



Parliamentary Elections (Ireland) Act 1823

CHAPTER 55

PARLIAMENTARY ELECTIONS (IRELAND) ACT 1823

- So much of recited Acts as relate to Election of Members for Counties of Cities and Counties of Towns, repealed.
- II Mayor or other Chief Magistrate to hold Sessions for Registry of Freeholders. If Two Justices attend, Mayor's Presence not necessary.
 - III Freeholds may be registered at any Sessions.
 - IV Freeholders, having Freeholds (not consisting of a Rentcharge) of 50l. or 20l. to take the following Oath.
 - V Persons holding Freeholds consisting of Rentcharge of 50l. or 20l. to take the following Oath. Oath.
 - VI Freeholders under the Value of 20l. to take the following Oath. Oath. Persons having Freeholds not arising from a Deed or Lease, to describe the same in the Oath;
 - VII No Tax, Cess, &c. shall be deemed a Charge, &c.
 - VIII Oath to be signed by Mayor, Justices or Recorder, &c. and delivered to Clerk of the Peace.
 - IX Where 50l. Freeholders take Oath as herein in Dublin, or Assizes, &c. such may be produced at Sessions, &c. and shall, be as good as if taken at Sessions.
 - X Freeholders on actual Service in Army or Militia, may register where they are quartered.
 - XI Freeholds not to be registered, unless Instruments under which they arise be stamped.
 - XII Certificate of Registry to be given to Freeholder, for which the Clerk of the Peace shall be paid 3d.
 - XIII Substance of Affidavit to be entered in Registry Book.
 - XIV Deed or Lease produced by Persons registering Freehold to be indorsed by Clerk of the Peace.
 - XV Registry not to be impeached for Irregularity in holding Sessions.

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- XVI Franchises of Persons already registered not to be affected.
 - XVII Penalty on Mayor, &c. for Neglect of Duty, 100l. Penalty on Clerk of the Peace for Neglect of Duty, 50l.
 - XVIII Clerk of the Peace shall make Entries of such Registers in alphabetical Books.
 - XIX Copies of Books to be printed. One Copy to be delivered to each Justice, and Six Copies to each Member.
 - XX Clerk of the Peace to furnish Copies of Entries in Registry Books, and to be paid at the Rate of 3d. for every 100 Names. Penalty for omitting to furnish Copy, 100l.
 - XXI Clerk of Peace neglecting to keep Books or to make Entries, &c. shall forfeit 100l. and be disqualified; for neglecting to attend at Sessions &c. 50l.
 - XXII Grand Juries may present for Expence of printing alphabetical Books, and providing Registry Books.
 - XXIII No Freeholder to vote unless registered. Freeholds of 20l. or 40s. to be registered within 8 Years before Teste of Writ ; Freeholds of 50l. or 20l. to be registered 6 Months ; and if let to Person under whom held, or for Term for which held, to be registered 12 Months. Rentcharger not to vote unless Freehold registered 12 Months. 40s. Freeholder not to be admitted to vote, if Freehold let to Person under whom derived ; or if Freehold let for Term for which held ; or unless 12 Months registered ; unless derived by Descent, &c. If Freehold shall come by Descent, to be 6 Months registered.
 - XXIV None to vote by virtue of Freeholds granted fraudulently, or in consideration of Increase of Rent.
 - XXV None to vote under 21 Years old.
 - XXVI Grant fraudulently made as Freehold, to be valid against Grantee.
 - XXVII Penalty on Persons making Grants as Freehold, to induce Lessees to register them as Freeholds, having only a Term of Years therein.
 - XXVIII Conveyances made fraudulently to qualify Voters shall be deemed valid against the Persons who grant them. All Covenants for Redemption shall be void. Persons who execute or prepare such Conveyances, or who vote under such, forfeit 100l.
 - XXIX No Trustee or Mortgagee to vote, unless in possession 12 Months before the Teste of Writ. Mortgagor may vote. Clergymen not obliged to register Ecclesiastical Freeholds. None precluded who have disposed of a Part, if they retain as much as sworn to.
 - XXX Town Clerk, or other proper Officer of City or Town, to keep Registry Book of Persons to whom Freedom shall be granted ; and give Lists of Entries when required, on receiving at the Rate of 3d. for every 100 Names. Penalty for Neglect, 100l.
 - XXXI Officers of Corporations to admit Candidates, &c. at Times herein mentioned, to inspect Books on Payment of 2s. 6d. and give Copies on receiving 2s. 6d. for each Admission. Penalty for Refusal, 100l.
 - XXXII Freemen not to vote unless admitted to Freedom, or Freedom granted to them, Six Months before Teste of Writ.
 - XXXIII Sheriffs shall indorse on Writs for Elections the Time of receiving thereof, and make Proclamation and affix Notice on the Court House.
 - XXXIV Whenever more than 800 Freeholders are registered in any County of a City or County of a Town, additional Places of polling shall be provided, &c. Deputies and Poll Clerks to be appointed.

- XXXV When Freemen shall exceed 1,000, Two Places of polling to be provided for them.
- XXXVI Polls shall begin on the Day when demanded or the Day after, and continue daily, and conclude at 3 o'clock on the 15th Day (Sundays, Christmas-day, and Good Friday excepted). Return shall be made on the 15th Day.
- XXXVII Returning Officer to take the following Oath :
- XXXVIII Oath of Clerk for taking Poll of Freeholders ; his Duty.
- XXXIX Oath of Clerk biking Poll of Freemen ; his Duty.
- XL Sheriff shall attend at a Booth separate from polling Booths, to decide disputed Questions.
- XLI Deputy Sheriffs to appoint in each Place of polling one Person to be Inspector and Agent, and another to be Clerk for checking the Poll Clerk for each Candidate.
- XLII Deputies may be removed, &c.
- XLIII On Demand of Candidates, Returning Officers shall appoint Interpreters. Oath.
- XLIV Clerk of the Peace shall appoint a Deputy to attend at Election with Registry Books and original Affidavits of Registry alphabetically arranged, &c. Such Deputy to receive 10s. per Day, and his Assistant 5s. per Day. Penalty for altering or defacing Affidavits, 10l.
- XLV Deputy Town Clerk to attend Sheriffs with Books containing Entries of Grants of Admissions to Freedoms. Allowance for Attendance 10s. per Day.
- XLVI Town Clerk to provide Copy of Grand Panel or Roll of Freemen for each polling Place, for Freemen ; and shall appoint Deputy to attend with it. Attendance 10s. per Day.
- XLVII Oath of not having voted before and of being of Age, to be put, if required. Oath.
- XLVIII Oath of not having received Reward for voting to be administered, if required. Oath.
- XLIX Deputy to refer to Registry Book, and Certificate of Registry deemed conclusive Evidence, and in default thereof, the original Affidavit.
 - L When Entry of Freehold appears in Registry, vote to be taken unless Oaths required or Objections made.
 - LI Questions to be put to Voters and to Freeholders if required. If Entry of Freehold shall not appear in Book, &c. Deputy to refer Person offering to vote to Returning Officer.
 - LII Questions to be put to Persons offering to vote as Freemen, if required.
 - LIII Where Vote is objected to a Memorandum of the Objection shall be made by the Poll Clerk for the Returning Officer to decide. Oath to be administered to such Voter. Vote may be allowed or rejected by Returning Officer or his Assessor.
 - LIV Circumstances under which Returning Officers reject Vote of Person claiming to be Freeholder.
 - LV Circumstances under which Votes tendered by Persons claiming to be Freemen, may be rejected.
 - LVI Improper Votes to be taken off the Poll by the Returning Officer on Complaint of Candidate before the final closing of the Poll. Affidavit to be sworn to, and Witnesses examined on Oath as to the Complaint.
 - LVII Returning Officer only to examine Voters objected to.
 - LVIII Restraining Persons from speaking during the Time of polling.
 - LIX Returning Officer may commit Persons obstructing the Poll.

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- LX Deputies shall not reject Votes or examine Voters except as before provided.
- LXI Instructions to be observed by Deputies.
- LXII Deputy to close and give up his Poll Book each Day to Officer, who shall sum up the Number. 50l. Penalty on Deputy refusing to deliver Poll Book, or polling after directed to stop, or before directed to begin, and Votes not allowed.
- LXIII Deputy Sheriffs and Officers neglecting their Duty at Election, shall lose their Compensation.
- LXIV Appointing the Hours for commencing and ending the Poll each Day.
- LXV After the 4th Day Returning Officer may close any Booth when 20 have not polled in the Day. But Booths for polling may be kept open if Persons be prevented by Force from coming to the same.
- LXVI Returning Officer may summon Constables, Bailiffs, &c. to attend Elections.
- LXVII In case of Death or Illness of Returning Officer, the first sworn Deputy shall perform the Duty. In case the first sworn Deputy should not be able to act, then the Deputies in Succession shall perform the Duty.
- LXVIII No more to be returned than required by the Writ. Officer to have casting Voice. Officer to forfeit 2,000l. if he returns more than the Number directed, and to be incapable of voting.
- LXIX Returning Officer or Deputy causing unnecessary Delay to forfeit 500l.
- LXX Rioting not to be an Excuse for closing the Poll. Persons rioting or injuring Poll Book, &c. to be transported for Seven Years.
- LXXI Return Writ to contain Certificate of Numbers who voted for respective Candidates.
- LXXII When Writs of Election are to be returned. Penalty 100l.
- LXXIII No Fee or Reward to Returning Officer; Contracts for making a Return shall be void. Persons giving or accepting such, forfeit the Amount and 200l.
- LXXIV Election of Persons under 21 Years shall be void, and new Writs issued.
- LXXV Punishment of Officers returning corruptly or partially.
- LXXVI Poll Books to be delivered to the Clerk of the Peace to be kept among the Records of the County.
- LXXVII Account of Sums received by Sheriffs for Expences of Election to be returned with the Poll Books to Clerk of the Peace.
- LXXVIII Clerk of the Peace to take an Oath for the Performance of his Duty. Oath.
- LXXIX Entertainments, Presents, Cockades, Promises, &c. disallowed.
- LXXX Persons having Freeholds under 20l. Value to vote though not residing thereon.
- LXXXI Persons who ask or receive any Reward for themselves or others, or who influence others for Reward, &c. forfeit 500l.
- LXXXII Persons polling Twice, or personating Voters, may be punished by Two Years Imprisonment.
- LXXXIII Penalty on fraudulent Voters, 20l.
- LXXXIV Persons voting from Freehold of which he is not in Possession, to be imprisoned Six Months.
- LXXXV Perjury.
- LXXXVI Mode of recovering Penalties.
- LXXXVII Treble Costs if nonsuited. Action to be commenced within One Year. General Issue may be pleaded. Double Costs.