

**THE BALLOT ACT, 1872, FOR
PARLIAMENTARY AND
MUNICIPAL ELECTIONS: WITH
EXPLANATORY INTRODUCTION
AND NOTES, AND AN INDEX**

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The Ballot Act, 1872, for Parliamentary and Municipal Elections: With Explanatory Introduction and Notes, and an Index by W. A. Holdsworth

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W. A. HOLDSWORTH

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PREFACE.

It is not our purpose in these pages to discuss the merits of vote by Ballot. The long controversy to which this question has given rise has been terminated, at any rate for a time, by the passing of the recent Act, which applies both to parliamentary and municipal elections. Our object is simply to present our readers with a copy of the Act in a convenient form, accompanied by such explanations as may conduce to a correct understanding of its provisions. In order to enable any one readily to acquire a general knowledge of the measure, we have embodied in the Introduction a digest of the several sections and of the detailed rules by which their provisions will be carried out; bringing together as far as practicable under a convenient arrangement of headings all the clauses and rules relating to the same subject. In order to facilitate reference to the text of the statute, the numbers of clauses or rules containing the enactments referred to are given in each case. In the Introduction we have also considered at some length the construction of the

provisions which are supposed to render the secrecy of the ballot compulsory. Other points of importance are also noticed in the same place. As a rule, we have, however, reserved our comments on the construction of the Act for the notes, in which will also be found such portions of other Acts of Parliament as are referred to or incorporated in the Ballot Act. The provisions of the Registration Acts, being too long for insertion in the notes, will be found in the Appendix. We have endeavoured in this way to bring together all the law bearing on the subject, and at the same time to illustrate it by such observations and explanations as may be necessary or useful either to the professional or non-professional reader. An ample Index will, we trust, add materially to the usefulness of the work. It only remains to add, that the Ballot Act has already come into force at more than one bye-municipal election; that it will be in general operation at the municipal elections in November next; and that from this time forward it will govern all parliamentary elections.

4, BRICK COURT, TEMPLE,

July, 1872.

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THE
BALLOT ACT, 1872.

INTRODUCTION

THE prolonged contest to which the substitution of secret for open voting has given rise was terminated by the Act 35 & 36 Vict. c. 33, which has recently received the Royal assent. Into the merits or demerits of that measure it is not for us here to enter. Our object in these introductory observations is simply to furnish a complete but concise summary of the Act; to point out what seems to us to be the correct construction of some of its most important clauses; and at the same time to supply such references to its provisions as will enable any one, not only to verify our general statement of the law, but to obtain such further information as they may require on points of detail. In a subsequent part of the work will be found the full text of the Act, together with such notes as may be necessary or useful to the mastery of its contents.