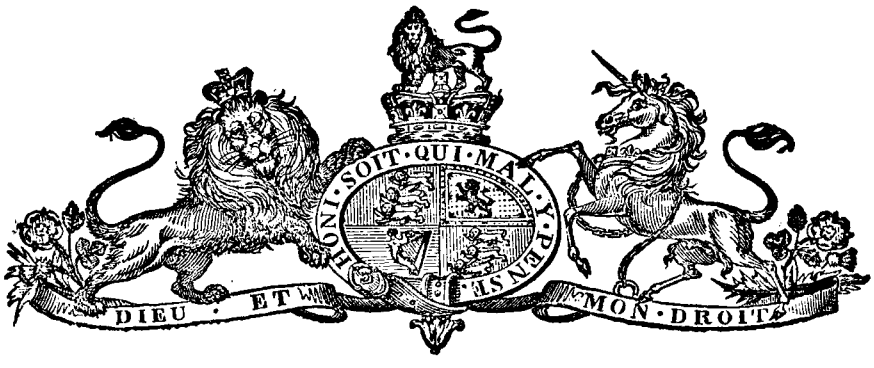


ANNO VICESIMO QUINTO & VICESIMO SEXTO

VICTORÆ REGINÆ.

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CAP. LXII.

An Act to amend the Law relating to the Duration of contested Elections for Counties in *Ireland*, and for establishing additional Places for taking the Poll thereat. [29th *July* 1862.]

WHEREAS an Act was passed in the Thirteenth and Fourteenth Years of the Reign of Her Majesty, intituled *An Act to shorten the Duration of Elections in* Ireland, *and for establishing additional Places for taking the Poll thereat;* and it is expedient to amend certain Provisions of the said Act relating to contested Elections for Counties in *Ireland*, and to limit the Time of taking the Poll at such Elections to One Day, and to establish additional Places for taking the Poll at such Elections: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 13 & 14 Vict. c. 68.

1. This Act shall commence and take effect from and after the First Day of *January* One thousand eight hundred and sixty-three, save as herein-after excepted. Commencement of Act.

2. This

This Act incorporated with recited Act.

2. This Act shall be deemed to be incorporated with the said recited Act, and shall be as if the said recited Act (except such Parts thereof as have been repealed or amended by this Act) and this Act were One Act.

Provisions of 13 & 14 Vict. c. 68. relating to Duration of Poll at contested Elections for Counties in Ireland, repealed.

3. So much of the said recited Act as authorizes the Continuance of the polling at every contested Election of a Knight or Knights of the Shire to serve in Parliament for any County in *Ireland* for Two Days, and prescribes the Duties of the Sheriff and Sheriff Deputies and Clerk at such Poll during those Days, and fixes the Commencement and limits the Hours of polling on such Days, and prevents the Commencement of such polling on a *Saturday*, shall be and the same is hereby repealed.

Regulating Time for polling at Elections for Knights of the Shire in Ireland, &c.

4. At every contested Election of a Knight or Knights of the Shire to serve in Parliament for any County in *Ireland* which shall take place after the Commencement of this Act, the polling shall commence on the next Day but Two after the Day fixed for the Election (such Day not being *Sunday*, *Good Friday*, or *Christmas Day*), and shall continue for One Day only, save in the Cases hereinafter mentioned, and shall commence at the Hour of Eight in the Forenoon of the Day next but Two after the Day fixed for the Election, and be kept open until Five in the Afternoon of such Day, any Statute to the contrary notwithstanding: Provided always, that when such next Day but Two after the Day fixed for the Election shall be *Sunday*, *Good Friday*, or *Christmas Day*, then in case it be *Sunday* the Poll shall be on the *Monday* next following, and in case it be *Good Friday* then on the *Saturday* next following, and in case it be *Christmas Day* then on the next Day following if the same shall not be *Sunday*, and, if it be *Sunday*, on the next following *Monday:* Provided always, that in case any Election shall take place for any County in *Ireland* before or on the said First Day of *January* One thousand eight hundred and sixty-three, the Poll and Proceedings thereat shall be taken in the same Manner as if this Act had not been passed.

Elections on or before the 1st January 1863 not to be affected.

Duty of Poll Clerks at such Elections.

5. The Clerks appointed to take the Poll at the several Places appointed for polling for the several Baronies or Half Baronies, or any Division thereof respectively, and in the several Polling Booths, shall, at the final Close of the Day's Poll, enclose and seal their several Books, and shall publicly deliver them, so enclosed and sealed, to the Sheriff or Sheriff's Deputy presiding at such Poll; and every such Deputy

Deputy who shall have received any such Poll Books shall forthwith deliver the same, so enclosed and sealed, to the Sheriff or his Under-sheriff, who shall receive and keep all the Poll Books unopened until the re-assembling of the Court on the Day next but One after the Close of the Poll, unless such Day shall be *Sunday*, and then on the *Monday* following, at an Hour not earlier than Eleven in the Forenoon of the said Day, when he shall openly break the Seals thereon, and cast up the Number of Votes as they appear in the said several Books, and shall openly declare the State of the Poll, and shall declare the Member or Members chosen, at or before the Hour of Two in the Afternoon of the said Day, any Statute to the contrary notwithstanding.

Poll may be closed in certain Cases as heretofore.

6. Nothing in this Act contained shall prevent any Sheriff or other Returning Officer, or the lawful Deputy of any Sheriff or Returning Officer, from closing the Poll at any contested Election for any County in *Ireland*, previous to the Expiration of the Time fixed by this Act, in any Case where the same might have been lawfully closed before the passing of this Act.

Proceedings in Cases of Riot.

7. Where the Proceedings at any Election after the Commencement of this Act (whether such Proceedings shall consist of the Nomination of a Candidate or Candidates or of the taking of the Poll) shall be interrupted or obstructed by any Riot or open Violence at or near the Place of Election or a Polling Place, or shall be interrupted or obstructed by any Riot or open Violence taking place elsewhere by the violent or forcible Prevention, Obstruction, or Interruption of Voters proceeding on their Way to such Election or Polling Place, (such last-mentioned Prevention, Obstruction, or Interruption of Voters proceeding on their Way as aforesaid being shown by Affidavit,) the Sheriff or other Returning Officer, or the lawful Deputy of any Sheriff or Returning Officer, shall not for such Cause terminate the Business of such Nomination, nor finally close the Poll, but shall adjourn the Nomination or the taking of the Poll, at the particular Polling Place or Polling Places at or near to which, or on the Way to which, such Interruption or Obstruction shall have happened, until the following Day, and, if necessary, shall further adjourn such Nomination or Poll, as the Case may be, until such Interruption or Obstruction shall have ceased, when the Sheriff or Returning Officer, or his Deputy, shall again proceed with the Business of the Nomination or with the taking the Poll, as the Case may be, at the Place or Places at or near to which, or on the Way to which, the same respectively

tively may have been interrupted or obstructed; and the Day on which the Business of the Nomination shall have been concluded shall be deemed to have been the Day fixed for the Election, and the Commencement of the Poll shall be regulated accordingly; and any Day whereon the Poll shall have been so adjourned shall not at such Place or Places be reckoned the Day of polling at such Election within the Meaning of this Act; and whenever the Poll shall have been so adjourned by any Deputy of any Sheriff or other Returning Officer, such Deputy shall forthwith give Notice of such Adjournment to the Sheriff or Returning Officer, who shall not finally declare the State of the Poll, or make Proclamation of the Member or Members chosen, until the Poll so adjourned at such Place or Places as aforesaid shall have been finally closed, and the Poll Books delivered or transmitted to such Sheriff or other Returning Officer, anything herein-before contained, or in any other Statute, to the contrary notwithstanding: Provided always, that this Act shall not be taken to authorize an Adjournment to a *Sunday*, but that in every Case in which the Day to which the Adjournment would otherwise be made shall happen to be a *Sunday*, *Good Friday*, or *Christmas Day*, that Day or Days shall be passed over, and the following shall be the Day to which the Adjournment shall be made.

Additional Polling Places may be appointed upon Petition from Justices in Quarter Sessions assembled to Lord Lieutenant.

8. It shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by and with the Advice of the Privy Council in *Ireland*, from Time to Time hereafter, on Petition from the Justices of any County or Riding in *Ireland* in Quarter Sessions assembled, representing that the Polling Places for such County or Riding are insufficient in Number or inconveniently situated, and praying that the Place or Places mentioned in the said Petition may be a Polling Place or Polling Places for the County or Riding within which such Place or Places is or are situate, or may be discontinued as such Polling Place or Places, and that a Barony or Baronies, Half Barony or Half Baronies, or any Portion thereof respectively, in such Petition mentioned, may constitute a District for polling at a Polling Place in such Petition mentioned, (anything in the said recited Act, providing that a Barony or Half Barony shall not be divided, to the contrary notwithstanding,) or praying that any Polling District or Districts may be altered, and that any Barony or Half Barony, or any Portion thereof respectively, may be detached from any such Polling District, and be annexed to any other Polling District, as the Case may be, to declare that any Place or Places mentioned in the said Petition shall be a Polling Place or Polling

Polling Places for that County or Riding, or shall be discontinued as such Polling Place or Places, and that the Barony or Baronies, Half Barony or Half Baronies, or any Portion thereof respectively in such Petition mentioned, shall constitute a District for Polling at such Polling Place, and that the other Polling Districts of the said County or Riding shall be altered accordingly; or to declare that any Polling District or Districts shall be altered, and that any Barony or Half Barony, or Portion thereof respectively, shall be detached from any such Polling District, and be annexed to any other Polling District.

Place in which the Court for Revision of Lists may be held.

9. Notwithstanding the Provisions of the Act of the Thirteenth and Fourteenth Years of Her present Majesty, Chapter Sixty-nine, Section Forty-six, it shall not be necessary for the Assistant Barrister or Chairman of Quarter Sessions to hold a separate Court for the Revision of the List of Parliamentary Voters who are to poll in any such new District so to be constituted and declared at the Polling Place appointed for such new District; but it shall be lawful for the said Assistant Barrister or Chairman, if he shall so think fit, to revise the said List of Voters for such new District at a Court to be held at the Place in which the List of Parliamentary Voters for the Barony or Half Barony out of which such District shall be constituted had been held previous to the Constitution of such new District, or at such other Place as the Lord Lieutenant or other Chief Governor of *Ireland* shall appoint.

Declaration or Order to be certified by Clerk of Privy Council, and published in Dublin Gazette.

10. Every such Declaration or Order for creating additional Polling Places and the Polling Districts for the same, or for discontinuing or altering any Polling District or Districts, shall be certified under the Hand of the Clerk of the said Privy Council, and when so certified shall be published in the *Dublin Gazette*, and shall be of the same Force and Effect as if the same had been made by the Authority of Parliament: Provided always, that no such Petition as aforesaid shall be made by such Justices so assembled unless a Notice in Writing shall have been delivered, One Month at the least before the holding of such Quarter Sessions, to the Clerk of the Peace of the County or Riding wherein the same are held, signed by Two Justices of the Peace for such County or Riding, and residing therein, or by Ten Inhabitants, being registered Voters for such County or Riding, which Notice shall state that the Court will, when such Sessions are held, be moved to make such Petition; nor unless the Clerk of the Peace shall, Ten Days at the least before the holding of such Sessions, have caused a Copy of such Notice to be inserted twice at

the least in Two of the Newspapers of such County or Riding, if Two Newspapers are published therein, or, if not, in a Newspaper published or commonly circulated therein, together with a Notice of the Day upon which, and the Place at which, such Quarter Sessions will be held; provided also, that when such Motion is made any Person objecting to the same shall be heard by such Court against the same, or any Part thereof, if he thinks fit.

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