

Sheriff of *Edinburgh*, who shall annex it to his writ, and return it with the same into the court from whence the writ issued: and as to the other royal burghs, divided into fourteen classes or districts, the sheriffs or stewarts of the several shires and stewartries, shall on the receipt of their several writs, forthwith direct their several precepts to every royal borough within their respective shires or stewartries, reciting therein the contents of the writ, and the date thereof, and commanding them forthwith to elect each of them a commissioner as they used formerly to elect commissioners to the parliament of *Scotland*, and to order the said respective commissioners to meet at the presiding borough of their respective district (naming the said presiding borough) upon the thirtieth day after the day of the *Teste* of the writ, unless it be upon the Lord's day, commonly called *Sunday*, and then the next day after, and then to choose their burgesses for the parliament; and the common clerk of the then presiding borough shall immediately after the election, return the name of the person so elected to the sheriff or steward of the shire or stewartry wherein such presiding borough is, who shall annex it to his writ, and return it with the same into the court from whence the writ issued; and in case a vacancy shall happen in time of parliament, by the decease or legal incapacity of any member, a new member shall be elected in his room, conformable to the method herein before appointed; and in case such vacancy be of a representative for any one of the said fourteen classes, or districts of the said royal boroughs, that borough which presided at the election of the deceased or disabled member, shall be the presiding borough at such new election.

How vacancies happening in time of parliament shall be supplied.

VI. Provided always, That upon the issuing of writs of summons for the electing of a parliament, if any shire or stewartry wherein a royal borough is, hath not then a turn or right to elect a commissioner, or knight of the shire or stewartry for that parliament, that then it shall be omitted out of the writ directed to such sheriff or steward, to cause a knight, commissioner for that shire or stewartry, to be elected for that parliament.

Shire or stewartry, &c. not having a turn to elect, to be omitted out of the writ, &c.

C A P. VII.

An act for the security of her Majesty's person and government, and of the succession to the crown of Great Britain in the protestant line.

WHEREAS by the happy union of England and Scotland, it is become necessary to make divers alterations in relation to an act passed in the parliament of England, in the fourth year of the reign of her present Majesty, whom God long preserve, intituled, An act for the better security of her Majesty's person and government, and of the succession to the crown of England in the protestant line, and to extend the provisions of the said act throughout the whole united kingdom, for the better security of our most gracious

4 Ann. c. 8.

Persons who
by writing, &c.
shall declare,
&c. the Queen
not to be law-
ful Queen, or
that the pre-
tended prince
of Wales hath
any right to
the crown, &c.
1 W. & M.
Sess. 2. c. 2.

11 & 12 W. 3.
c. 2.

Guilty of
high treason.

Preachers, &c.
who shall de-
clare and af-
firm the Queen
not to be law-
ful Queen, &c.

1 W. & M.
Sess. 2. c. 2.

11 & 12 W. 3.
c. 2.

sovereign's person and government, and of the succession to the crown of Great Britain in the protestant line, as it is now by the laws and statutes of this realm settled, limited, and appointed; be it therefore enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and the commons, in this present parliament assembled, and by the authority of the same, That if any person or persons shall maliciously, advisedly, and directly, by writing or printing, maintain and affirm, That our sovereign lady the Queen that now is, is not the lawful and rightful Queen of these realms, or that the pretended prince of Wales, who now stiles himself King of Great Britain, or King of England, by the name of James the Third, or King of Scotland, by the name of James the Eighth, hath any right or title to the crown of these realms, or that any other person or persons hath or have any right or title to the same, otherwise than according to an act of parliament made in England in the first year of the reign of their late Majesties King William and Queen Mary, of ever blessed and glorious memory, intituled, *An act declaring the rights and liberties of the subject, and settling the succession of the crown*; and one other act made in England in the twelfth year of the reign of his said late majesty King William the Third, intituled, *An act for the further limitation of the crown, and better securing the rights and liberties of the subject*; and the acts lately made in England and Scotland mutually for the union of the two kingdoms; or that the Kings or Queens of this realm, with and by the authority of parliament, are not able to make laws and statutes of sufficient force and validity to limit and bind the crown, and the descent, limitation, inheritance, and government thereof; every such person or persons shall be guilty of high treason; and being thereof lawfully convicted, shall be adjudged traitors, and shall suffer pains of death, and all losses and forfeitures as in cases of high treason.

II. And be it further enacted by the authority aforesaid, That if any person or persons shall maliciously and directly, by preaching, teaching, or advised speaking, declare, maintain, and affirm, That our sovereign lady the Queen that now is, is not the lawful or rightful Queen of these realms, or that the pretended prince of Wales, who now stiles himself King of Great Britain, or King of England, by the name of James the Third, or King of Scotland, by the name of James the Eighth, hath any right or title to the crown of these realms, or that any other person or persons hath or have any right or title to the same, otherwise than according to an act of parliament made in England in the first year of the reign of their said late Majesties King William and Queen Mary, intituled, *An act declaring the rights and liberties of the subject, and settling the succession of the crown*; and one other act made in England, in the twelfth year of the reign of his late majesty King William the Third, intituled, *An act for the further limitation of the crown, and better securing the rights and liberties of the subject*; and the acts lately made

made in *England* and *Scotland* mutually for the union of the two kingdoms; or that the Kings or Queens of this realm, with and by the authority of parliament, are not able to make laws and statutes of sufficient force and validity to limit and bind the crown, and the descent, limitation, inheritance, and government thereof; every such person or persons shall incur the danger and penalty of *præmunire* mentioned in the statute of *præmunire* made in *England* in the sixteenth year of the reign of King *Richard* the Second.

To incur the penalty of *præmunire*.

16 R. 2. c. 5.

III. Provided always, and be it enacted by the authority aforesaid, That no person shall be prosecuted by virtue of this act for any words spoken, unless the information of such words be given upon oath to one or more justice or justices of the peace within three days after such words spoken, and the prosecution of such offence be within three months after such information; and that no person shall be convicted by virtue of this act for any such words spoken, but by the oaths of two credible witnesses.

No prosecution unless information be within 3 days after words spoken.

IV. And be it further enacted by the authority aforesaid, That this present parliament, or any other parliament which shall hereafter be summoned and called by her majesty Queen *Anne*, her heirs or successors, shall not be determined or dissolved by the death or demise of her said Majesty, her heirs or successors, but such parliament shall, and is hereby enacted to continue, and is hereby impowered and required, if sitting at the time of such demise, immediately to proceed to act, notwithstanding such death or demise, for and during the term of six months, and no longer, unless the same be sooner prorogued or dissolved by such person to whom the crown of this realm of *Great-Britain* shall come, remain and be, according to the acts for limiting and settling the succession, and for the union above-mentioned; and if the said parliament shall be prorogued, then it shall meet and sit on and upon the day unto which it shall be prorogued, and continue for the residue of the said time of six months, unless sooner prorogued or dissolved as aforesaid.

Parliament not to be dissolved by Queen's death.

But continue for 6 months after.

V. And be it further enacted by the authority aforesaid, That if there be a parliament in being, at the time of the death of her Majesty, her heirs or successors, but the same happens to be separated by adjournment or prorogation, such parliament shall immediately after such demise meet, convene and sit, and shall act, notwithstanding such death or demise, for and during the time of six months, and no longer, unless the same shall be sooner prorogued or dissolved as aforesaid.

Parliament to meet immediately after death.

VI. And be it further enacted by the authority aforesaid, That in case there is no parliament in being at the time of such demise that hath met and sat, then the last preceding parliament shall immediately convene, and sit at *Westminster*, and be a parliament to continue as aforesaid, to all intents and purposes, as if the same parliament had never been dissolved, but subject to be prorogued and dissolved as aforesaid.

In case there be no parliament, then the last preceding to meet.

VII. Provided always, and it is hereby declared, That nothing in this act contained shall extend, or be construed to extend

Not to abridge Queen's power to prorogue or

dissolve parliaments.
6 W. & M.
c. 2.

To extend to the parliament of Great Britain.

Privy council not to be dissolved by Queen's death.

Nor the places of the great officers.

Nor any offices civil or military.

But continue for six months.

Great seal, &c. to be used.

On Queen's death, privy council to cause the next

tend to alter or abridge the power of the Queen, her heirs or successors, to prorogue or dissolve parliaments, nor to repeal, or make void one act of parliament made in *England* in the sixth year of the reign of their said late majesties King *William* and Queen *Mary*, intituled, *An act for the frequent meeting and calling of parliaments*; but that the said act shall continue in force in every thing that is not contrary to, or inconsistent with the direction of this act; and the said act for the frequent meeting and calling of parliaments is hereby declared and enacted to extend to the parliament of *Great Britain*, as fully and effectually, to all intents, constructions, and purposes, as if the same were herein and hereby particularly recited and enacted.

VIII. And be it further enacted by the authority aforesaid, That the privy council of her Majesty, her heirs or successors for the kingdom of *Great Britain*, shall not be determined or dissolved by the death or demise of her Majesty, her heirs or successors; but such privy council shall continue and act as such by the space of six months next after such demise, unless sooner determined by the next successor to whom the imperial crown of this realm is limited and appointed to go, remain, and descend; nor shall the office or place of lord chancellor or lord keeper of the great seal of *Great Britain*, or of lord high treasurer of *Great Britain*, lord president of the council for *Great Britain*, lord privy seal of *Great Britain*, lord high admiral of *Great Britain*, or of any of the great officers of the Queen or King's household for the time being, nor shall any office, place, or employment, civil or military, within the kingdoms of *Great Britain* or *Ireland*, dominion of *Wales*, town of *Berwick* upon *Tweed*, isles of *Jersey*, *Guernsey*, *Alderney*, and *Sarke*, or any of her Majesty's plantations, become void by reason of the demise or death of her present Majesty, her heirs or successors, Queens or Kings of this realm; but the said lord chancellor or lord keeper of the great seal of *Great Britain*, the lord high treasurer of *Great Britain*, the lord president of the council, the lord privy seal, the lord high admiral of *Great Britain*, the great officers of the household, and every other person and persons in any of the offices, places, and employments aforesaid, shall continue in their respective offices, places, and employments, for the space of six months next after such death or demise, unless sooner removed and discharged by the next in succession as aforesaid.

IX. And be it further enacted by the authority aforesaid, That the great seal of *Great Britain*, the privy seal, privy signet, and all other publick seals in being, at the time of the demise of her Majesty, her heirs or successors, shall continue and be made use of as the respective seals of the successor, until such successor shall give order to the contrary.

X. And be it further enacted by the authority aforesaid, That whensoever her Majesty (whom God long preserve) shall happen to demise and depart this life without issue of her body, the privy council for *Great Britain* in being at the time of such demise

demise of her Majesty, shall with all convenient speed cause the next protestant successor entitled to the crown of *Great Britain*, by virtue of the acts before-mentioned, to be openly and solemnly proclaimed in *Great Britain* and *Ireland*, in such manner and form as the preceding Kings and Queens respectively have been usually proclaimed after the demise of their respective predecessors; and that all and every member and members of the said privy council, wilfully neglecting or refusing to cause such proclamation to be made, shall be guilty of high treason, and being thereof lawfully convicted, shall be adjudged traitors, and shall suffer pains of death, and all losses and forfeitures as in cases of high treason; and also all and every officer and officers within the said kingdoms of *Great Britain* and *Ireland*, who shall by the said privy council be required to make such proclamations, and shall wilfully refuse or neglect to make the same, shall be guilty of high treason, and being thereof lawfully convicted shall be adjudged traitors, and shall suffer pains of death, and all losses and forfeitures as in cases of high treason.

protestant successor to be proclaimed.

On pain of high treason.

XI. And because it may happen that the next protestant successor may, at the time of such demise of her Majesty, be out of the realm of *Great Britain* in parts beyond the seas; be it therefore enacted by the authority aforesaid, That for the continuing of the administration of the government in the name of such protestant successor, until her or his arrival in *Great Britain*, the seven officers herein after named, who shall be in the possession of their offices at the time of such demise of her Majesty, that is to say, The archbishop of *Canterbury* at that time being, the lord chancellor or lord keeper of the great seal of *Great Britain* at that time being, the lord high treasurer of *Great Britain* at that time being, the lord president of the council for *Great Britain* at that time being, the lord privy seal of *Great Britain* at that time being, the lord high admiral of *Great Britain* at that time being, and the lord chief justice of the *Queen's Bench* at that time being, shall be and are, by virtue of this act, constituted and appointed lords justices of *Great Britain*, and are and shall be, by virtue of this act, impowered, in the name of such successor, and in her and his stead, to use, exercise, and execute all powers, authorities, matters, and acts of government, and administration of government, in as full and ample manner as such next successor could use or execute the same, if she or he were present in person within this kingdom of *Great Britain*, until such successor shall arrive, or otherwise determine their authority.

In case successor be out of the realm at Queen's death;

Seven lords justices appointed.

XII. Nevertheless be it further enacted by the authority aforesaid, That such person who by the limitations aforesaid is or shall be next to succeed to the crown of this realm, in case of her Majesty's demise without issue, shall and is hereby impowered, at any time during her Majesty's life, by three instruments under her or his hand and seal, revocable or to be altered at her and his will and pleasure, to nominate and appoint

The successor (by three instruments) may add seven others.

such and so many persons, being natural born subjects of this realm of *Great Britain*, as she or he shall think fit, to be added to the seven officers before named, to the lords justices as aforesaid; who shall be impowered, by authority of this act, to act with them as lords justices of *Great Britain*, as fully and in the same manner as if they had been herein particularly named: which said lords justices, or the major part of them, which shall assemble, so as such major part, be not fewer than five, shall and may use and exercise all the powers and authorities before-mentioned, as fully and effectually, to all intents and purposes, as if all of them had been assembled together and consenting.

The three instruments to be transmitted into Great Britain.

And severally sealed up and deposited, &c.

XIII. And be it enacted by the authority aforesaid, That the said three instruments, revocable and to be altered, as aforesaid, shall be transmitted into *Great Britain*, to the resident of such person next to succeed, as aforesaid, whose credentials shall be enrolled in the high court of *Chancery*, and to the archbishop of *Canterbury*, and the lord chancellor or lord keeper of the great seal of *Great Britain*, close sealed up; and after they are so transmitted, shall be put into several covers, which shall be severally sealed up with three several seals of such resident, and of the archbishop of *Canterbury*, and of the lord chancellor or lord keeper of the great seal of *Great Britain*; and one of them, after it is so sealed up, shall be lodged and deposited in the hands of such resident, one other of them in the hands of the said archbishop of *Canterbury*, and one other of them in the hands of the lord chancellor or lord keeper of the great seal of *Great Britain*: and that if the next successor shall be minded to revoke or alter her or his nomination or appointment made, as aforesaid, and shall by three writings of the same tenor, under her or his hand and seal, require the said instruments deposited, as aforesaid, to be delivered up to some person or persons thereby authorized to receive the same, then and in such case the said persons with whom the said instruments shall be deposited, and every of them, and in case of any of their deaths, their executors or administrators respectively, and every other person in whose custody any of the said instruments shall happen to be, shall deliver up the said instruments accordingly; and they are hereby respectively authorized and required so to do: and if any of the said persons with whom the said instruments shall be so deposited shall happen to die, or be removed from their respective offices or employments, during the life of her present Majesty, such person and persons, and in case of any of their deaths, their executors or administrators respectively, and every other person in whose custody any of the said instruments shall happen to be, shall, with all convenient speed, deliver such of them as shall be in his or their custody, to the successor or successors of the person so dying or removed, as aforesaid; which said several instruments so sealed up and deposited, as aforesaid, shall immediately after the demise of her Majesty without issue, be brought before the privy council, where the same shall

shall be forthwith opened and read, and afterwards insollid in the high court of *Chancery*.

XIV. And be it further enacted by the authority aforesaid, That if any of the said persons with whom the said instruments shall be deposited, as aforesaid, or any of their executors or administrators, or any other person in whose custody the same shall happen to be after the deceases of any of the said persons, shall open any of the said instruments, or shall wilfully neglect or refuse to produce before the said privy council, as aforesaid, such of the said instruments as shall be in his or their custody as aforesaid, every such person so opening, neglecting or refusing, shall incur the pains and penalties of a *præmunire* inflicted by the said statute of *præmunire*.

Persons opening any of the said instruments, &c. guilty of a *præmunire*.

16 R. 2. c. 5.

XV. And be it further enacted by the authority aforesaid, That if all the said instruments deposited as aforesaid, shall not be produced before the said privy council as aforesaid, then any one or more of the said instruments so produced as aforesaid, shall be as effectual to give such authority as aforesaid, to the persons therein named, as if all of them had been produced as aforesaid: and if there be not any nomination by such instruments, then the said seven officers, or any five of them, are constituted and appointed to be lords justices of *Great Britain*, and are hereby invested with the powers and authorities mentioned in this act.

Any one of the instruments produced to the privy council, to be effectual.

XVI. And be it further enacted by the authority aforesaid, That any nomination and appointment already made by the next successor, signified by such instruments deposited as aforesaid, pursuant to the said former act for the better security of her Majesty's person and government, and of the succession to the crown of *England* in the protestant line, shall be deemed and taken to be as effectual for constituting and appointing the persons so nominated lords justices of *England* to be lords justices of *Great Britain*, to all intents, constructions and purposes, as if such nomination and appointment were made pursuant to this act.

Nomination of lords justices by successor, already made, to be as effectual as if appointed by this act.

XVII. And be it further enacted, That the said lords justices constituted as aforesaid, shall not dissolve the parliament continued and ordered to assemble and sit as aforesaid, without express direction from such succeeding Queen or King; and that the said lords justices shall be, and are hereby restrained and disabled from giving the royal assent in parliament to any bill or bills for the repealing or altering the act made in *England* in the thirteenth and fourteenth years of the reign of King *Charles the Second*, intituled, *An act for the uniformity of publick prayers, and administration of sacraments, and other rites and ceremonies; and for establishing the form for making, ordaining, and consecrating bishops, priests, and deacons in the church of England*; or the act made in *Scotland* in the last session of parliament there, intituled, *Act for securing the protestant religion, and presbyterian church government*; and all and every the said lords justices concurring in giving the royal assent to any bill or bills for repealing or altering the said acts,

Lord justices not to dissolve the parliament without direction, nor alter.

13 & 14 Car. 2. c. 4.

Or an act made in Scotland.

acts, or either of them, shall be guilty of high treason, and suffer and forfeit as in cases of high treason.

Lords justices
to take the
oaths, 1 W.
& M. sess. 1.
c. 8.

XVIII. And be it further enacted by the authority aforesaid, That the said lords justices before they act or intermeddle in their said offices, or any of the authorities hereby to them given, shall take the oaths mentioned in an act made in *England* in the first year of the reign of their late majesties King *William* and Queen *Mary*, intituled, *An act for abrogating the oaths of allegiance and supremacy, and appointing other oaths*; and also the oath herein after expressed and enacted to be taken after the demise of her Majesty without issue of her body; which said oaths shall be taken before the privy council appointed to continue by virtue of this act, who are hereby required and impowered to administer the same; and that all the members of both houses of parliament, and every member of the privy council, and all officers or persons in any offices, places, or employments civil or military, who are or shall be by this act continued as aforesaid, shall take the said oaths, and do all other acts requisite by the laws and statutes of this realm, to qualify themselves to be and continue in such their respective places, offices and employments, within such time, and in such manner, and under such pains, penalties, and disabilities, as they should or ought to do, had they been newly elected, appointed, constituted, or put into such offices, places, or employments in the usual and ordinary way.

By 1 Geo. 2.
stat. 1. c. 5.
and by 1 Geo.
2. stat. 2. c. 23.
Repealed as to
officers qualify-
ing themselves
anew.

And be deem-
ed officers of
trust.

XIX. And it is hereby further enacted and declared, That all and every the persons that shall be any of the lords justices by virtue of this act, shall be deemed and taken as persons executing offices of trust within *England*, and shall be required to do all acts requisite by the laws and statutes of *England*, to qualify themselves to be and continue in their said offices or places of trust, within such times, and in such manner, and under such pains, penalties, and disabilities as in and by the said act are required.

After Queen's
death, 1 Ann.
stat. 1. c. 22.

XX. And be it further enacted by the authority aforesaid, That from and after the demise of her Majesty without issue of her body, instead of the oath appointed to be taken by the act, intituled, *An act for the further security of her Majesty's person, and the succession of the crown in the protestant line, and for extinguishing the hopes of the pretended prince of Wales, and all other pretenders, and their open and secret abettors, and for declaring the association to be determined*, the following oath shall be taken by all persons required by the said act to take the said oath therein mentioned, and hereby altered and changed (that is to say)

following oath
to be taken.

The oath.

I A. B. do truly and sincerely acknowledge, profess, testify, and declare in my conscience, before God and the world, That our so-
vereign
is lawful and rightful
of this realm, and of all other
majesty's dominions
and countries thereunto belonging. And I do solemnly and sincerely
declare, That I do believe in my conscience, that the person pretended

to be prince of Wales during the life of the late King James, and since his decease pretending to be, and taking upon himself the stile and title of King of England, by the name of James the Third, hath not any right or title whatsoever to the crown of this realm, or any other the dominions thereto belonging: and I do renounce, refuse, and abjure any allegiance or obedience to him. And I do swear, That I will bear faith and true allegiance to and
will defend to the utmost of my power, against all traiterous conspiracies and attempts whatsoever which shall be made against person, crown, or dignity. And I will do my utmost endeavour to disclose and make known to Majesty and successors all treasons and traiterous conspiracies which I shall know to be against or any of them. And I do faithfully promise, to the utmost of my power, to support, maintain, and defend the succession of the crown against him the said James, and all other persons whatsoever, as the same by an act, intituled, An act for the further limitation of the crown, and better securing the rights and liberties of the subject, is and stands limited to the princess Sophia, electress and dutchess dowager of Hanover, and the heirs of her body, being protestants. And all these things I do plainly and sincerely acknowledge and swear, according to the express words by me spoken, and according to the plain and common sense and understanding of the same words, without any equivocation, mental evasion, or secret reservation whatever. And I do make this recognition, acknowledgment, abjuration, renunciation, and promise, heartily, willingly and truly, upon the true faith of a christian.

11 & 12 W. 3.
c. 2. 1

So help me God.

XXI. The blanks of which oath shall be filled up with the name of her or him, as Queen, or King, who shall be next in succession, according to the said act for the further limitation of the crown, and better securing the rights and liberties of the subject, when the said oath is to take place, and with the other proper additions of the words *her*, *his*, or *him*, and from and after the death of the said pretended prince of Wales, these words following, *viz.* [And I do solemnly and sincerely declare, That I do believe in my conscience, that the person pretended to be prince of Wales, during the life of the late King James, and since his decease pretending to be, and taking upon himself the stile and title of King of England, by the name of James the Third, hath not any right or title whatsoever to the crown of this realm, or any other the dominions thereto belonging: and I do renounce, refuse, and abjure any allegiance or obedience to him] shall be left out, and also the words [against him the said James, and all other persons whatsoever] shall be omitted, and instead thereof shall be inserted [against all persons whatsoever.]

How blanks
in the oath
shall be filled
up.

XXII. And be it further enacted by the authority aforesaid, That such next succeeding Queen or King shall and may make use of any seal, to affix to any writing or instrument, which she or he shall, before her or his arrival in Great Britain, make and pass, to execute and do, or cause to be executed or done,

The successor
may use any
seal before her
or his arrival
in Great Bri-
tain.

any

any regal act; and it being signified by such writing or instrument, that the same shall have the same effect as if passed under the great seal of *Great Britain*, or any other publick seal used there, the same shall be of the same force and effect, as if it were actually sealed by the great seal of *Great Britain*, or such other publick seal, which the same is declared to be intended to have the force and effect of in such writing or instrument.

Parliament called by lords justices not to be dissolved by arrival of successor.

XXIII. And be it further declared and enacted, That if, after the death of her Majesty without issue, and before the arrival of any succeeding Queen or King in *Great Britain*, any parliament shall be called by the lords justices, by writs tested in their names; by the arrival of such succeeding Queen or King in *Great Britain*, such parliament shall not be dissolved, but after such arrival shall proceed without any new summons.

Proviso in case any of the great offices be in commission at Queen's death.

XXIV. Provided always, That if any of the aforesaid seven officers, other than the office of lord high treasurer of *Great Britain*, shall be in commission at the time of such demise of her Majesty, that then the first commissioner of such respective commission shall be one of the said lords justices of *Great Britain*, and use, exercise, and execute all powers, authorities, matters, and acts of government by this act vested in the said lords justices of *Great Britain*, according to the directions and provisions of this act, in as full and ample manner as if such office or offices were in the hands of a single person, provided, that if there be no lord high treasurer of *Great Britain*, and the office of treasurer of the Exchequer shall be in commission, then the first in that commission shall be one of the lords justices of *Great Britain*.

Persons in office, &c. made incapable of being elected members of the house of commons.

XXV. And be it further enacted by the authority aforesaid; That no person, who shall have in his own name, or in the name of any person or persons in trust for him, or for his benefit, any new office or place of profit whatsoever under the crown, which at any time since the five and twentieth day of *October*, in the year of our Lord one thousand seven hundred and five, have been created or erected, or hereafter shall be created or erected, nor any person who shall be commissioner or sub-commissioner of prizes, secretary or receiver of the prizes, nor any comptroller of the accounts of the army, nor any commissioner of transports, nor any commissioner of the sick and wounded, nor any agent for any regiment, nor any commissioner for any wine licences, nor any governor or deputy governor of any of the plantations, nor any commissioners of the navy employed in any of the out-ports, nor any person having any pension from the crown during pleasure, shall be capable of being elected, or of sitting or voting as a member of the house of commons in any parliament which shall be hereafter summoned and holden.

By 1 Geo. 1. Stat. 2. c. 56. No pensioner for years shall sit in the house, &c.

See 15 Geo. 2. c. 22.

Accepting office of profit while a member, election void: but may

XXVI. Provided always, That if any person being chosen a member of the house of commons, shall accept of any office of profit from the crown, during such time as he shall continue a member, his election shall be, and is hereby declared to be void, and

and a new writ shall issue for a new election, as if such person be again elected so accepting was naturally dead. Provided nevertheless, That such person shall be capable of being again elected, as if his place had not become void as aforesaid.

XXVII. Provided also, and be it enacted, That in order to prevent for the future too great a number of commissioners to be appointed or constituted for the executing of any office, that no greater number of commissioners shall be made or constituted for the execution of any office than have been employed in the execution of such respective office at some time before the first day of this present parliament.

XXVIII. Provided also, That nothing herein contained shall extend, or be construed to extend to any member of the house of commons, being an officer in her Majesty's navy or army, who shall receive any new, or other commission in the navy or army respectively.

XXIX. And be it further enacted, That if any person hereby disabled, or declared to be incapable to sit or vote in any parliament hereafter to be holden, shall nevertheless be returned as a member to serve for any county, stewardry, city, town, or cinque port, in any such parliament, such election and return are hereby enacted and declared to be void to all intents and purposes whatsoever; and if any person disabled, or declared incapable by this act to be elected, shall after the dissolution or determination of this present parliament presume to sit or vote as a member of the house of commons in any parliament to be hereafter summoned, such person so sitting or voting shall forfeit the sum of five hundred pounds, to be recovered by such person as shall sue for the same in *England*, by action of debt, bill, plaint or information, wherein no essoin, protection or wager of law shall be allowed, and only one imparlance.

XXX. And be it further enacted and declared, That every person disabled to be elected, or to sit or vote in the house of commons of any parliament of *England*, shall be disabled to be elected, or to sit or vote in the house of commons of any parliament of *Great Britain*.

XXXI. And be it further enacted by the authority aforesaid, That no person, who now is a commissioner for disposing the sum of three hundred ninety eight thousand and eighty five pounds ten shillings, and all other sums arising to *Scotland* by way of equivalent, upon the agreements, and to the purposes mentioned in the articles of union of the two kingdoms, shall for or by reason of such commission, or any other commission for disposing the said equivalent, or any part thereof, or the execution of any such commission, or any thing relating thereunto, be disabled from being elected a member of parliament, or sitting or voting as such in this or any future parliament.