

This historic book may have numerous typos and missing text. Purchasers can download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1878 Excerpt: ...where it is found by the report of the judge upon an election petition under the Act that bribery has been committed by or with the knowledge and consent of any candidate at an election, such candidate shall be deemed to have been personally guilty of bribery at such election, and his election, if he has been elected, shall be void, and he shall be incapable, amongst other things, of being registered as a voter and voting at any election in the United Kingdom during the seven years next after the date of his being found guilty of such personal bribery. Now, there is no doubt at all that the learned judge has not reported in the words of the statute, because he has not reported that a corrupt practice has been committed with the knowledge and consent of the candidate. He may have intended to have found him personally guilty within the meaning of the enactment when he says that he has been guilty; but he has not said so in words that are unambiguous and plain, according to the Act of Parliament. In the Corrupt Practices Act 1854 (17 & 18 Vict. c. 102), the term corrupt practice is used of practices committed without the knowledge and consent of the candidate, and in sect. 36 of that Act it is expressly said that a man may be guilty of bribery by his agents as well as by himself. The terms of sect. 46 of the 31 & 32 Vict. c. 125 (the Parliamentary Elections Act 1868) are, to my mind, still stronger to the same effect. In that section it is said that for the purpose of disqualifying, in pursuance of sect. 3d of the Corrupt Practices Prevention Act 1854, a member guilty of corrupt practices other than personal bribery within sect. 43, the report of an election judge shall be deemed to be substituted for the declaration of an ele...

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