



# Parliamentary Elections (Ireland) Act 1823

## 1823 CHAPTER 55

### **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.**

And be it further enacted, That if any Person shall be admitted to poll at any Election for a Member to serve in Parliament for a County of a City or County of a Town, who has polled before at such Election, or who has personated another Elector for the Purpose of polling at such Election, or who has polled by virtue of a forged Certificate of Registry, or who has polled by virtue of a Registry of an alledged Freehold under a Lease of Land or Tenements for a Life or Lives, made by a Lessor who had not at the Time of making the same a Freehold Estate therein ; or by virtue of a Registry of an alledged Freehold under a Lease of Land or Tenements for a Life or Lives, which Lease is to end and determine on some such Covenant or Condition, that a Freehold Estate has not been demised by the same; or by virtue of any Freehold Estate of which he shall not be *bonâ fide* seised ; it shall and maybe lawful for the Returning Officer or Officers, and they are hereby required, authorized, and empowered, upon the Complaint of any Candidate, to take the Vote of such Person off the Poll at any Time before the final closing of the same : Provided always, that the Act complained of as having been committed by such Person be set forth and described, and positively declared to have been committed by such Person in an Affidavit to be sworn before a Justice of the Peace, and that such Affidavit be delivered to the Returning Officer or Officers ; and further, that the Act complained of shall appear to the Returning Officer or Officers, upon a due Examination of One or more credible Witness or Witnesses concerning the same, upon his or their Oaths, to be proved to have been committed by such Person, which Oath or Oaths the Returning Officer or Officers is or are hereby authorized and empowered to administer : Provided always, that the Affidavit setting forth every such Complaint shall be delivered to the Returning Officer or Officers on the same Day on which the Act complained of shall have been committed.