



# Parliamentary Elections (Ireland) Act 1823

## 1823 CHAPTER 55

### **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.**

And be it enacted, That the Returning Officer's Deputy shall, if required by any Candidate or the Agent of any Candidate so to do, put the following Questions, and no others, to any Person tendering his Vote, or offering to poll at any Election for a Member to serve in Parliament for a County of a City or County of a Town in *Ireland*, without allowing any Person to interrupt him :

1. What is your Name ?
2. Where do you reside ?
3. Do you swear that you are possessed of a Freehold in the County of the City or County of the Town of [*naming the County of a City or County of a Town for which the Election is held ?*]
4. Where is such Freehold situated ?

And that the Returning Officer's Deputy shall then, if required by any Candidate or the Inspector of any Candidate so to do, refer to the Certificate of Registry, if one be produced by the Person tendering his Vote or offering to poll, or if none be produced, to the original Affidavit of Registry, and then shall immediately ask, if required by any Candidate or the Inspector of any Candidate so to do, without making or allowing any other Person to make any Comments or Observations upon the said Certificate or Affidavit, the following Questions :

5. Is the Freehold described in this Certificate or Affidavit of Registry [*as the Case may be*] the same Freehold which you now swear you are possessed of, or by virtue of which you now offer to vote ?

And that in case it shall appear to the Returning Officer's Deputy, from the Certificate or Affidavit of Registry, that any Person shall tender his Vote or offer to poll in respect of a Freehold of the Value of Forty Shillings only, the said Deputy shall then, if required by any Candidate so to do, put the following Questions :

6. Do you swear that you have been in the actual Occupation of this Freehold, as described in your Certificate or Affidavit of Registry [*as the Case may be*] by

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

tilling it or by grazing it or by residing upon it during the Whole of the last Twelve Months ?

7. Do you swear that the Freehold is now of the clear yearly Value of Forty Shillings, above all Charges payable out of the same ?

And when such Person so tendering his Vote or offering to poll shall have answered the Questions that shall have been demanded of him as aforesaid, such Deputy shall ask such Person for whom he votes; and the Vote of such Person shall be entered in the Poll Book according to his Answer, unless an Objection be made to such Vote in manner herein directed: Provided always, that if it shall appear to such Deputy, from the Answers which shall be given by any Person to the first Four Questions aforesaid, that his Freehold arises from a Rectory, Vicarage, or Curacy, or other Ecclesiastical Preferment, the said Deputy shall not proceed to put to such Person the other Questions herein-before mentioned; but when such Person shall have answered such Four Questions, such Deputy shall ask such Person for whom he votes ; and the Vote of such Person shall be entered in the Poll Book according to his Answer, unless an Objection be made to such Vote in Manner herein directed; and provided always, that if an Entry of the Affidavit or Affirmation of the Registry of the Freehold of any Person tendering his Vote or offering to poll, required by Law to be registered, shall not appear in the Registry Book, or that if any Person tendering his Vote or offering to poll shall not either produce such Certificate of Registry as by Law required, or be able to refer to an original Affidavit or Affirmation of his Registry, in the Possession of the Deputy Clerk of the Peace, or that if any such Person shall refuse to take the Oath aforesaid, or shall not give a direct Answer to each of the Questions to be put to him by the Returning Officer's Deputy, or that the Person so examined shall admit in his Answer or Answers to the said Question or Questions that he is not the Person whose Freehold is registered, or that he has no Freehold, or that the Freehold described in his Certificate or Affidavit or Affirmation of Registry [*as the Case may be*], is not the Freehold for which he tenders his Vote, or that he has not been in the Occupation thereof for the Whole of the last Twelve Months, or that the same is not at the Time of tendering his Vote of the Value of Forty Shillings, above all Charges payable out of the same; then and in every and in any such Case it shall and may be lawful to and for such Deputy and he is hereby required, authorized, and empowered to refer such Person to the Returning Officer or Officers, or his or their Assessor, for Examination, and to proceed immediately to receive the Vote of the next Person who shall tender his Vote or offer to poll,