



ANNO DUODECIMO & DECIMO TERTIO

VICTORIÆ REGINÆ.

Cap. xciv.

An Act to amend an Act passed in the Eleventh Year of the Reign of King *George* the First, for regulating Elections within the City of *London*, and for preserving the Peace, good Order, and Government of the said City.

[1st *August* 1849.]

WHEREAS by an Act passed in the Eleventh Year of the Reign of His Majesty King *George* the First, intituled *An Act for regulating Elections within the City of London*, 11 G. 1. c. 18. and for preserving the Peace, good Order, and Government of the said City, it was enacted, that the Right of Election of Aldermen and Common Councilmen for the several and respective Wards of the said City should belong and appertain to Freemen of the said City of *London*, being Householders, paying Scot, as therein-after mentioned and provided, and bearing Lot when required in their several and
[*Local.*] 17 Q respective

respective Wards, and to none other whatsoever; provided nevertheless, that the Houses of such Householdors be respectively of the true and real Value of Ten Pounds a Year at the least, and that such Householdors be respectively the sole Occupiers of such Houses, and have been actually in possession respectively of a House of such Value in the Ward wherein the Election is made by the Space of Twelve Calendar Months next before such Election: And whereas it is expedient that the Right of voting in the Election of Aldermen and Common Councilmen for the several and respective Wards of the said City should be extended and enlarged, and that the said recited Act should be altered and amended: May it therefore please Your Majesty that it may be enacted; and 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, That so much of the said recited Act as regulates the Right of voting in Elections of Aldermen and Common Councilmen for the several and respective Wards of the City of *London*, and the Time at which the Polling at such Elections shall commence, and the Period during which it shall continue, shall be and the same is hereby repealed.

So much of recited Act as regulates the Right of voting and the Time of polling at Wardmotes repealed.

Right of voting for Aldermen, Common Councilmen, and Ward Officers.

II. And be it enacted, That at every Election for Alderman or Common Councilman or Ward Officer for any Ward in the City of *London* every Freeman of the said City (not subject to any legal Incapacity) who shall occupy within the said City or the Liberties thereof, either solely or jointly with any other Person or Persons, any House, Warehouse, Counting-house, Office, Chambers, or Shop, and shall, in the Case of a sole Occupation, be rated in respect of such Premises in his own Name to an Amount not less than Ten Pounds *per Annum*, or, in the Case of a joint Occupation, be rated in the joint Names of the Occupiers to an Amount which, when divided by the Number of Occupiers, shall give a Sum of not less than Ten Pounds *per Annum* for each and every such Occupier, to the Police or any other Rate, and who shall be registered in the Register of Voters for the City of *London* in use at Elections for Members to serve in Parliament, and then in force, in respect to such Premises, shall be entitled to vote in any such Election for Alderman or Common Councilman or Ward Officer in the Ward in which such Premises shall be situate.

An alphabetical List of Voters to be made out on 1st Nov. of every Year, which shall be open

III. And be it enacted, That on the First Day of *November* in every Year the Alderman and Common Councilmen of each Ward shall make or cause to be made out an alphabetical List of all Persons who shall be entitled to vote as Freeman Occupiers under this Act, such List to be duly signed by the Alderman of the Ward; and the Ward Clerk shall keep a true Copy of such List, to be perused by any

any Person, without Payment of any Fee, at all reasonable Hours between the First and Fifteenth Days of *November* in every Year, and shall at all Times deliver a written or printed Copy of such List to any Person requiring the same, on Payment of a reasonable Price for each Copy; and the said List shall be the List of Freemen Occupiers entitled to vote, after the passing of this Act, at any Election for Alderman or Common Councilman or Ward Officer for any Ward.

to Inspection.

IV. And be it enacted, That the Service at such House, Warehouse, Counting-house, Office, Chambers, or Shop, of any Summons to pay Scot or bear Lot, or execute any Office, shall be good Service upon any Freeman, and be deemed good and sufficient Notice to him.

As to Service of Summons upon Freemen to pay Scot, &c.

V. And be it enacted, That every Freeman of the said City (not subject to any legal Incapacity) who shall occupy within the said City or the Liberties thereof, either solely or jointly with any other Person or Persons, any House, Warehouse, Counting-house, Office, Chambers, or Shop, and shall, in the Case of a sole Occupation, be rated in respect of such Premises in his own Name to an Amount not less than Ten Pounds *per Annum*, or, in the Case of a joint Occupation, be rated in the joint Names of the Occupiers to an Amount which, when divided by the Number of Occupiers, shall give a Sum of not less than Ten Pounds *per Annum* for each and every such Occupier, to the Police or any other Rate, and who shall be registered in the Register of Voters for the City of *London* in use at Elections for Members to serve in Parliament, and then in force, in respect to such Premises, shall be capable of being elected a Common Councilman for the Ward in which such Premises shall be situate, any Law, Custom, or Usage to the contrary thereof in anywise notwithstanding.

Qualification of Common Councilmen.

VI. And be it enacted, That whenever a Poll shall be demanded at any Election for Alderman or Common Councilman or Ward Officer for any Ward within the said City, the Polling shall commence at Ten o'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 such Poll shall not be kept open later than Four o'Clock in the Afternoon of such Polling Day: Provided always, that when such Day next following the Day fixed for the Election shall be *Sunday*, *Good Friday*, or *Christmas Day*, then, in case it be *Sunday*, the Poll shall be on the *Monday* next following, and in case it be *Good Friday* then on the *Saturday* next following, and in case it be *Christmas Day* then on the next following Day, if the same shall not

Regulations as to taking the Poll at Elections of Aldermen, Common Councilmen, and Ward Officers.

be

be *Sunday*, and if it be *Sunday* then on the next following *Monday* : Provided also, that in Cases where the Lord Mayor for the Time being shall, by reason of the Illness, Absence, or other Incapacity of any Alderman of the said City, be required to hold a Poll in more than One Ward on the same Day, it shall be lawful for the said Lord Mayor to appoint such Day, although the same may not be the Day next following the Day on which a Poll shall be demanded, as he shall think proper, for taking the Poll in each such Ward, and every Poll which shall be taken on the Day so appointed by the said Lord Mayor shall be as valid and effectual as if the same were taken on the Day next following the Day on which it shall have been demanded.

A Declaration to be made by Voters in lieu of the Oath heretofore taken.

VII. And be it enacted, That, instead of the Oath required by the said recited Act to be taken by any Person before he is admitted to poll at any Election of any Alderman or Common Councilman, every Person, before he is admitted to poll at any Election for Alderman or Common Councilman or Ward Officer for any Ward in the City of *London* shall make the Declaration herein-after mentioned ; that is to say,

‘ I DO declare, That I am a Freeman of London, and an Occupier
‘ of Premises in the Ward of _____ and that I have
‘ not polled before at this Election, and that I am on the List of
‘ Freemen Occupiers entitled to vote for the Ward of _____ .’

And if any Person shall refuse or neglect to make the Declaration hereby appointed to be made, then and in every such Case the Poll or Vote of such Person so neglecting or refusing shall be and the same is hereby declared to be null and void, and as such shall be rejected and disallowed.

Punishment for making false Declaration.

VIII. And be it enacted, That if any Person making any such Declaration as herein-before is mentioned shall wilfully, falsely, and corruptly declare any Matter or Thing which, if the same had been sworn in the usual Form, would have amounted to wilful and corrupt Perjury, every such Person so offending shall incur and be subject to the same Penalties and Forfeitures as by the Laws and Statutes of this Kingdom are or may be enacted or provided against Persons convicted of wilful and corrupt Perjury.

Disqualification of Aldermen and Common Councilmen.

IX. And be it enacted, That if any Person holding the Office of Alderman or Common Councilman for the City of *London* shall declare himself or shall be declared bankrupt or insolvent, or shall apply to take or shall take the Benefit of any Act for the Relief of Insolvent Debtors, or shall make any Composition with his Creditors, or shall altogether absent himself from his Duty for more than Six Calendar Months consecutively, unless prevented by Illness or other reasonable

reasonable Cause, or shall be convicted of Fraud or of any Crime, then and in every or any such Case such Person shall thereupon immediately become disqualified, and shall cease to hold the Office of Alderman or Common Councilman, as the Case may be, and the Court of Mayor and Aldermen of the City of *London* shall thereupon forthwith adjudge the said Office to be vacant; but any Person becoming disqualified and ceasing to hold such Office by reason of having made any Composition with his Creditors shall, on Payment of his Debts in full, be capable (if otherwise qualified) of being re-elected to such Office: Provided always, that any Act done by any such Alderman or Common Councilman so becoming disqualified as aforesaid, previously to his Office being adjudged by the said Court of Mayor and Aldermen to be vacant, shall have the same Force and Validity as if such Alderman or Common Councilman had not been so disqualified.

Proviso as to Acts done.

X. And be it enacted, That in lieu of the Oath or Affirmation which every Person being or becoming free of the City of *London* is upon taking up his Freedom now obliged to take, every such Person shall make and subscribe, before the same Parties by whom the said Oath or Affirmation is now required to be administered, a solemn Declaration in the Form or to the Effect following; that is to say,

A Declaration to be made by Freeman, in lieu of Oath or Affirmation, on taking up the Freedom.

‘ I *A.B.* do solemnly declare, ‘ That I will be good and true to our
 ‘ Sovereign Lady Queen Victoria; that I will be obedient to the
 ‘ Mayor of this City; that I will maintain the Franchises and Customs
 ‘ thereof, and will keep this City harmless in that which in me is;
 ‘ that I will also keep the Queen’s Peace in my own Person; that I
 ‘ will know no Gatherings nor Conspiracies made against the Queen’s
 ‘ Peace, but I will warn the Mayor thereof, or hinder it to my
 ‘ Power; and that all these Points and Articles I will well and truly
 ‘ keep according to the Laws and Customs of this City, to my
 ‘ Power.’

XI. And be it enacted, That the making and subscribing any such Declaration shall confer upon and shall entitle the Person making and subscribing the same to the same Rights and Privileges as he would have been entitled to, and shall subject him to the same Pains, Penalties, and Forfeitures as he would have been subject to, in case he had taken the Oath usually taken by Persons upon taking up their Freedom, and shall have the same Force and Effect in Law, and according to the Customs of the City of *London*, as the taking of the Freeman’s Oath now hath, and shall be deemed and taken to be a Compliance with the Custom of the said City, as fully and effectually as if the said Oath had been taken.

Declaration to have the same Effect as the taking of the Oath heretofore by Freeman.

1538

12° & 13° VICTORIÆ, *Cap.*xciv.

Public Act.

XII. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

LONDON :

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