

**LAW TIMES' EDITION OF IMPORTANT
STATUTES: AN ACT TO AMEND THE
LAW FOR THE REGISTRATION OF
VOTERS, &C. &C. INCORPORATING THE
REFORM ACT AND RECENT STATUTES**

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A N A C T

TO

AMEND THE LAW

FOR

THE REGISTRATION OF VOTERS,

&c. &c.

INCORPORATING THE

REFORM ACT AND RECENT STATUTES.

WITH

INTRODUCTION AND A COPIOUS INDEX.

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OF THE MIDDLE TEMPLE, BARRISTER-AT-LAW.

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P R E F A C E.

IT was the original purpose of the Editor to have published a complete Treatise on the Law and Practice of Registration, of Elections, and of Election Committees, embodying the numerous statutes and decisions of the last four years. One half of this task was completed when other occupations compelled a temporary cessation of the work, which, however, ere long, he hopes to resume. To this he had proposed to add a chapter detailing the minuter duties of the *business* of registration, and the forms and arrangements that aid the work in the agent's office, as suggested to him by many years of practical experience in the registration courts, and in elections both for counties and boroughs. That experience suggested the form of the following edition of a statute which makes great changes in this branch of the law. The Editor had, in his own practice, found those books only to be of utility which, in the hurry of a registration court, or the bustle of an election, will furnish the information required upon the instant, without the delay of references from one volume to another, or from page to page of the same volume. It was to avoid this inconvenience,

that he determined, though it might add somewhat to the bulk of this edition of the new statute, to embody so much of the Reform Act as is not wholly repealed by the Amendment Act, and to add the Act for shortening the duration of polls in boroughs, and that for increasing the polling places in counties; so that, within the compass of a single hand-book, and copiously indexed for reference, might be found all of the existing statute-law which the practitioner will require in the work of registration.

The changes effected by the new statute are numerous. They classify themselves under a few obvious divisions, a short outline of which may assist the reader in the study of the details.

Five principal objects appear to have been contemplated by the framers of this statute: 1st. A reconstruction of the machinery of registration; 2nd. The establishment of an appeal from the decisions of the revising barristers; 3rd. The removal of some objectionable restrictions upon the exercise of the franchise; 4th. The more prompt and efficient punishment of the personation of voters; and lastly, The settlement of some doubts which had arisen as to the construction of certain provisions of the Reform Act defining the franchises.

1. *The machinery of registration has been remodelled*, and the whole of that portion of the Reform Act which relates to it has been repealed. The main features of the original scheme are preserved, but many important alterations have been introduced into the details, for which the reader must be referred to the following pages. The most striking of these are the provisions for permitting

notices of claim or objection to be served by means of the post-office, and those giving to the revising barristers the power of enforcing costs in cases of frivolous claims and objections. The Editor feels the very strongest repugnance to these latter provisions, which he fears will be productive of great mischief, either by putting an end to *all* objections, and thus filling the registers with unqualified electors, or by affording to any person or party, backed by a purse, the means of fearlessly objecting to opponents who, if not so supplied with funds, will be unable either to defend their own friends or to object in like manner. He ventures, therefore, to express a hope, that this power will be very sparingly used by his learned brethren, and only in cases of gross and palpable vexation.

2. *An appeal is given to the Court of Common Pleas* from the decisions of the revising barristers, upon a case stated. The speedy effect of this wise provision will be to settle all such points as are yet disputable, and to render certain a branch of the law hitherto the most uncertain. To these appeals particular attention will be paid by the *Law Times*, in whose columns all registration appeal cases will be reported immediately, and with particular care, by the Editor of this statute.

3. *Certain restrictions upon the exercise of the franchise are removed.* The reader is aware that, by a strict construction of the questions to which the Reform Act limited the objections to an elector at the poll, the practical effect was to disfranchise him who had quitted the premises for which he was registered, even though he had gone by immediate

succession into the occupation of other premises of equal or greater value in the same city or borough. This palpable injustice has been removed by the following statute.

4. *Provisions are made for the detection and punishment of that not unfrequent offence, the personation of voters.* They appear to be well adapted to attain their object.

Lastly. *Some of the more disputable questions that have been raised in relation to the franchise are set at rest.* Certainly many others of equal prominence and equally doubtful are unnoticed. But the appeal given to the Court of Common Pleas has rendered direct legislation upon the subject comparatively unimportant.

In conclusion, the Editor hopes that the arrangement he has adopted will be found to have accomplished the object which it is the design of the series of the *Law Times' Edition of Important Statutes* to accomplish—that of supplying to the profession and the public a work of PRACTICAL UTILITY; and any suggestions for the improvement of the future volumes of the series, or for the amendment of this one in a second edition, will not only be readily received, but will be esteemed an obligation.

3, Crown Office Row, Temple,
5th June, 1843.