City, Borough, University, or Place to which the Inquiry relates, or how otherwise, or whether any Sum of Money or other valuable Consideration whatsoever has been paid to any Voter, or to any other Person on his Behalf, after the Termination of such Election, as a Reward for giving or for having refrained from giving his Vote at such Election; and in case such Commissioners find that corrupt Practices have been committed at the Election into which they are herein-before authorized to inquire, it shall be lawful for them to make the like Inquiries concerning the latest previous Election for the same County, Division of a County, City, Borough, University, or Place; and upon their finding corrupt Practices to have been committed at that Election it shall be lawful for them to make the like Inquiries concerning the Election immediately previous thereto for such County, Division of a County, City, Borough, University, or Place, and so in like Manner from Election to Election, as far back as they may think fit; but where-upon Inquiry as aforesaid concerning any Election such Commissioners do not find that corrupt Practices have been committed thereat, they shall not inquire concerning any previous Election; and such Commissioners shall from Time to Time report to Her Majesty the Evidence taken by them, and what they find concerning the Premises, and especially such Commissioners shall report with respect to each Election the Names of all Persons whom they find to have been guilty of corrupt Practice at such Election, and as well of those who have given Bribes for the Purchase or for the Purpose of purchasing the Votes of others as of those who have themselves received Money or any other valuable Consideration for having given or having refrained from giving, or for the Purpose of inducing them to give or to refrain from giving, their Votes at such Election, and also the Names of all Persons whom they find to have given to others, or to have received themselves, Payments by way of Head Money, or as a Reward for giving or refraining from giving their Votes at such Election, and all other Things whereby in the Opinion of the said Commissioners the Truth may be better known touching the Premises.

Reports to be laid before Parliament.

VII. Every Report which such Commissioners make to Her Majesty in pursuance of this Act shall be laid before Parliament within One Calendar Month next after such Report is made, if Parliament be then sitting, or if Parliament be not then sitting, then within One Calendar Month next after the then next Meeting of Parliament.

Power to send for Persons and Papers.

VIII. It shall be lawful for such Commissioners, by a Summons under their Hands and Seals, or under the Hand and Seal of any One of them, to require the Attendance before them at a Place and Time to be mentioned in the Summons, which Time shall be a reasonable Time from the Date of such Summons, of any Persons whomsoever whose Evidence, in the Judgment of such Commissioners or Commissioner, may be material to the Subject Matter of the Inquiry to be made by such Commissioners, and to require all Persons to bring before them such Books, Papers, Deeds, and Writings as to such Commissioners or Commissioner appear necessary for arriving at the Truth of the Things to be inquired into by them under this Act; all which Persons shall attend such Commissioners, and shall answer all Questions put to them by such Commissioners touching the Matters to be inquired into by them, and shall produce all Books, Papers, Deeds, and Writings required of them, and in their Custody or under

under their Control, according to the Tenor of the Summons: Provided always, that no Statement made by any Person in answer to any Question put by such Commissioner shall, except in Cases of Indictment for Perjury committed in such Answers, be admissible in Evidence in any Proceeding, civil or criminal.

Persons implicated in corrupt Practices who may be examined, and shall make a faithful Discovery, indemnified.

IX. For the more effectually prosecuting any Inquiry under this Act, every Person who has been engaged in any corrupt Practice at or connected with any Election of Members or a Member to serve in Parliament for any County, Division of a County, City, Borough, University, or Place to which any Inquiry under this Act relates, and who is examined as a Witness, and gives Evidence touching such corrupt Practice before the Commissioners appointed under this Act to make such Inquiry, and who upon such Examination makes a true Discovery to the best of his Knowledge touching all Things to which he is so examined, shall be freed from all Penal Actions, Forfeitures, Punishments, Disabilities, and Incapacities, and all Criminal Prosecutions, to which he may have been or may become liable or subject at the Suit of Her Majesty, Her Heirs or Successors, or any other Person, for anything done by such Person or Persons in respect of such corrupt Practice; and no Person shall be excused from answering any Question put to him by such Commissioners on the Ground of any Privilege, or on the Ground that the Answer to such Question will tend to criminate such Person.

Witnesses examined not to be indemnified unless they shall have a Certificate from the Commissioners.

X. Where any Witness is so examined as aforesaid, such Witness shall not be indemnified under this Act unless he receive from such Commissioners a Certificate in Writing under their Hands, stating that such Witness has, upon his Examination, made a true Disclosure touching all Things to which he has been so examined; and if any Action, Information, or Indictment be at any Time pending in any Court against any Person so examined as a Witness in manner above mentioned, for any corrupt Practice at any Election to which the Inquiry made by such Commissioners had reference, such Court shall, on the Production and Proof of such Certificate, stay the Proceedings in any such Action, Information, or Indictment, and may, in its Discretion, award to such Person such Costs as he may have been put to by such Action, Information, or Indictment.

Commissioners to examine on Oath, &c.

XI. It shall be lawful for any such Commissioners, or One of them, to administer an Oath, or an Affirmation where an Affirmation would be admitted in a Court of Justice on the ground of Religious Scruples, to all Persons who are examined before them touching the Things to be inquired into by them under this Act.

Penalty for Non-attendance, or refusing to give Evidence.

XII. If any Person on whom any Summons shall have been served, by the Delivery thereof to him or by the leaving thereof at his usual Place of Abode, fail to appear before the said Commissioners at the Time and Place specified in such Summons, it shall be lawful for the said Commissioners to certify such Default under their Hands and Seals, or under the Hand and Seal of any One of them, to any of Her Majesty's Superior Courts in *England* or *Ireland* or to the Court of Session in *Scotland*, or to the Lord Ordinary on the Bills in the said Court, as the Case may be; and thereupon such Court or Judge shall proceed against the Person so failing to attend, in the same Manner as if the said Person had failed to obey any Writ of Subpœna, or any Process issuing out of the said Court; and if any Person so summoned to attend as aforesaid, and having appeared before the said Commissioners, shall refuse to be sworn, or to make Answer to such Questions as are put to him touching the Matters in question by the said Commissioners, or to produce and show to the said Commissioners any Papers, Books, Deeds, or Writings being in his Possession or under his Control, which the Commissioners may deem necessary to be produced, or if any Person shall be guilty of any Contempt of the said Commissioners or their Office, the said Commissioners shall have such and the same Powers to be exercised in the same Way as any Judge of any of Her Majesty's Superior Courts of *England* or *Ireland*, or of the Court of Session in *Scotland*, sitting under any Commission, may now by Law exercise in that Behalf; and all Headboroughs, Gaolers, Constables, and Bailiffs shall and they are required to give their Aid and Assistance to the said Commissioners in the Execution of their Office.

Penalty for false swearing, &c.

XIII. Every Person who, upon Examination upon Oath or Affirmation before any Commissioners to be appointed under this Act, wilfully gives false Evidence, shall be liable to the Pains and Penalties of Perjury.

Expenses of Witnesses.

XIV. The said Commissioners shall have Power, if they deem fit, to award to any Witness summoned to appear before them a reasonable Sum for his or her travelling Expenses, and for his or her Maintenance according to a Scale to be determined and approved of by the Commissioners of Her Majesty's Treasury, and the said Commissioners shall certify to the said Commissioners of Her Majesty's Treasury the Names of the said Witnesses, together with the Sums allowed to each, and the said Commissioners shall pay to the said Witnesses the said Sums so allowed as aforesaid, out of any Money which may be provided by Parliament for the Purposes of the said Commission.

Expenses of the Inquiry.

XV. It shall be lawful for the Commissioners of Her Majesty's Treasury to make an Order for the Payment of the necessary Expenses of any Inquiry under this Act; and every Commissioner to be appointed under this Act shall be paid, at the Conclusion of the Inquiry, over and above his travelling and other Expenses, such Sum as the Commissioners of Her Majesty's Treasury think fit; and any Commissioners so appointed shall, after the Termination of their last Sitting, and after they have made their Report to Her Majesty, as hereinbefore directed, lay or cause to be laid before the Commissioners of Her Majesty's Treasury a Statement of the Number of Days they have been actually employed in the Inquiry made by them, together with an Account of the travelling and other Expenses of each of such Commissioners; and the Commissioners of Her Majesty's Treasury shall make an Order for the Payment to each Commissioner of the Sum which the Commissioners of Her Majesty's Treasury so think fit to be paid to him, and in respect of his travelling and other Expenses, which said Payments shall be made out of any Money which may be provided by Parliament for that Purpose.

Protection of Commissioners.

XVI. That the Commissioners shall have such and the like Protection and Privileges, in case of any Action brought against them for any Act done or omitted to be done in the Execution of their Duty, as is now by Law given by any Act or Acts now or hereafter to be in force to Justices acting in execution of their Office.

Limitation of Actions.

XVII. No Action shall be brought against any Commissioners appointed under this Act, or any other Person whomsoever, for any Thing done in the Execution of this Act, unless such Action be brought within Six Calendar Months next after the doing of such Thing.

CAP. LVIII.

An Act to continue certain Turnpike Acts in *Great Britain*. [30th *June* 1852.]

'WHEREAS it is expedient to continue for limited Times the Acts herein-after 'specified:' 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:

All Turnpike Acts which will expire on or before the End of next Session continued to 1st Oct. 1853, &c., with the following Exceptions: 53 G. 3. c. ccviii. 56 G. 3. c. xlvii.

I. Every Act now in force for regulating, making, amending, or repairing any Turnpike Road in *Great Britain*, which will expire on or before the End of the next Session of Parliament, shall be continued until the First Day of *October* in the Year One thousand eight hundred and fifty-three, and to the End of the then next Session of Parliament; except an Act of the Fifty-third Year of King *George* the Third, Chapter Two hundred and eight, "for amending the Roads from *Hodges* to *Beadles Hill* and *Cuckfield*, and from "*Beadles Hill* to *Lindfield*, and from the *Cuckfield and Crawley* Road to *Horsham*, and "from *Swingate* to *Shover Green*, all in the County of *Sussex*;" an Act of the Fifty-sixth Year of King *George* the Third, Chapter Forty-seven, "for enlarging the Term and Powers "of Two Acts of His present Majesty, for repairing and widening the Road from *Alder-*