

En-
clo-
ure

[1]



B I L L,

INTITULED

An Act for restraining any Person concerned in any Contract, Commission, or Agreement, made for the Publick Service, from being elected, or sitting and voting as a Member of the House of Commons.



And for further securing the Freedom and Independence of Parliament, be it enacted by the King'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, from and after the End of this present Session of Parliament, any Person who shall, directly or indirectly, himself, or by any Person whatsoever in Trust for him, or for his Use or Benefit, or on his Account, undertake, execute, hold, or enjoy, in the Whole or in Part, any Contract¹ made or entered into with² the Commissioners of His Majesty's Treasury, or of the Navy or Victualling Office, or with the Board of Ordnance, or with any One or more of such Commissioners, or with any other Person

Preamble:

Read and

proposed

Read

After the End of this Session, all Persons holding Contracts for the Publick Service shall be incapable of being elected, or sitting in the Houle of Commons.

² *Under or for*

³ *Master General or*

Agreement or Commission.

A

Person

Question whether (or) shall stand part of Clause.
Affirm
For 41. ag. 16.

Such Contractor or Commission
such as or they shall have
made or entered into as
aforesaid.

Except such Wares and
Merchandize as shall be
of his own Growth or
production or
Manufacture

Question whether
(or) Manufacture
shall stand part
of amendments
Affirm
For 27. ag. 25.

Then the Question was
put upon the whole Amendment
Affirm
For 39. ag. 15.

Then Earl Temple added
the following Amendment
after the words
(Manufacture)
also except such
Wares and Merchandize
as shall be hired out or contracted
for, for the Service of the
Publick.)

Person or Persons whatsoever, for or on account of the Publick Service; or shall knowingly and willingly furnish or provide, in pursuance of any Agreement with, or Commission from, the said Commissioners of the Treasury, or of the Navy or Victualling Office, or Board of Ordnance, or any of them, any Money to be remitted abroad, or any Wares or Merchandize to be used or employed in the Service of the Publick, shall be incapable of being elected, or of sitting or voting as a Member of the House of Commons, during the Time that he shall execute, hold, or enjoy, any such Contract, Agreement, or Commission, or any Part or Share thereof, or any Benefit or Emolument arising from the same.

And be it further enacted by the Authority aforesaid, That if any Person, being a Member of the House of Commons, shall directly or indirectly, himself, or by any other Person whatsoever in Trust for him, or for his Use or Benefit, or on his Account, enter into, accept of, agree for, undertake, or execute, in the Whole, or in Part, any such Contract, Agreement, or Commission, as aforesaid; or if any Person, being a Member of the House of Commons, and having already entered into any such Contract, Agreement, or Commission, or Part or Share of any such Contract, Agreement, or Commission, by himself, or by any other Person whatsoever in Trust for him, or for his Use or Benefit, or upon his Account, shall, after the End of this present Session of Parliament, continue to hold, execute, or enjoy the same, or any Part thereof, the Seat of every such Person in the House of Commons shall be, and is hereby declared to be void.

Provided always, and be it enacted, That nothing herein contained shall extend, or be construed to extend, to any Contract, Agreement, or Commission, made, entered into, or accepted, by any incorporated trading Company in its corporate Capacity, or to any Company now existing or established and consisting of more than Ten Persons, where such Contract, Agreement, or Commission, shall be made, entered

Any Member accepting a Contract, or continuing to hold any Contract beyond the present Session, his Seat in Parliament shall be void.

Not to extend to incorporated trading Companies.

The same was agreed to, and the Irish Enacting Clause thus amended was agreed to.
The House to be again in a Committee on this Bill on Thursday next & the Lords summoned

entered into, or accepted, for the general Benefit of such Incorporation or Company.

Provided also, and be it enacted, That nothing in this Act contained shall extend, or be construed to extend, to any Contract, Agreement, or Commission, made, entered into, or accepted, before the passing of this Act, the Term whereof will expire in the Space of One Year from the Time of making thereof.

Not to extend to Contracts already made for One Year.

Provided also, and be it enacted, That where any Contract, Agreement, or Commission, has been made, entered into, or accepted, with a Provision that the same shall continue until a Year's Notice be given of the intended Dissolution thereof, the same shall not disable any Person from sitting and voting in Parliament until One Year after the said Notice shall be actually given for the Determination of the said Contract, Agreement, or Commission, or till after Twelve Calendar Months, to be computed from the Time of passing this Act.

Clause relative to Contracts which are not to expire until a Year's Notice be given.

Provided also, and be it enacted, That nothing herein contained shall extend, or be construed to extend, to any Person on whom, after the passing of this Act, the Completion of any Contract, Agreement, or Commission, shall devolve by Descent or Limitation, or by Marriage, or as Devisee, Legatee, Executor, or Administrator, until Twelve Calendar Months after he shall have been in Possession of the same.

Not to extend to Contracts by Descent, &c. until after 12 Months Possession.

Provided also, and be it enacted, That any Person who is now a Member of the House of Commons, and holds and enjoys any such Contract, Agreement, or Commission, as aforesaid, may be discharged from the Execution thereof on giving Twelve Months Notice to the Person or Persons with or from whom such Contract, Agreement, or Commission, is made, entered into, or accepted, of his Desire that the same shall cease and determine; and such Contract, Agreement, or Commission, after the Expiration of the Term aforesaid, shall be null and void.

Members holding Contracts may be discharged therefrom on giving 12 Months Notice.

Provided

Clause relative to Patentees for new Inventions.

Provided also, That if any Person actually possessed of a Patent for a new Invention, or a Prolongation thereof by Act of Parliament, and having contracted with Government concerning the Object of the said Patent before the passing of this Act, shall give Notice of his Intention to dissolve the said Contract, the same shall be null and void from the Time of giving such Notice.

If any Person hereby disabled shall be elected, such Election shall be void.

And be it further enacted by the Authority aforesaid, That if any Person hereby disabled, or declared to be incapable to sit or vote in Parliament, shall nevertheless be returned as a Member to serve for any County, Stewartry, City, Borough, Town, Cinque Port, or Place, in Parliament, such Election and Return are hereby enacted and declared to be void: And if any Person, disabled and declared incapable by this Act to be elected, shall, after the End of this present Session of Parliament, presume to sit or vote as a Member of the House of Commons, such Person so sitting or voting shall forfeit the Sum of Five hundred Pounds for every Day in which he shall sit or vote in the said House, to any Person or Persons who shall sue for the same, in any of His Majesty's Courts at *Westminster*; and the Money so forfeited shall be recovered by the Person or Persons so suing, with full Costs of Suit, in any of the said Courts, by any Action of Debt, Bill, Plaint, or Information, in which no Effoin, Privilege, Protection, or Wager of Law, or more than One Impar lance, shall be allowed; or by summary Complaint before the Court of Session in *Scotland*; and every Person against whom any such Penalty or Forfeiture shall be recovered by virtue of this Act, shall be from thenceforth incapable of taking or holding any Contract, Agreement, or Commission, for the Publick Service, or any Share thereof, or any Benefit or Emolument from the same, in any Manner whatsoever.

Disabled Persons who shall sit in the House of Commons after this Session, shall forfeit 500*l.* for each Day.

A Condition to be inserted in all publick Contracts, that no Member of the House of Commons shall have any Share thereof.

And be it enacted, That in every such Contract, Agreement, or Commission, to be made, entered into, or accepted, as aforesaid, there shall be inserted an exprefs Condition, that no Member of the House of Commons be admitted to any Share or Part of such Contract, Agreement, or Commission,

mission, or to any Benefit to arise therefrom: And that in case any Person or Persons who hath or have entered into or accepted, or who shall enter into or accept, any such Contract, Agreement, or Commission, shall admit any Member or Members of the House of Commons to any Part or Share thereof, or to receive any Benefit thereby, all and every such Person and Persons shall, for every such Offence, forfeit and pay the Sum of Five hundred Pounds; to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by any Person or Persons who shall sue for the same, by any Action of Debt, Bill, Plaint, or Information, in which no Effoin, Privilege, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; or by summary Complaint before the Court of Session in *Scotland*.

Penalty on Contractors who shall admit any Member of the House of Commons to any Share of their Contracts.

Provided also, and be it enacted, That no Person shall be liable to any Forfeiture or Penalty inflicted by this Act, unless a Prosecution shall be commenced within Twelve Calendar Months after such Penalty or Forfeiture shall be incurred.

Limitation of Actions.

A

B I L L,

INTITLED

An Act for restraining any Person concerned in any Contract, Commission, or Agreement, made for the Publick Service, from being elected, or sitting and voting as a Member of the House of Commons.

(1782.)

6^o Gray 1782.

Amended