

ANNO QUINTO & SEXTO

GULIELMI IV. REGIS.

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CAP. XXXVI.

An Act to limit the Time of taking the Poll in Boroughs at contested Elections of Members to serve in Parliament to One Day.

[25th *August* 1835.]

WHEREAS it would tend to promote the Purity of Elections and the Diminution of Expence if the Poll at all contested Elections of Members to serve in Parliament for Cities, Boroughs, and Towns, or for Counties of Cities or Counties of Towns, were taken in One Day: And whereas by an Act passed in the Second Year of the Reign of His present Majesty King *William* the Fourth, intituled *An Act to amend the Representation of the People in* England *and* Wales, it is among other Things enacted, that such Poll may remain open during the Space of Two Days: And whereas it is expedient to repeal that Part of the said recited Act which allows the Poll so to continue open during the Space of Two Days; 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 such Part of the said recited Act as allows the Poll to continue open during Two Days in Cities, Boroughs, and Towns, or in Counties of Cities or Counties of Towns, be repealed, and the same is hereby repealed.

2 & 3 W. 4. c. 45.

So much of recited Act as allows the Poll to be kept open Two Days repealed.

Period of polling.

II. And be it further enacted, That at every contested Election of a Member or Members to serve in Parliament for any City, Borough, or Town, or County of a City or County of a Town, the polling shall commence at Eight of the Clock in the Forenoon of the Day next following the Day fixed for the Election; and the polling shall continue during such One Day only; and no Poll shall be kept open later than Four of the Clock in the Afternoon: Provided always, that when such Day next following the Day fixed for the Election shall be *Sunday*, *Good Friday*, or *Christmas Day*, then in the Case it be *Sunday* the Poll shall be on the *Monday* next following; and in the Case it be *Good Friday*, then on the *Saturday* next following; and in the Case it be *Christmas Day*, then on the next following Day, if the same shall not be *Sunday*, and if it be *Sunday*, on the next following *Monday*.

Not more than 300 Voters to poll in One Booth.

III. And be it further enacted, That the Polling Booths or Compartments at each Polling Place shall be so divided and arranged by the Sheriff or other Returning Officer that not more than Three hundred Electors shall be allotted to poll in each such Booth or Compartment.

Not more than 100 Voters to poll in One Booth, if so required.

IV. And be it further enacted, That on the Requisition of any Candidate, or of any Elector being the Proposer or Seconder of any Candidate, the Booths or Compartments of each Polling Place shall be so divided and arranged by the Sheriff or other Returning Officer that not more than One hundred Electors shall be allotted to poll in each such Booth or Compartment: Provided always, that such Candidate or Elector making such Requisition shall pay all Expences incident upon such Division or Arrangement.

In case of such Requisition, Notice to be given of the Situation of Booths.

V. And be it further enacted, That in case any Requisition as aforesaid shall be made on or before the Day fixed for the Election, the Sheriff or other Returning Officer shall forthwith give public Notice of the Situation of such Booths, which shall be deemed to be sufficient Notice, any Law or Statute to the contrary notwithstanding.

Oaths of Allegiance, Supremacy, and Abjuration not to be taken.

VI. And be it further enacted, That no Elector at any Election shall be required to take the Oaths commonly called the Oaths of Allegiance, Abjuration, and Supremacy, nor any Oath or Oaths required to be taken by any Act of Parliament in lieu thereof; any Law or Statute to the contrary notwithstanding.

Liverymen of London, entitled to vote in respect of Premises, may vote at the Booth for the District where such Premises are situate.

VII. And be it further enacted, That such of the Freemen of the City of *London*, being Liverymen, as are or shall be entitled to vote in the Election of Members to serve in any future Parliament for the City of *London* in the Guildhall, and who are or shall be also entitled to vote in such Election as Owner or Tenant of Premises in such City, shall be entitled to vote at any such Election at the Booth or Place appointed for the Parish, District, or Part wherein the Property may be situate in respect of which he is so entitled to vote as aforesaid; and that such Vote shall be entered in the Poll Books either as the Vote of a Liveryman, or as Owner or Tenant, as the Person so voting shall direct.

VIII. And

Adjournment of Nomination or of Poll in case of Riot.

VIII. And be it enacted, That where the Proceedings at any Election shall be interrupted or obstructed by any Riot or open Violence, whether such Proceedings shall consist of the Nomination of Candidates or of the taking the Poll, the Sheriff or other Returning Officer, or the lawful Deputy of any Returning Officer, shall not for such Cause terminate the Business of such Nomination, nor finally close the Poll, but shall adjourn the Nomination or the taking the Poll at the particular Polling Place or Places at which such Interruption or Obstruction shall have happened until the following Day, and, if necessary, shall further adjourn such Nomination or Poll, as the Case may be, until such Interruption or Obstruction shall have ceased, when the Returning Officer or his Deputy shall again proceed with the Business of the Nomination or with the taking the Poll, as the Case may be, at the Place or Places at which the same respectively may have been interrupted or obstructed; and the Day on which the Business of the Nomination shall have been concluded shall be deemed to have been the Day fixed for the Election, and the Commencement of the Poll shall be regulated accordingly; and any Day whereon the Poll shall have been so adjourned shall not as to such Place or Places be reckoned the Day of polling at such Election, within the Meaning of this Act; and whenever the Poll shall have been so adjourned by any Deputy of any Sheriff or other Returning Officer, such Deputy shall forthwith give Notice of such Adjournment to the Sheriff or Returning Officer, who shall not finally declare the State of the Poll, or make Proclamation of the Member or Members chosen, until the Poll so adjourned at such Place or Places as aforesaid shall have been finally closed, and the Poll Books delivered or transmitted to such Sheriff or other Returning Officer, any thing herein-before or in any other Statute to the contrary notwithstanding: Provided always, that this Act shall not be taken to authorize an Adjournment to a *Sunday*; but that in every Case in which the Day to which the Adjournment would otherwise be made shall happen to be a *Sunday*, *Good Friday*, or *Christmas Day*, that Day or Days shall be passed over, and the following shall be the Day to which the Adjournment shall be made.

Not to extend to Scotland or Ireland.

IX. And be it further enacted, That nothing in this Act shall be construed to apply to *Ireland* or to *Scotland*.

Act may be repealed this Session.

X. And be it further enacted, That this Act may be altered, varied, or repealed by any Act to be passed in this present Session of Parliament.

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