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1st Session, 4th Parliament, 16 Victoria, 1852.

BILL.

An Act further to secure the Independence of the Legislative Assembly, by prohibiting the Clergy of all denominations from voting or interfering at Elections.

Received and Read a first time, Thursday, 2nd
September, 1852.

Second Reading, Monday, 6th September, 1852.

MR. PRINCE.

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BILL.

An Act further to secure the Independence of the Legislative Assembly, by prohibiting the Clergy of all denominations from voting or interfering at Elections.

WHEREAS it would tend further and better to secure the Independence of the Legislative Assembly of this Province if the Clergy were prevented from voting or interfering at elections; Be it therefore enacted, &c.,

Preamble.

- 1 That from and after the passing of this Act all Bishops, Priests, Deacons, Curates, and other Clergymen and Ministers of the Church of England and Scotland, or according to the rites of the Church of Rome, or under any other form or profession of religious faith or worship, whatsoever, shall be incapable and incompetent to
- 10 vote at any election of a member or members to serve in the Legislative Assembly of this Province, either in the present Parliament or in any Parliament to be hereafter holden, and it shall not be lawful for them, or any or either of them, by persuasion or promises, or any inducement, in any way to recommend or advise, or to endeavour to prevail upon an person to vote, or to use his or her
- 15 influence at any such election for or against any candidate, or in any way to meddle or interfere, before or at the time of any election, in any matters relating or incidental thereto; and the vote of any such Clergyman or Minister, if given at any such election, shall
- 20 be null and void to all intents and purposes whatsoever.

Clergymen and Ministers of Religion not to vote at or meddle with Elections.

II. And be it enacted, That if after the passing of this Act, any Bishop, Priest, Deacon, Curate, or other Clergyman, or Minister of the Church of England or Scotland, or according to the rites of the Church of Rome, or under any other form or profession of religious faith or worship whatsoever, shall vote at any election, or shall by persuasion or promises, counsel or advise, or by any inducement, or in any way or by any means whatsoever, persuade or advise or endeavour to prevail upon any person to vote or to use his or her influence at any such election for or against any candidate, or shall in any way meddle or interfere, before or at the time of any election in any matter relating or incidental thereto, he shall forfeit the sum of current money of this Province, the said sum to be recovered by any person who shall sue for the same, by action of debt, bill, plaint, or information in and before

Penalty for offences against this Act; and how recovered.

Proviso.

any Court of competent civil jurisdiction, in this Province; Provided that any person claiming the right of celebrating or solemnizing marriages in any part of this Province, or having within months next before the time of any alleged contravention of this Act by him, solemnized or celebrated any marriage or claimed the right of solemnizing or celebrating the same, shall be held to be a Minister or Clergyman within the meaning of this Act, but nothing in this provision shall be construed to exempt any Bishop, Priest, Deacon, Curate, or other Clergyman, or Minister, from the operation of this Act, although he shall not at any time have expressly claimed or exercised the right of celebrating or solemnizing in marriage. 5 10