

C H A P.

I.

On Death or Removal of a Member, the Writ of Election shall issue on the Speaker's Warrant.

II. **Be it Enacted**, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of this present General Assembly, and the Authority of the same, That whensoever any Vacancy shall happen by the Death or Removal of any Member of the Lower House of Assembly, Writs of Election shall immediately issue, upon the Honourable Speaker, for the Time being, his issuing his Warrant to the Secretary to prepare such Writ or Writs, directed to the several Persons or Bodies Politic, to whom the Execution of such Writ or Writs shall belong, who are hereby authorized and empowered immediately to proceed to the Execution of such Writ or Writs, according to the Directions of the aforementioned Law, without any Regard had to the Space of Time betwixt the Test and Return of such Writ or Writs, so as public Notice be given of the Election in a County, according to the Directions of the said Law; and Four Days Notice of the Election, in each City or Borough.

All professed Papists are declared incapable of Voting, unless they first qualify by taking the Oaths, &c.

III. **And** whereas notwithstanding all the Measures that have been hitherto taken for preventing the Growth of Popery within this Province, it is very obvious, that not only profest Papists still multiply and increase in Number, but that there are also too great Numbers of others that adhere to and espouse their Interest, in Opposition to the Protestant Establishment: And being under just Apprehensions (from what Steps they have already taken) that if Papists should continue to be allowed their Vote in electing of Delegates, they, with their Adherents, and those under their Influence, will make such a Party at the Elections of many of the Counties within this Province, as well as the City of *Annapolis*, as to determine the Choice in some of their great Favourites and Adherents, which if they should accomplish, how much it would tend to the Discouragement and Disturbance of his Lordship's Protestant Government, is not easy to imagine: It is therefore humbly prayed, that it may be Enacted; **And be it Enacted**, by the Authority aforesaid, by and with the Advice and Consent aforesaid, That all profest Papists whatsoever, be (and are hereby Declared) incapable of giving their Vote in any Election of a Delegate or Delegates within this Province, either for Counties, Cities or Boroughs, unless they first qualify themselves for so doing, by taking the several Oaths appointed to be taken by an Act of Assembly of this Province, entitled, *An Act for the better Security of the Peace and Safety of his Lordship's Government, and the Protestant Interest within this Province*, and subscribe the Oath of Abjuration and Declaration therein mentioned.

Sheriffs, &c. may tender the Oaths to Persons suspected of Popery, and on their Refusal, may set aside their Votes.

IV. **And further**, inasmuch as too many Persons that are either really Papists, or Popishly inclined, act in Disguise, and will not make any public Profession of their Principles, for the better and more effectual carrying on their wicked and malicious Designs, for the undermining and subverting our present Establishment; **Be it therefore further Enacted**, by the Authority, Advice and Consent aforesaid, That it shall and may be lawful for the Sheriff, or other Judges of Elections, and such Sheriff, or other Judges, are hereby required, as often as any of them shall see needful (or upon the Information of any other Person duly qualified to vote) to tender and administer the Oaths and Subscriptions aforesaid, to any Person or Persons suspected to be Papists, or Popishly inclined, and upon their Refusal, to set aside such Vote or Votes.

But shall not hinder Quakers from their Votes.

V. **Provided always**, That nothing in this Act be construed to debar or hinder any of the People called and generally reputed Quakers, from their Votes in Elections, they being otherwise duly qualified.

See an Explanation of this Clause in 1724, *cb.* 18.

Sheriffs, &c. making undue Returns, shall be liable to the Penalties in the original Act.

VI. **And be it likewise Enacted**, That in case any Sheriff, or Body Politic, shall make any undue Return, contrary to the true Intent and Meaning of the Act aforesaid, or this present Act, such Sheriff, or Body Politic, shall be liable to the same Penalties and Forfeitures as Sheriffs are made liable to by