ANNO QUADRAGESIMO PRIMO

GEORGII III. REGIS.

C A P. LXIII.

An Act to remove Doubts reſpecting the Eligibility of Perſons in Holy Orders to ſit in the Houſe of Commons. [23d *June* 1801.]

Preamble.

WHEREAS it is expedient to remove Doubts which have ariſen reſpecting the Eligibility of Perſons in Holy Orders to ſit in the Houſe of Commons, and alſo to make effectual Proviſion for excluding them from ſitting therein; be it therefore 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 no Perſon having been ordained to the Office of Prieſt or Deacon, or being a Miniſter of the Church of *Scotland*, is or ſhall be capable of being elected to ſerve in Parliament as a Member of the Houſe of Commons.

No Perſon ordained a Prieſt or Deacon, or being a Miniſter of the Church of *Scotland*, ſhall be capable of being elected a Member of the Houſe of Commons.

II. And be it further declared and enacted, That if any Perſon, having been ordained to the Office of Prieſt or Deacon, or being a Miniſter of the Church of *Scotland*, ſhall hereafter be elected to ſerve in Parliament as aforeſaid, ſuch Election and Return ſhall be void; and that if any Perſon, being elected to ſerve in Parliament as a Member of the

The Election of ſuch Perſon ſhall be void and if any Perſon after his Election ſhall be ordained a

Prieſt. &c. he ſhall vacate his Seat.

Penalty for ſitting or voting in either Caſe.

Houſe of Commons, ſhall, after his Election, be ordained to the Office of Prieſt or Deacon, or become a Miniſter of the Church of *Scotland*, then and in ſuch Caſe the Seat of ſuch Perſon ſhall immediately become void; and if any ſuch Perſon ſhall, in any of the aforeſaid Caſes, preſume to ſit or vote as a Member of the Houſe of Commons, he ſhall forfeit the Sum of Five hundred Pounds for every Day in which he ſhall ſit or vote in the ſaid Houſe, to any Perſon or Perſons who ſhall ſue for the ſame in any of His Majeſty's Courts at *Weſtminſter*; and the Money ſo forfeited ſhall be recovered by the Perſon or Perſons ſo ſuing, with full Coſts of Suit, in any of the ſaid Courts, by any Action of Debt, Bill, Plaint, or Information, in which no Eſſoign, Privilege, Protection, or Wager of Law, or more than One Imparlance, ſhall be allowed; and every Perſon againſt whom any ſuch Penalty or Forfeiture ſhall be recovered by virtue of this Act, ſhall be from thenceforth incapable of taking, holding, or enjoying any Benefice, Living, or Promotion Eccleſiaſtical, and of taking, holding, or enjoying any Office of Honour or Profit under His Majeſty, His Heirs or Succeſſors: Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to make void any Election of a Perſon to ſerve as a Member of the Houſe of Commons, which Election ſhall have taken place before the paſſing of this Act.

Elections before the paſſing of this Act not to be void.

Limitation of Actions.

III. Provided alſo, and be it enacted, That no Perſon ſhall be liable to any Forfeiture or Penalty inflicted by this Act, unleſs a Proſecution ſhall be commenced within Twelve Calendar Months after ſuch Penalty or Forfeiture ſhall be incurred.

What Proof ſhall be neceſſary.

IV. And be it further enacted, That Proof of the Celebration of Divine Service, according to the Rites of the Church of *England*, or of the Church of *Scotland*, in any Church or Chapel conſecrated or ſet apart for Publick Worſhip, ſhall be deemed and taken to be *primâ facie* Evidence of the Fact of ſuch Perſon having been ordained to the Office of a Prieſt or Deacon, or of his being a Miniſter of the Church of *Scotland*, within the Intent and Meaning of this Act.

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