

# Qualification, &c.

Of persons entitled to Vote at the present Election of Two Members to represent  
Charlottetown and Royalty.

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11th VICTORIA, Cap. 21, SECTION 60.

And be it enacted, That every Male person of the age of Twenty-one years or upwards, and not subject to any legal incapacity, who shall be sole owner of one whole Town Lot, Pasture Lot, Common Lot, or Water Lot, in any Town or Royalty within this Island, or who shall be Owner or Tenant of any House, Warehouse, Shop, or other Building of the yearly Rent or value of Ten Pounds, shall be entitled to Vote for the Election of a Member or Members to represent the said Town and Royalty in General Assembly, provided he shall have been possessed of such Town Lot, Common Lot, Pasture Lot, or Water Lot, or of such House, Warehouse, Shop or other Building, for at least Twelve Calendar Months previous to the date of the Writ of Election for said Town and Royalty.

SECTION 61.

And be it enacted, That the House, Warehouse, Shop, or other Building, in respect of the occupation of which any person shall be entitled to vote at an Election for any Town and Royalty as aforesaid, may be different Premises, occupied in immediate succession by such person during the space of Twelve Months next previous to the date of the Writ of Election.

SECTION 62.

And be it enacted, That in case any House, Warehouse, Shop or other Building, or any part thereof, or any Lot of Land as aforesaid, or any part thereof, situate in any Town or Royalty, shall be occupied by any person or persons either as sole Tenant or joint Tenants thereof, or as Co-partners in Trade or otherwise, such person or persons shall be entitled to vote at every Election for the Town and Royalty wherein the Premises so occupied are situated, if the person or persons claiming to vote shall in respect of his or their Tenancy, have been each severally and respectively paying Rent for the same after the rate of Ten Pounds *per annum*, whether the same be paid yearly or otherwise, and the premises in respect of which such person or persons shall claim to vote, shall have been occupied by him or them for Twelve Calendar Months, next before the test of the Writ of Election for such Town and Royalty: Provided always, that nothing herein contained, shall extend, or be construed to extend to entitle any person living as a Boarder or Lodger in any House within such Town or Royalty, to vote at the Election therein, unless otherwise qualified in the terms of this Act, and provided also, that any of the before mentioned qualifications in any Town or Royalty as aforesaid, shall not entitle the owner or occupier thereof to vote for any Member or Members to serve in General Assembly, for the County in which such Town and Royalty are situate.

SECTION 66.

And be it enacted, That every Mortgagor or *C'estui qui* Trust in actual possession by himself or his Tenant, of Land or Real Estate, of the yearly value of Forty Shillings, notwithstanding such Mortgage, or Trust outstanding, and the husband of every Woman who may be seized in Dower, of the Land of any former husband, where the Dower has been actually set off and reduced into possession, and shall be actually of the clear yearly value of Forty Shillings, shall be entitled and qualified to vote for any Town or Electoral District, in this Island wherein such land may be situated.

SECTION 67.

And be it enacted, That the clear yearly value in the two last preceding Sections mentioned, shall in every case, be estimated by the value of agricultural or other produce, which the Land or Property, *bona fide*, and actually yields, or by the annual value of the Buildings thereon erected and being.



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*Oath to be administered to an Elector claiming to vote for the Town or Electoral District in which he resides, or for either of them, and which vote is by this Act required to be polled in the Polling Division in which the Elector resides:—*

You, *A. B.*, do swear, that you are by Law qualified to vote for this Election, for the Town of \_\_\_\_\_ (or the \_\_\_\_\_ Electoral District, *as the case may be.*) in the County of \_\_\_\_\_ in right of the Property and Title which have now been taken down in the Poll Book, and read to you, and that you have not been polled or given a vote for any Candidate at this Election within this Polling Division, or any other Polling Division, and that the place of your abode is at \_\_\_\_\_ in the \_\_\_\_\_ Polling Division of the Town of \_\_\_\_\_ (or in the \_\_\_\_\_ Electoral District, *as the case may be.*) of \_\_\_\_\_ and is, according to the best of your knowledge and belief, within this Polling Division. So help you God.

*OATH to be administered to an Elector claiming to vote in any Town or Electoral District in which he does not reside, and which Vote is required to be given in the Polling Division wherever his qualification lies:*

You, *A. B.*, do swear, that you are by Law qualified to vote for this Election for the Town of \_\_\_\_\_ (or Electoral District, *as the case may be.*) in the County of \_\_\_\_\_ in right of the Property and Title which have now been taken down on the Poll Book, and read to you, and that according to your best knowledge and belief, the said Property lies in this Polling Division, and that you have not been polled or given a vote for any Candidate at this Election, either in this Polling Division or in any other Polling Division in this Town, (or District, *as the case may be.*) and that the place of your abode is not within this Electoral District. So help you God.

*OATH against Fraudulent Conveyances, and against Bribery, to be administered, when required, alike to all class of Voters:—*

You, *A. B.*, do swear, that the Property in respect whereof you do claim a right to give your Vote at this Election for the Town of \_\_\_\_\_ (or the \_\_\_\_\_ Electoral District, *as the case may be.*) of the County of \_\_\_\_\_ hath not been granted or conveyed to you fraudulently, on purpose to qualify you to give such vote, and that you have not received nor had for yourself, or any person whomsoever in trust for you, or for your use and benefit, directly or indirectly, any sum of money, office, place, employment, or gift, in order to give your vote at this Election, and that you have not before been polled, or given a vote for any Candidate at the said Election, and that your place of abode is at \_\_\_\_\_ So help you God.

SECTION 78.

*Penalty for taking, or procuring others to take Oath falsely.*

And be it enacted, That if any person shall wilfully, falsely, and corruptly, take any of the Oaths or Affirmations appointed and required by any of the provisions of this Act, and be thereof lawfully convicted by Indictment or Information, or if any person shall corruptly procure or suborn any other person to take the said Oaths or Affirmations, or any of them, and the person so procuring or suborning shall be thereof convicted, by Indictment or Information, every person so offending, shall be adjudged guilty of wilful and corrupt perjury, and shall for every such offence, incur and suffer such penalties, forfeitures, and disabilities, as persons convicted of wilful and corrupt perjury are or may be liable to.

SECTION 31.

*Penalty for Polling out of Polling Division.*

And be it enacted, That if at any Election, any person shall procure himself to be polled out of the Polling Division, wherein he ought to be polled, he shall, for every such offence, forfeit the sum of Five Pounds, and such Vote, so given, shall be struck off the Poll Books.

SECTION 32.

*Penalty for Voting more than once, or Voting under false Name.*

And be it enacted, That at any Election, if any person shall procure himself to be polled more than once at the same Election, for the same Town or Electoral District, or shall vote under a false or fictitious name, or shall personate and Vote in the name of any other person, or not being duly qualified to Vote, and be polled according to Law, and owning or possessing no House or Land, in the Polling Division for which he shall vote, shall wilfully and knowingly vote and cause himself to be polled, every such person so offending in either case aforementioned, shall, for every such offence, forfeit the sum of Ten Pounds.