

Certified by two officials of the Society.

- (1) Name.....
 Nature of Office.....
 Address.....
- (2) Name.....
 Nature of Office.....
 Address.....
- (3) Certificate of Auditor or other responsible person not connected with
 the Society.*

 Name.....
 Qualification, profession or occupation.....
 Address.....
 Date

*N.B.—The Auditor or other responsible person should certify that he has seen the vouchers for expenses and the receipts from the Institutions, etc., benefiting by the collection.

**COUNTY AND RURAL DISTRICT COUNCILLORS.
 Nomination and Election.**

MADE BY THE MINISTER OF HOME AFFAIRS UNDER THE LOCAL
 GOVERNMENT ACTS (NORTHERN IRELAND), 1898 TO 1923.
 1924. No. 2.

- To the Council of every Administrative County in Northern Ireland and to the Secretary of every such Council :
- To the District Council of every Rural and Urban District in Northern Ireland, and to the Clerk of every such Council ;
 and to all others whom it may concern :

Whereas by the Local Government (Application of Enactments) Order, 1898, being an Order in Council made on the 22nd day of December, 1898, by the Lord Lieutenant in pursuance of Section 104 of the Local Government (Ireland) Act, 1898, it was, amongst other things, ordered that the election of county and rural district councillors should, subject to the provisions of the said Act, be conducted according to rules framed under the said Order by the Local Government Board for Ireland, that the rules so framed should provide for the matters and things in the said Order mentioned ; and that at every election regulated by rules framed under the said Order, the poll should be taken by ballot, and the Ballot Act, 1872, and the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, and Sections 56, 74 and 75 and Part IV. of the Municipal Corporations Act,

1882, as amended by the last Act (including the penal provisions of those Acts) should, subject to adaptations, alterations, and exceptions made by such rules, and to certain provisions specified in the order, apply in like manner as in the case of a Municipal Election :

And whereas, the powers and duties of the Local Government Board for Ireland, under the said Order and Act, are now vested as respects Northern Ireland in the Ministry of Home Affairs for Northern Ireland :

And whereas it is enacted by Section 2 of the Local Government Act (Northern Ireland), 1922, that no person shall be deemed to have been duly nominated for election as a county or rural district councillor unless his consent, in writing, to such nomination has been signified to the returning officer, and in the case of an election of a county councillor a sum of Twenty-five pounds, and in the case of an election of a rural district councillor a sum of Ten pounds has been paid to the returning officer not later than the date prescribed for the receipt of nomination papers ; and that the power of the Ministry of Home Affairs for Northern Ireland to frame rules for the conduct of elections shall include power—

- (a) to prescribe conditions upon which deposits made by an unsuccessful candidate may be returned ; and
- (b) to prescribe the manner in which consents may be given by candidates to their nomination as members of a county or rural district council.

Now, therefore, the Ministry of Home Affairs for Northern Ireland in exercise of the powers vested in it by the Local Government Acts (Northern Ireland), 1898 to 1923, and of all other powers enabling the Ministry in that behalf hereby orders and directs that, subject to any directions that may be given by the said Ministry or until the Ministry otherwise orders, the following rules shall be observed in connection with the election of county and rural district councillors in Northern Ireland.

Returning Officer.

1.—(1) The returning officer for the election of county councillors for every county electoral division in the county and for the election of rural district councillors in every rural district of the county and in every district electoral division of such rural district shall be the secretary of the county council.

(2) If the office of secretary of the county council is vacant at the time when any duty relative to the election has to be performed by him, or if he, from illness or other sufficient cause, is unable to perform such duty or fails to do so the county council shall immediately appoint some other competent person to act as returning officer or to perform such of the duties of the returning officer as then remain to be performed as the case may be. The person so appointed shall give to the council such

security for the performance of his duties as the Ministry may approve.

(3) The Returning Officer shall appoint some place or places within the administrative County as an office or offices for the purpose of the election of County Councillors, and some place or places within each Rural District as an office or offices for the election of Rural District Councillors. Provided that where the Workhouse of the Union in which such Rural District is situated is within an Urban District in the same County, such Workhouse may be used as an office for the election of Rural District Councillors for the Rural District.

Deputy Returning Officer.

* (4) The Returning Officer may, in writing, appoint a fit person or persons to be his Deputy or Deputies for all or any of the purposes relating to the election of County or Rural District Councillors, provided that, so far as regards the carrying out of Rules 3 to 10 of this Order in respect of the election of Rural District Councillors in Rural Districts, he shall in every case appoint a Deputy, and the Clerk of the Rural District Council shall be the Deputy so appointed.

* (5) In every county electoral division containing an urban district, the returning officer shall appoint the Clerk of the Urban District Council as his Deputy for all purposes relating to the election of a county councillor or councillors for the part of the county electoral division, which comprises the Urban District.

(6) If the office of clerk of the rural district or urban district council is vacant, or if such clerk is, in the opinion of the Ministry of Home Affairs unable or fails to perform the duties of deputy returning officer respectively referred to in sub-sections (4) or (5) of this Rule, or if such clerk becomes unable to complete the performance of such duties, the returning officer shall appoint some other competent person to perform the said duties or to complete the performance of the said duties as the case may be.

(7) Where a Union extends into two or more counties, the Returning Officer in any such county other than that in which the Workhouse of the said Union is situated may, if he thinks fit, appoint some person to act as Assistant Deputy to the Clerk of the Council of the Rural District formed by the part of the Union situate within the said County, for the purpose of carrying out any or all of the duties referred to in sub-section (4) of this Rule in respect of the said Rural District.

(8) A Deputy Returning Officer shall have all the powers, duties, and liabilities of the Returning Officer in relation to the matters in respect of which he is appointed as Deputy.

* See S. R. & O., 1924, No. 36.

Day of Election.

2. The Day of Election of County and Rural District Councillors shall be that fixed for the purpose by the County Council in accordance with the provisions of Section 94 (7) of the Local Government (Ireland) Act, 1898.

Notice of Election.

3. Not later than the day prescribed for that purpose by the First Schedule to this Order, the Returning Officer or his Deputy shall prepare and sign Notices of the Election of County and Rural District Councillors, and shall cause public Notice to be given of the same in accordance with Rule 31 of this Order in each County Electoral Division and in each District Electoral Division respectively. The Notice shall be in the form No. 1 in the Second Schedule to this Order, or in a form to the like effect.

Nomination of Candidates.

4.—(1) Each candidate for election as a County or Rural District Councillor shall be nominated in writing.

(2) Each candidate who shall be nominated for election as a County or Rural District Councillor shall signify in writing to the Returning Officer his consent to such nomination and shall deposit or cause to be deposited with the Returning Officer in the case of an election of a County Councillor a sum of twenty-five pounds or in the case of an election of a Rural District Councillor a sum of ten pounds, not later than the time prescribed by the First Schedule to this Order for the receipt of nomination papers. Every consent to nomination shall be witnessed by two Local Government Electors of the County Electoral Division or District Electoral Division as the case may be for which the election is to be held who shall state their places of abode and numbers on the Register and shall be in the Form No. 1A as set out in the Second Schedule to this Order or in a Form to the like effect, and delivered at the office of the Returning Officer within the time prescribed during the usual office hours: Provided that where a candidate is prevented by reason of illness or other sufficient cause from signifying his consent in writing, such consent may be given on his behalf in the Form No. 1B as set out in the Second Schedule to this Order or in a Form to the like effect by a Local Government Elector of the County Electoral Division or District Electoral Division as the case may be duly authorised to signify such consent

(3) The Nomination Paper shall state the name of the County Electoral Division or District Electoral Division for which the candidate is nominated, the surname and other name or names in full and number on the Register, if any, of the candidate, and his place of abode and description and that he is qualified by law for election as a member of the County Council or Rural District Council, as the case may be, whether as a Local

Government Elector, resident or owner of property. It shall be signed by two Local Government Electors of the County Electoral Division or District Electoral Division for which the election is to be held, as Proposer and Secunder and no more and shall state their respective places of abode and their numbers on the Register. It shall be in the form set out in the Notice in the Form No. 1 in the Second Schedule to this Order or in a Form to the like effect.

(4) The name of more than one candidate shall not be inserted in any one nomination paper.

(5) A Local Government Elector shall not sign more nomination papers than there are County or Rural District Councillors to be elected for the County Electoral Division or District Electoral Division respectively; nor shall he sign a nomination paper for any County Electoral Division or District Electoral Division other than one in respect of which he is registered as a Local Government Elector. Neither shall he sign nomination papers for more than one County Electoral Division in the same County, or for more than one District Electoral Division in the same Union, whether the Election for such District Electoral Division be of Guardians or of Rural District Councillors.

(6) If any Local Government Elector shall sign nomination papers for more than one County Electoral Division in the County, or for more than one District Electoral Division in the Union, the nomination papers signed by him relating to the first County Electoral Division or District Electoral Division, as the case may be for which a nomination paper signed by him is received by the Returning Officer shall alone be valid, and of the nomination papers signed by him which relate to that County Electoral Division or District Electoral Division such as are first received by the Returning Officer up to the number of County or Rural District Councillors to be elected for such County Electoral Division or District Electoral Division shall alone be valid. Provided that for the purposes of this paragraph nomination papers not properly filled up and signed shall be excluded.

*Nomination Papers and consent Forms to Candidates
Nominations to be provided.*

5. The Returning Officer shall provide nomination papers and forms for the consent to candidates nomination. Any Local Government Elector may obtain nomination papers and forms of consent to nomination from either the Returning Officer or his Deputy free of charge, provided that no such elector shall be entitled to obtain from the Returning Officer or his Deputy more nomination papers or forms of consent to nomination than there are county or rural district councillors to be elected as the case may be.

Time for Sending in Nomination Papers.

6. Every nomination paper shall be delivered in person either by the candidate or by his proposer or seconder to the Returning Officer or his Deputy at his Election Office during the usual office hours within the time prescribed for that purpose by the First Schedule to this Order. A nomination paper delivered after that time shall not be valid. The Returning Officer shall note on each nomination paper whether it was delivered before or after that time, and also whether the consent of the candidate to his nomination has been duly signified, and the amount of the deposit received.

Dealing with Nominations by Returning Officer.

7.—(1) The Returning Officer or his Deputy shall number the nomination papers in the order in which they are received by him; and the first valid nomination paper received for a candidate shall be deemed to be the nomination of that candidate, provided his consent to his nomination has been duly signified and the amount of the deposit has been paid to the Returning Officer.

(2) The Returning Officer or his Deputy shall, as soon as practicable after the receipt of any nomination paper, examine and decide whether it has or has not been properly filled up and signed by two Local Government Electors, and whether it is or is not invalid under Rule 4 (6) or Rule 6. His decision that a nomination paper has been so filled up and signed, and is not invalid as aforesaid, shall be final, and shall not be questioned in any proceeding whatever.

(3) If the Returning Officer or his Deputy shall decide that a nomination paper is invalid, he shall put a note on it to this effect, stating the grounds of his decision, and he shall sign such note.

(4) After deciding that the nomination of any candidate is valid, or (except where some other nomination of the candidate has been decided to be valid) that a nomination paper for any candidate is invalid, the Returning Officer or his Deputy shall, not later than the day prescribed for that purpose by the First Schedule to this Order, send, by post or otherwise, notice in writing of his decision to the candidate.

Statement as to Persons Nominated.

8. Not later than the day prescribed for that purpose by the First Schedule to this Order, the Returning Officer shall make out a Statement in the Form No. 2 in the Second Schedule to this Order, or in a Form to the like effect, containing the names, places of abode, and descriptions of the persons nominated for election as County Councillors for the several County Electoral Divisions, and his Deputy appointed under Rule 1 (4) shall make out a similar statement containing the names, places of abode, and descriptions

of the persons nominated for election as Rural District Councillors for the several District Electoral Divisions of the District, or of each of the Districts, in respect of which he is appointed Deputy. Every such statement, whether it refer to nominations for election to the office of County Councillor, or to that of Rural District Councillor shall contain a notice of the decision of the Returning Officer or his Deputy, as the case may be, with respect to each candidate as to whether he has been deemed to have been duly nominated or not. He shall forthwith cause a copy thereof to be suspended in the Court House or Room in which the meetings of the County Council, or the Rural District Council, as the case may be, are held, and in the Board Room of the Guardians of the Union in which any of the County or District Electoral Divisions affected by the statement are situate, and also a copy to be affixed on the principal external gate or door of the Workhouse of every such Union, and on that of the Court House or other office of the County Council.

Withdrawal of Candidate.

9. Any candidate may withdraw his candidature by delivering or causing to be delivered, within the time prescribed for that purpose by the First Schedule to this Order, at the office of the Returning Officer or his Deputy at which his nomination was delivered, a notice in writing of such withdrawal, signed by him.

Relation of Nomination to Election.

10. Section 56 of the Municipal Corporations Act, 1882, shall be altered and adapted in its application to the election of County and Rural District Councillors so as to be read as follows :

- (1) If the number of candidates who have been deemed to have been duly nominated for election to the office of County or Rural District Councillor for any County Electoral Division or District Electoral Division as the case may be, and who do not withdraw their candidature under Rule 9, exceeds the number of County or Rural District Councillors respectively to be elected for the County Electoral Division or District Electoral Division, the County or Rural District Councillor or Councillors, as the case may be, shall be elected from among the persons in each case respectively so nominated.
- (2) If the number of candidates who have been deemed to have been duly nominated is in any case equal to, or is, by the withdrawal of any candidate as provided by Rule 9 or otherwise in any case reduced to a number equal to the number of vacancies, the Returning Officer or his Deputy shall, as early as practicable, give public notice, in accordance with Rule 31 of this Order, that

no poll will be taken and that the candidate or candidates so nominated will be declared to be elected.

- (3) If the number of candidates at any election of County or Rural District Councillors for a County Electoral Division or District Electoral Division, respectively, who have been deemed to have been duly nominated is less than, or is, by the withdrawal of any candidate, as provided by Rule 9 or otherwise, reduced to a number less than the number of vacancies, the Returning Officer or his Deputy shall give public notice, in accordance with Rule 31 of this Order, that no poll will be taken, and that the candidate or candidates so deemed to have been duly nominated will be declared to be elected; and also that such of any retiring County or Rural District Councillors for the County Electoral Division or District Electoral Division, respectively, as were highest on the poll at their election, or if the poll was equal or there was no poll, as shall have been selected by the Returning Officer or his Deputy by lot to make up the required number, will be declared to be deemed to be re-elected. Provided that if there are no retiring Councillor or Councillors within the meaning of this sub-section or an insufficient number thereof capable of being or declared to be deemed to be re-elected any vacancy or vacancies so arising shall be, as soon as may be, filled by the County or Rural District Council as the case may be as a casual vacancy.
- (4) If after due notice has been given of an election to fill the office of County or Rural District Councillor for a County Electoral Division or District Electoral Division, respectively, no candidate is deemed to have been duly nominated the Returning Officer or his Deputy shall give public notice in such County or District Electoral Division, in accordance with Rule 31 of this Order, that the retiring County Councillor or Councillors, or the retiring Rural District Councillors, as the case may be, will be declared to be deemed to be re-elected. Provided that if there are no retiring Councillor or Councillors within the meaning of this sub-section or an insufficient number thereof capable of being or declared to be deemed to be re-elected any vacancy or vacancies so arising shall be, as soon as may be, filled by the County or Rural District Council as the case may be as a casual vacancy.
- (5) The Returning Officer or his Deputy shall forthwith send, by post or otherwise, a copy of any notice under this Rule to each of the persons who will be declared to be elected or to be deemed to be re-elected.

- (6) The notice shall be in the Form No. 3 or the Form No. 4, as the case may be, in the Second Schedule to this Order, or in a form to the like effect.

Conditions affecting Deposits.

11.—(1) The amount of the deposit prescribed by Section 2 of the Local Government Act, (Northern Ireland) 1922, may be made by the deposit of any legal tender, and in a case where any person is a candidate for election as a County Councillor or Rural District Councillor for more than one County Electoral Division in a county or district electoral division in a rural district, he shall make a separate deposit in respect of his candidature for each county or district electoral division as the case may be.

(2)—(a) If, after the amount of the deposit has been paid, the candidate is not deemed to be validly nominated, the Returning Officer shall return to him the deposit, or

(b) If the candidate dies before the day of election, the deposit if made by him shall be returned to his legal personal representative, or, if not made by him, shall be returned to the person by whom the deposit was made.

(3) If a candidate who has made the required deposit is not elected and the number of votes polled by him exceeds one-eighth of the total number of votes polled at the election, the Returning Officer shall, as soon as practicable after the day of election, return the amount of the deposit to the candidate; provided that where a candidate is nominated for election for more than one county electoral division or district electoral division, he shall in no case recover his deposit more than once.

(4) For the purpose of this rule the number of votes polled shall be deemed to be the number of ballot papers (other than spoiled ballot papers) counted in respect of an election of a County Councillor for a county electoral division or a rural district councillor for a district electoral division as the case may be.

Day and Hours of Poll.

12.—(1) The poll, if any, shall be held on the day of election as fixed by the County Council in accordance with the provisions of section 94 (7) of the Local Government (Ireland) Act, 1898, and the hours during which the poll shall be open shall be from 8 a.m. to 8 p.m.

13. Whenever polls have to be taken both for the election of Rural District Councillors, or in an Urban District of Guardians, for a District Electoral Division, and for that of a County Councillor or Councillors, for the County Electoral Division in which such District Electoral Division is situated, the polls for these elections shall be taken together.

14. The Returning Officer shall determine the number and situation of the polling places and stations.

Provided as follows :—

- (a) No premises licensed for the sale of intoxicating liquor shall be used for a polling station.
- (b) The polling stations for the election of County and Rural District Councillors or, in an Urban District for the election of County Councillors and Guardians, in any District Electoral Division when the polls for the two elections are taken together, shall be the same.

Notice of Poll.

15.—(1) If a poll has to be taken, the Returning Officer shall, within the time prescribed for that purpose by the First Schedule to this Order, give public notice thereof in accordance with Rule 31 of this Order. The notice shall specify—

- (a) The day and hours fixed for the poll ;
- (b) The names, place of abode, and description of each candidate for the County Electoral Division or District Electoral Division whom he has decided to have been nominated by a valid nomination paper, and who has not withdrawn his candidature ;
- (c) The names of the proposer and seconder who signed the nomination paper of each candidate ;
- (d) A description of the polling districts ; and
- (e) The situation and allotment of the polling places and polling stations, and the description of the persons entitled to vote thereat.

(2) The notice shall be in the Form No. 5, or in the Form No. 6, as the case requires, in the Second Schedule to this Order, or in a form to the like effect.

Presiding Officers.

16.—(1) The Returning Officer, or some person appointed by him for the purpose, shall preside at each polling station, save only that at any polling station in an Urban District at which polls are taken together for the Election of a County Councillor or Councillors and for that of Guardians a person appointed by the Returning Officer of Guardians shall preside at both Elections. The person presiding at any polling station shall be called the Presiding Officer.

(2) At a polling station in a Rural District the same person shall act as Presiding Officer for the Election of a County Councillor or Councillors and for that of Rural District Councillors when the polls for the two Elections are taken together.

Compartments of Polling Stations—Ballot Papers.

17. The Returning Officer shall furnish every polling station with a sufficient number of compartments in which the voters

can mark their votes screened from observation, and shall furnish each Presiding Officer with such number of ballot papers as may be necessary for effectually taking the poll at the election.

Polling Agents.

18. Each candidate may, in writing, appoint a polling agent for each polling station, who may be paid or unpaid. Any such appointment shall be delivered at the office of the Returning Officer not less than two clear days before the day of the poll.

Except as aforesaid no polling or personation agent, whether paid or unpaid, shall be appointed for the purposes of the election.

Prohibition of Voting in more than one County or District Electoral Divisions—Questions to Elector.

19.—(1) A Local Government Elector shall not in the case of an Election of County Councillors vote in more than one County Electoral Division in the County, nor in the case of an Election of Rural District Councillors in more than one District Electoral Division in the Rural District; and he shall not vote at any Election of Rural District Councillors for a Rural District if he has already voted at an Election of Guardians in any District Electoral Division in the same Union.

(2) The presiding Officer may, and if required by any polling agent appointed under Rule 18, shall, put to any Elector at the time of his applying for a ballot paper, but not afterwards, one or more of the following questions, and no other:—

- (a) Are you the person entered in the local government register for this County [or District] Electoral Division as follows (read the whole entry from the register) ?
- (b) Have you already voted at the present election of County Councillors in this or any other County Electoral Division of the County ?
- (c) Have you already voted at the present Election of Rural District Councillors in this or any other District Electoral Division of the Rural District or at any Election of Guardians or Rural District Councillors in any District Electoral Division in the Union of

(3) A person required to answer any one or more of these questions shall not receive a ballot paper or be permitted to vote until he has answered it, in the manner and to the effect prescribed in Rule 27 of the First Schedule to the Ballot Act, 1872, as adapted and printed in the Third Schedule to this Order, notwithstanding the fact that no person has already voted as therein mentioned.

Forwarding of Ballot Boxes, &c., after the Poll.

20. Immediately on the close of the poll the Presiding Officer at every polling station shall forward with all possible despatch the ballot boxes, together with the several other sealed packets referred to in Rule 29 of the First Schedule of the Ballot Act, 1872,

as adapted in the Third Schedule to this Order as follows, namely, those relating to the election of County Councillors to the County Court House or such other place as the Returning Officer may direct, and those relating to the election of Rural District Councillors to the Offices of the Rural District Council.

Counting the Votes.

21.—(1) If the Returning Officer appoints a person to act as Deputy Returning Officer for the County Electoral Division or District Electoral Division, as the case may be, in respect of the custody and opening of the ballot boxes, the counting and recording of the votes, and the declaration of the number of votes given for each candidate, and of the election of the candidate or candidates to whom the largest number of votes has been given, the person so appointed shall, in addition to his other powers and duties, have all the powers and duties of the Returning Officer in relation to the decision of any question as to any ballot paper and otherwise as to the ballot papers.

(2) The votes shall be counted as soon as practicable after the close of the poll: those for the Election of County Councillors at the County Court House or some other convenient place appointed by the Returning Officer, and those for the Election of Rural District Councillors at the Offices of the Rural District Council.

Equality of Votes.

22. If an equality of votes is found to exist between any candidates, and the addition of a vote would entitle any of such candidates to be declared elected, the Returning Officer or Deputy Returning Officer, as the case may be, shall determine by lot which of the candidates whose votes are equal shall be elected.

Declaration of Result of Poll.

23.—(1) The declaration of the result of the poll shall be in the Form No. 7 in the Second Schedule to this Order, or in a form to the like effect.

(2) The Returning Officer or Deputy Returning Officer, as the case may be, making the declaration shall forthwith cause a copy of it to be affixed to the front of the building in which the votes have been counted. If the declaration is made by a Deputy Returning Officer, he shall forthwith send it to the Returning Officer.

Publication of Result of Elections.

24.—(1) The Returning Officer shall prepare and sign Notices of the result of the elections in all the County Electoral Divisions in the Administrative County and in all the District Electoral Divisions in the Rural District, and shall by such Notices declare to be elected or to be deemed to be re-elected the persons who, under Rule 10 are to be declared to be elected or to be deemed to

be re-elected without a poll being taken. The Notices shall be in the Form No. 8 in the Second Schedule to this Order, or in a form to the like effect.

(2) The Notice shall be sent by the Returning Officer as early as practicable, in the case of an Election of County Councillors, to the Clerk of the County Council, and in the case of an Election of Rural District Councillors to the Clerk of the Rural District Council. The Returning Officer shall also cause copies of each Notice to be suspended in the Room in which the meetings of the County Council, or Rural District Council, as the case may be, are respectively held, and shall cause public notice to be given thereof in accordance with Rule 31 of this Order. He shall also send copies of the Notice to the persons elected or deemed to be re-elected.

Application and Adaptation of Ballot Act, 1872.

25. The provisions of the Ballot Act, 1872, which, with adaptations and alterations, are set out in the Third Schedule to this Order, and only such provisions of that Act shall, subject to such adaptations and alterations, apply to the election of County Councillors.

Provided as follows:—

- (a) For every Rural District Electoral Division for which a poll has to be taken there shall be provided a separate polling station, and the Presiding Officer at such polling station shall be appointed by the Returning Officer. Where more than one polling station is constructed in the same room or booth the same person may act as Presiding Officer for all or any number of such polling stations.
- (b) At every polling station for a Rural District Electoral Division there shall be provided a ballot box for the reception of ballot papers for the Election of Rural District Councillors for such District Electoral Division.
- (c) Every polling station for a Rural District Electoral Division shall also be a polling station if a poll has to be taken for the election of a County Councillor for the County Electoral Division in which such District Electoral Division is situated, and a separate ballot box shall be provided for the reception of ballot papers for such election of a County Councillor.
- (d) Where there are polls to be taken both for the election of Rural District Councillors for a District Electoral Division and for the election of a County Councillor for the County Electoral Division in which such District Electoral Division is situated, these polls shall be taken together by means of ballot papers differently coloured and the ballot boxes mentioned in sub-sections (b) and

(c) of this Rule shall be coloured respectively to correspond with the colour of the ballot papers for the reception of which each such ballot box is provided, and the colours shall be fixed by the Returning Officer, and shall be the same for every election throughout the county.

- (e) Where polls are taken together in accordance with sub-section (d) of this Rule the same person shall act as Presiding Officer in respect of the polling for both elections.

Adaptation of Municipal Corporations Act, 1882.

26.—(1) The provisions of Sections 74 and 75 of the Municipal Corporations Act, 1882, which with adaptations and alterations, are set out in the Fourth Schedule to this Order, shall, subject to such adaptations and alterations, apply to the election of County and Rural District Councillors, and to the persons elected or deemed to be re-elected thereat.

(2) In the application of Part IV. of the Municipal Corporations Act, 1882 (relating to Corrupt Practices and Election Petitions), as amended by the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, the following adaptations and alterations shall have effect :—

- (a) Such application shall be subject to the provisions of this Order.
- (b) All references to a municipal election or to an election to a corporate office shall be construed as referring to the election of County or Rural District Councillors, and in Section 93 (2) "County," shall be deemed to be substituted for "Borough"; "County Electoral Division or District Electoral Division" shall be deemed to be substituted for "Borough or Ward" or "Borough or Ward of a Borough"; "County or District Fund" shall be deemed to be substituted for "Borough Fund or Borough Rate." The "Returning Officer" shall be substituted for the "Town Clerk," and
- (c) In all cases "Voter" shall mean a Local Government Elector or a person who votes or claims to vote at an election of County or Rural District Councillors as the case may be.
- (d) In the application of Sub-section (2) of Section 89 such Sub-section shall be adapted and altered so as to read as follows :—

"(2) The security shall be to the amount of Fifty Pounds, unless in any case the High Court of Justice in Northern Ireland, or a Judge thereof, on summons, order that the same shall be to a

“ lesser amount, or to a larger amount not exceeding Three Hundred Pounds, and shall be given in the prescribed manner, either by a deposit of money or by a recognizance entered into by not more than four sureties, or partly in one way and partly in the other.”

Adaptations of Municipal Elections (Corrupt and Illegal Practices) Act, 1884.

27. In the application of the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, the following adaptations and alterations shall have effect :—

- (1) Such application shall be subject to the provisions of this Order.
- (2) The expressions “ County Electoral Division or District Electoral Division ” and “ County or District Fund ” shall be deemed to be substituted in the Act for “ Borough ” or “ Municipal Borough,” “ Borough or Ward,” or “ Borough or Ward of a Borough,” and “ Borough Fund or Rate,” respectively.
- (3) The expression “ Corporate Office ” in the Act shall mean the office of County or Rural District Councillor and a “ Municipal Election ” shall mean an Election of one or more County or Rural District Councillors, and the expressions “ Municipal Election Court,” “ Municipal Election List,” and “ Municipal Election Petition ” shall be construed accordingly, and “ Burgess List ” shall mean a list of Local Government Electors.
- (4) The duties imposed upon the Town Clerk by section 24 of the Act shall be performed by some person appointed for that purpose by the County Council.
- (5) An election petition complaining of the Election on the ground of an illegal practice, may be presented at any time within six weeks after the Day of Election.
- (6) In Section 34 of the Act “ Burgess Roll ” shall mean the Register of Local Government Electors.
- (7) Section 37 of the Act shall be read as if a reference to an Election of County or Rural District Councillors was substituted for a reference to any of the Elections mentioned in the First Schedule to the Act.

28. For the purposes of this Order the words “ High Court and Judge of the High Court ” in the Municipal Corporations Act, 1882, and the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, shall mean the High Court of Justice in Northern Ireland and a Judge of the said Court, respectively, and the words “ Director of Public Prosecutions ” shall mean the Attorney-General for Northern Ireland.

Non-acceptance of Office.

29. Non-acceptance of office by a person elected or deemed to be re-elected shall in every case create a Casual Vacancy, which shall be filled as directed by section 94 (4) of the Local Government (Ireland) Act, 1898.

Expenses.

30. Any sum which may be payable to the Returning Officer in respect of his services in taking a poll in the County Electoral Division or District Electoral Division, or in respect of expenses incurred in relation to such poll, and any other sum which may be payable to such Returning Officer in respect of his services in the conduct of the Election, or in respect of expenses incurred in relation to the Election, shall be paid as directed by Article 6 (2) of the Schedule to the Local Government (Application of Enactments) Order, 1898.

Publication of Notices.

31. Any public notice required by this Order shall be given by posting copies of the same at, on, or near the principal entrance of every Church and other House of Worship, and at every Court House, Police Station, Market House, and other usual place for posting public notices within the County Electoral Division or District Electoral Division as the case may require.

Mark instead of Signature.

32. In place of any signature required by this Order it shall be sufficient for the signatory to affix his mark if the same is witnessed by two Local Government Electors.

Misnomer—Inaccurate Descriptions.

33. No misnomer or inaccurate description of any person or place named in any notice or nomination paper under this Order shall hinder the full operation of such notice or paper with respect to that person or place, provided the description of that person or place is such as to be commonly understood.

Definition of "Election."

34. In this Order the expression "Election" means the triennial election of County and Rural District Councillors.

35. This Order may be cited as the "County and Rural District Councillors (Northern Ireland) Election Order, 1924."

Sealed with the Seal of the Ministry of Home Affairs for Northern Ireland this 24th day of March, 1924.

(L.S.) (Signed) S. Watt; Secretary.

SCHEDULES

TO

COUNTY AND RURAL DISTRICT COUNCILLORS (NORTHERN IRELAND)
ELECTION ORDER, 1924.

FIRST SCHEDULE.

TIMES FOR THE PROCEEDINGS AT THE ORDINARY TRIENNIAL ELECTION OF
COUNTY AND RURAL DISTRICT COUNCILLORS.

Proceeding.	Time.
1. Notice of Election	Not less than thirty-five clear days before the day of Election.
2. Receipt of Nomination Papers	Not later than five o'clock p.m. on the seventh day after the Notice of Election was given.
3. Sending notice of decision as to validity of Nomination Papers	As soon as practicable after receipt, but in any case not later than the third day after the last day for the receipt of Nomination Papers.
4. Making out Statement as to persons duly nominated	
5. Withdrawal of Candidates	
6. Notice of Poll	Not later than five o'clock p.m. on the seventh day after the last day for the receipt of Nomination Papers.
7. Day of Election	Ten clear days, at least, before the day of Election.
	Such day as the County Council may fix in accordance with Section 94 (7) of the Local Government (Ireland) Act, 1898.

SECOND SCHEDULE.

FORM NO. 1.

Notice of Election.

COUNTY OF { COUNTY } ELECTORAL DIVISION OF
} DISTRICT

ELECTION OF { A COUNTY COUNCILLOR [OR, COUNCILLORS]. }
RURAL DISTRICT COUNCILLORS. }

COUNTY AND RURAL COUNCILLORS.

NOTICE IS HEREBY GIVEN THAT—

1. The day of election of { a Councillor [or Councillors] } for the said { County }
 Rural District Councillors } District }

Electoral Division will be , the day of
 19

2. The number of { County } Councillors to be elected for the said
 Rural District }

{ County } Electoral Division is
 District }

3. Each candidate for election as a { County } Councillor must be
 Rural District }

nominated in writing, and the nomination paper must be delivered to me by the candidate or by his proposer or seconder at (which is my office for the purpose of the election) during the usual office hours not later than five o'clock p.m. on , the day of
 19

4. Each candidate for election as a { County } Councillor must in
 Rural District }

the prescribed form or a form to the like effect signify, in writing, his consent to his nomination ; such consent must be delivered to me by the candidate or some person duly authorised on his behalf at my office not later than five o'clock p.m. on day of 19

*Omit this paragraph in the case of an election of Rural District Councillors.

- *5. Each candidate for election as a County Councillor must deposit or cause to be deposited with me at my office not later than five o'clock p.m. on the day of 19 , the sum of twenty-five pounds.

†Omit this paragraph in the case of an election of Councillor.

- †Each candidate for election as a Rural District Councillor must deposit or cause to be deposited with me at my office not later than five o'clock p.m. on the day of 19 , the sum of ten pounds.

6. A Local Government Elector must not sign more than nomination papers for the { County } Electoral Division, and he must not sign a nomination
 District }

paper for such { County } Electoral Division unless he is registered as a Local
 District }

Government Elector in respect of a qualification therein.

7. Forms of nomination paper and of consents to nomination may be obtained, free of charge, from me at the above-named office by any Local Government Elector ; but no Local Government Elector will be entitled to obtain more nomination papers or forms of consent to

nomination than there are { County } Councillors to be elected for the
 Rural District }

said { County } Electoral Division.
 District }

8. The nomination paper must be in the following form, or in a form to the like effect:—

FORM OF NOMINATION PAPER.

COUNTY OF { COUNTY }
DISTRICT ELECTORAL DIVISION OF

ELECTION OF { COUNTY }
RURAL DISTRICT COUNCILLOR for { County }
District Electoral
Division in the year 19

We, the undersigned, being respectively Local Government Electors of the said { County } Electoral Division, do hereby nominate the under-mentioned { District } person as a candidate at the said Election.

No. on the Register (if any) and Names of Candidate.		Place of Abode.	Description.	Qualification.
Surname	Other Names (in full).			
1.	2.	3.	4.	5.

Signature of PROPOSER.....

Place of Abode.....

Number on Register.....

Signature of SECONDER.....

Place of Abode.....

Number on Register.....

*Instructions for filling up Nomination Paper.**

- (1) The surname of only one candidate for election must be inserted in Column 1.
- (2) The other names of the candidate must be inserted in full in column 2.
- (3) Insert in column 3 the place of abode of the candidate.
- (4) In column 4 state the occupation, if any, of the candidate. If the candidate has no occupation, insert some such description as "gentleman," or "married woman," or "spinster," or "widow," as the case may be.*
- (5)—(1) No person is eligible as a County Councillor for any County Electoral Division unless he is registered as a Local Government Elector in respect of a qualification in the County of which such County Electoral Division forms a part, or unless he or she is the owner of property held by freehold, copyhold, leasehold or any other tenure within the County.

*These instructions form part of the nomination paper.

- (2) No person is eligible as a Rural District Councillor for any District Electoral Division unless he or she is registered as a Local Government Elector in respect of a qualification in the Rural District of which such District Electoral Division forms a part, or unless he or she has during the whole of the twelve months preceding the Election resided, and continues to reside in such Rural District, or unless he or she is the owner of property held by freehold copyhold, leasehold or any other tenure within the District.

COUNTY AND RURAL COUNCILLORS.

If the candidate has more than any one of such qualifications it will be sufficient to insert in Column 5 one of such qualifications, but all may be inserted.

(6)—(1) The paper must be signed by two Local Government Electors of the { County } Electoral Division and no more; by one as Proposer, and by { District } the other as Seconder. The places of abode of the Proposer and Seconder and their numbers on the Register must also be inserted. Instead of signing, the Proposer or Seconder may affix his mark, if it is witnessed by two Local Government Electors.

(2) A Local Government Elector must not sign more than nomination paper for the { County } Electoral Division, and he must not sign a { District } nomination paper for such { County } Electoral Division unless he is registered { District } as a Local Government Elector in respect of a qualification therein.

9. The consent of the candidate must be signified in the following form, or in a form to the like effect.

FORM No. 1A.

Form of consent of candidate to nomination.

{ County } of
Rural District }

Insert Sur-name and Christian names in full and place of abode.

I of hereby consent to my nomination as a candidate for election as { County Councillor } { Rural District Councillor }

for the { County Electoral Division } of { District Electoral Division }

.....
Signature of Candidate.

.....19

Date.

Witnesses:

(1) Local Government Elector.

..... Place of Abode,

..... Number on Register.

(2) Local Government Elector.

..... Place of Abode.

..... Number on Register.

Received by the Returning Officer on the day of

19

.....
Returning Officer.

Nomination and Election

FORM No. 1B.

Form of consent on behalf of a candidate who is prevented by illness or other sufficient cause from signifying consent.

of County of of Rural District

I of being a local government elector of the County Electoral Division District Electoral Division of

Insert Surname and Christian names in full and place of abode.

hereby on behalf of consent to his nomination as a candidate for election as of County Councillor Rural District Councillor

for the County Electoral Division District Electoral Division of

and I hereby declare that I have been duly authorised by the said of to signify such consent.

Signature.

Number on Register.

Date. 19

Witnesses:

(1) Local Government Elector.

Place of Abode.

Number on Register.

(2) Local Government Elector.

Place of Abode.

Number on Register.

Received by the Returning Officer on the day of

19

Returning Officer.

10. Not later than the day of 19, I shall cause a copy of a statement containing the names, places of abode, and descriptions of the persons nominated for the office of County Rural District Councillor

for the said County District Electoral Division, and also containing a notice of my decision as regards each candidate as to whether he [or she] has been deemed to have been duly nominated or not, to be suspended in the Board Room of the County Council Rural District Council and another to be affixed on the principal external gate or door of the offices of the County Council or Workhouse as the case may be.

11. Any candidate nominated for election may, not later than five o'clock p.m. on the day of 19, withdraw his [or her] candidature by delivering or causing to be delivered at my office for the purposes of the election a notice in writing of such withdrawal signed by him [or her].

12. If more than $\left. \begin{array}{l} \text{candidate is} \\ \text{candidates are} \end{array} \right\}$ deemed to be duly nominated for
 the $\left. \begin{array}{l} \text{County} \\ \text{District} \end{array} \right\}$ Electoral Division and the number is not from any cause reduced to
 , a poll will be taken on the day of 19 ,
 of which due notice will be given.
 Dated this day of , 19 .

.....
 Returning Officer.
 [Deputy Returning Officer.]

.....
Office for purpose of election.

Note.—There shall be added to every notice of election to be published under Rule 3 of this Order the notification following with respect to claims against returning officers; namely:—

“ Take Notice, that every person having any claim against a returning officer for work, labour, material, services, or expenses in respect of any contract made with him by or on behalf of the returning officer, for the purposes of an election shall, within fourteen days after the day on which the return is made of the person or persons elected at the election, transmit to the returning officer the detailed particulars of such claim, in writing, and the returning officer shall not be liable in respect of anything which is not duly stated in such particulars.”

FORM No. 2.

Statement as to Persons nominated.

COUNTY OF
 COUNTY }
 DISTRICT } ELECTORAL DIVISION OF

The following is a statement as to the persons nominated for election as
 { County }
 { } Councillor [or Councillors] for the above-named { District }
 Electoral Division. ..

Division.	Persons nominated.			Decision of Returning Officer that Candidate has not been deemed to have been duly nominated.
	Names (Surnames first). 2.	Place of Abode. 3.	Description 4.	
1.				5.

The Candidates opposite whose names no entry is made in Column 5 have been duly nominated.

Dated this day of , 19 .

.....
 Returning Officer.
 [Deputy Returning Officer.]

.....
Office for purpose of Election.

FORM NO. 3.

Notice that no Poll will be taken.

COUNTY OF { COUNTY } ELECTORAL DIVISION OF { DISTRICT }

WHEREAS the following candidates have been duly nominated for election to the office of { County } Councillor for the { County } Electoral Division { Rural District } { District } [Insert names, places of abode, and description of candidates.]

And whereas the said [insert name or names] has [or have] since withdrawn his [or her or their] candidature [or if some other event has occurred causing a person to cease to be a candidate state what it is], and { candidate } only { remains } to be elected to the office of { County } Councillor for the said Electoral Division { Rural District } [or whereas the following { candidate } only { has } been duly nominated for election to the office of { County } Councillor for the { County } Electoral Division of { Rural District } { District }]

I do hereby give notice that a Poll will not be taken and that the said [insert names] will be declared to be elected as { County } { Councillor } for the said Division, and that [insert names] retiring { County } { Rural District } Councillor [or Councillors will be declared to be deemed to be re-elected.]* Dated this day of , 19

Returning Officer [Deputy Returning Officer].

*Not applicable at a first election; and at the ordinary election only applicable when the number of candidates validly nominated is less than the number of vacancies to be filled.

FORM NO. 4.

Notice where no Candidates are Nominated.

COUNTY OF ELECTORAL DIVISION OF

I do hereby give notice that no candidate has been duly nominated for election to the office of { County } Councillor for the said Division,* and that [insert names] the retiring { County Councillor } for the said Division will be declared to be deemed to be re-elected. Dated this day of , 19

Returning Officer [Deputy Returning Officer].

*If the election is a first election omit from * to the end of the sentence.

FORM No. 5.

Notice of Poll.

(For use when the Poll is to be taken either for the Election of a County Councillor [or Councillors] only, or for that of Rural District Councillors only.)

COUNTY OF $\left\{ \begin{array}{l} \text{County} \\ \text{DISTRICT} \end{array} \right\}$ ELECTORAL DIVISION OF

ELECTION OF $\left\{ \begin{array}{l} \text{A COUNTY COUNCILLOR} \\ \text{RURAL DISTRICT COUNCILLORS} \end{array} \right\}$

for the above $\left\{ \begin{array}{l} \text{County} \\ \text{District} \end{array} \right\}$ Electoral Division in the

year 19

NOTICE IS HEREBY GIVEN—

1. That a poll for the election of $\left\{ \begin{array}{l} \text{a County Councillor [or Councillors]} \\ \text{Rural District Councillors} \end{array} \right\}$

for the above-named $\left\{ \begin{array}{l} \text{County} \\ \text{District} \end{array} \right\}$ Electoral Division will be held on

the day of , 19 , between the hours of and

2. That the names in alphabetical order, places of abode, numbers on Register, if any, and descriptions of the Candidates for election, and the names and numbers on the Register of their respective Proposers and Seconders are as follows:—

Names of Candidate (Surname first).*	No. on Reg. if any	Place of Abode.	Des-cription	Names of Proposer (Surname first).	No. on Reg.	Names of Seconder (Surname first).	No. on Reg.
1	2	3	4	5	6	7	8

*Insert particulars as to each candidate for the electoral division whose nomination is valid and who has not withdrawn his candidature.

†If the electoral division is not divided into polling districts for the purposes of the election paragraph 3 should be omitted.

‡If only one polling place or station adapt form accordingly.

‡3.—(i) That each elector must vote in the Polling District in which the property in respect of which he votes is situate, and if it is situate in more than one Polling District he may vote in any one (but in one only) of such Polling Districts.

(ii) The Polling Districts are as follows:—

‡4. The situation and allotment of the Polling Places and Polling Stations and the description of the persons entitled to vote thereat are as follows:—

5. The poll will be taken by ballot, and the colour of the ordinary ballot paper used in the election will be (*insert colour*).

Dated this day of 19

.....
Returning Officer.

.....
Office for purpose of election.

Nominat on and Election

FORM No. 8.

Notice of Result of Elections.

{ COUNTY OF }
{ RURAL DISTRICT OF }

ELECTION OF { COUNTY } COUNCILLORS
{ RURAL DISTRICT }

for the above-named { County } in the year 19
{ Rural District }

I, the undersigned, being the Returning Officer at the election of
{ County Councillors } for the said { County } do hereby give notice
{ Rural District Councillors } { Rural District }

that the persons whose names are entered in column 6 of the Statement hereunder
opposite to the numbers entered in column 5 have been declared duly elected

{ County Councillors }
{ Rural District Councillors }; and I hereby declare that the persons whose
names are entered in the said column 6 [or in column 7],* and opposite to whose
names no numbers are entered in column 5, where no Polls have been taken, were

*If the elec-
tion is a first
election omit
these words and
column

duly elected [or are to be deemed to be re-elected]* { County Councillors }
{ Rural District Councillors }

for the { County } Electoral Division opposite to the names of which in column
{ District }

I the names of such candidates are entered.

{ County } { District } Electoral Divisions	Names of Candidates.		Places of Abode.	No. of Votes. re- corded.	Names of Candi- dates elected.	Names of retiring Councillors deemed to be re-elected.
	Surnames.	Other Names.				
1.	2.	3.	4.	5.	6.	7.

Dated this , 19

Returning Officer.

THIRD SCHEDULE.

PROVISIONS OF THE BALLOT ACT, 1872, AS ADAPTED AND ALTERED IN THEIR APPLICATION TO THE ELECTION OF COUNTY AND RURAL DISTRICT COUNCELLORS.

PROCEDURE AT ELECTIONS OF COUNTY AND RURAL DISTRICT COUNCELLORS.

Poll at Elections.

2. The ballot of each voter shall consist of a paper (in this Act called a ballot paper) showing the names and description of the candidates. Each ballot paper shall have a number printed on the back, and shall have attached a counterfoil with the same number printed on the face. At the time of voting, the ballot paper shall be marked on both sides with an official mark, and delivered to the voter within the polling station, and the number of such voter on the register of voters shall be marked on the counterfoil, and the voter having secretly marked his vote on the paper, and folded it up so as to conceal his vote, shall place it in a closed box in the presence of the officer presiding at the polling station (in this Act called "the presiding officer") after having shown to him the official mark at the back.

If in the register of electors for a county electoral division the same number is placed opposite to the name of more than one elector, the returning officer shall put a distinguishing mark on each part of the register which contains numbers used in other parts of the register, and when the number of any voter on any part of the register is entered on the counterfoil of a ballot paper, the mark on that part shall also be entered thereon.

Any ballot paper which has not on its back the official mark, or on which votes are given to more candidates than the voter is entitled to vote for, or on which anything, except the said number on the back, is written or marked by which the voter can be identified, shall be void and not counted.

After the close of the poll the ballot boxes shall be sealed up, so as to prevent the introduction of additional ballot papers, and shall be taken charge of by the returning officer, and that officer shall, in the presence of such agents, if any, of the candidates as may be in attendance, open the ballot boxes, and ascertain the result of the poll by counting the votes given to each candidate, and shall forthwith declare to be elected the candidates or candidate to whom the majority of votes have been given. The decision of the returning officer as to any question arising in respect of any ballot paper shall be final, subject to reversal on petition questioning the election or return.

OFFENCES.

Offences in respect of Ballot Papers and Ballot Boxes.

3. Every person who—

- (1.) Forges or counterfeits or fraudulently defaces or fraudulently destroys any ballot paper, or the official mark on any ballot paper; or
- (2.) Without due authority supplies any ballot paper to any person; or
- (3.) Fraudulently puts into any ballot box any paper other than the ballot paper which he is authorised by law to put in; or
- (4.) Fraudulently takes out of the polling station any ballot paper; or
- (5.) Without due authority destroys, takes, opens, or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of the election;

shall be guilty of a misdemeanour, and be liable, if he is a returning officer or an officer or clerk in attendance at a Polling Station, to imprisonment for any term not exceeding two years, with or without hard labour, and if he is any other person to imprisonment for any term not exceeding six months, with or without hard labour.

Any attempt to commit any offence specified in this section shall be punishable in the manner in which the offence itself is punishable.

In any indictment or other prosecution for an offence in relation to the ballot boxes, ballot papers, and marking instruments at an election, the property in such papers, boxes, and instruments may be stated to be in the returning officer at such election, as well as the property in the counterfoils.

Infringement of Secrecy.

4. Every officer, clerk, and agent in attendance at a polling station shall maintain and aid in maintaining the secrecy of the voting in such station, and shall not communicate, except for some purpose authorised by law, before the poll is closed, to any person any information as to the name or number on the register of electors of any elector who has or has not applied for a ballot paper or voted at that station, or as to the official mark, and no such officer, clerk or agent, and no person whatsoever, shall interfere with or attempt to interfere with a voter when marking his vote, or otherwise attempt to obtain in the polling station information as to the candidate for whom any voter in such station is about to vote or has voted, or communicate at any time to any person any information obtained in a polling station as to the candidate for whom any voter in such station is about to vote or has voted, or as to the number on the back of the ballot paper given to any voter at such station. Every officer, clerk, agent, and person in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting, and shall not attempt to ascertain at such counting the number on the back of any ballot paper, or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper. No person shall directly or indirectly induce any voter to display his ballot paper after he shall have marked the same, so as to make known to any person the name of the candidate for or against whom he has so marked his vote.

Every person who acts in contravention of the provisions of this section shall be liable, on summary conviction before two justices of the peace, to imprisonment for any term not exceeding six months, with or without hard labour.

USE OF SCHOOL AND PUBLIC ROOM FOR POLL.

6. The returning officer at an election of

County
Rural District

 Councillors may use free of charge, for the purpose of taking the poll, hearing objections to nomination papers, and for counting the votes at such election, any room in a school receiving a grant out of moneys provided by Parliament, and any room the expense of maintaining which is payable out of any local rate, but he shall make good any damage done to such room, and defray any expense incurred by the person or body of persons, corporate or unincorporate, having control over the same on account of its being used for the purpose of taking the poll or for counting the votes as aforesaid. This section shall not apply to any school adjoining or adjacent to any church or other place of worship, nor to a school connected with a convent or other religious establishment.

The use of any room in an unoccupied house for taking the poll shall not render any person liable to be rated or to pay any rate for such house.

DUTIES OF RETURNING AND ELECTION OFFICERS.

General Powers and Duties of Returning Officer.

8. Subject to the provisions of this Act, every returning officer shall provide such nomination papers, polling stations, ballot boxes, ballot papers, stamping instruments, copies of register of electors, and other things, appoint and pay such officers, and do such other acts and things as may be necessary for effectually conducting the election.

Every deputy returning officer shall, in so far as he acts as returning officer, be deemed to be included in the term returning officer.

Keeping of Order in Station.

9. If any person misconducts himself in the polling station, or fails to obey the lawful orders of the presiding officer, he may immediately, by order of the presiding officer, be removed from the polling station by any constable in or near that station, or any other person authorised in writing by the returning officer to remove him; and the person so removed shall not, unless with the permission of the presiding officer, again be allowed to enter the polling station during the day.

Any person so removed as aforesaid, if charged with the commission in such station of any offence, may be kept in custody until he can be brought before a justice of the peace.

Provided that the powers conferred by this section shall not be exercised so as to prevent any elector who is otherwise entitled to vote at any polling station from having an opportunity of voting at such station.

Powers of Presiding Officer and Administration of Oaths, &c.

10. For the purpose of the adjournment of the poll, a presiding officer shall have the power by law belonging to a deputy returning officer in a parliamentary election; and any presiding officer and any clerk appointed by the returning officer to attend at a polling station shall have the power of asking the questions and administering the oath authorised by law to be asked of and administered to voters, and any justice of the peace and any returning officer may take and receive any declaration authorised by this Act to be taken before him.

Liability of Officers for Misconduct.

11. Every returning officer, presiding officer, and clerk who is guilty of any wilful misfeasance or any wilful act or omission in contravention of this Act shall, in addition to any other penalty or liability to which he may be subject, forfeit to any person aggrieved by such misfeasance, act, or omission a penal sum not exceeding one hundred pounds.

No returning officer or officer appointed by him in connexion with the election of { a County Councillor [or Councillors] } for any { County } Electoral
Rural District Councillors { District }

Division, nor any partner or clerk of any such officer, shall act as agent for any candidate in the management or conduct of his { County Councillor }
election as { Rural District Councillor }

If any returning officer or officer appointed by him, or the partner or clerk of any such officer, shall so act he shall be guilty of a misdemeanour.

MISCELLANEOUS.

Prohibition of Disclosure of Vote.

12. No person who has voted at an election shall, in any legal proceeding to question the election or return, be required to state for whom he has voted.

Non-compliance with Rules.

13. No election shall be declared invalid by reason of a defect in the title or appointment of the returning officer or deputy returning officer or of a non-compliance with the rules contained in the First Schedule to this Act or in the County and Rural District Councillors (Northern Ireland) Election Order, 1923, or any mistake in the use of the forms in the Second Schedule to this Act or in the said Order, if it appears to the tribunal having cognizance of the question that the election was conducted in accordance with the principles laid down in the body of this Act and of the Local Government Acts (Northern Ireland) 1898 to 1923, and that such non-compliance or mistake did not affect the result of the election.

PERSONATION.

Definition and Punishment of Personation.

24. The following enactments shall be made with respect to personation at an election of { County Councillors }
Rural District Councillors }

It shall be the duty of the returning officer to institute a prosecution against any person whom he may believe to have been guilty of personation, or of aiding, abetting, counselling or procuring the commission of the offence of personation by any person, at the election for which he is returning officer, and the costs and expenses of the prosecutor and the witnesses in such case, together with compensation for their trouble and loss of time, shall be allowed by the court in the same manner in which courts are empowered to allow the same in cases of felony.

Sections 93 to 96, both inclusive, of the Representation of the People (Ireland)

Act, 1850, shall apply to personation at an election of { County Councillors }
Rural District Councillors }

in the same manner as they apply to a person who knowingly personates and falsely assumes to vote in the name of another person as mentioned in the said Act, but with the substitution of the words "any agent appointed under the County and Rural District Councillors (Northern Ireland) Election Order, 1924, for "any such agent so appointed as aforesaid" or for any reference to any such agent, and of "the presiding officer" for "the returning officer or his respective deputy."

EFFECT OF SCHEDULES.

28. The schedules to this Act, and the notes thereto, and directions therein shall be construed and have effect as part of this Act.

SCHEDULES TO ACT.

FIRST SCHEDULE TO ACT.

RULES FOR ELECTIONS OF COUNTY AND RURAL DISTRICT COUNCILLORS.

The Poll.

15. At every polling place the returning officer shall, subject to the provisions of the County and Rural District Councillors (Northern Ireland) Election Order, 1924, provide a sufficient number of polling stations for the accommodation of the electors entitled to vote at such polling place, and shall distribute the polling stations amongst those electors in such manner as he thinks most convenient.

17. A separate room or separate booths may contain a separate polling station, or several polling stations may be constructed in the same room or booth.

18. No person shall be admitted to vote at any polling station except the one allotted to him.

20. The returning officer shall provide each polling station with materials for voters to mark the ballot papers, with instruments for stamping thereon the official mark, and with copies of the register of voters, or such part thereof as contains the names of the voters allotted to vote at such station. He shall keep the official mark secret.

21. The presiding officer appointed to preside at each station shall keep order at his station, shall regulate the number of electors to be admitted at a time, and shall exclude all other persons except the clerks, the agents of the candidates, and the constables on duty.

22. Every ballot paper shall contain a list of the candidates described as in their respective nomination papers, and arranged alphabetically in the order of their surnames, and (if there are two or more candidates with the same surname) of their other names; it shall be in the form set forth in the Second Schedule to this Act or as near thereto as circumstances admit and shall be capable of being folded up.

23. Every ballot box shall be so constructed that the ballot papers can be introduced therein, but cannot be withdrawn therefrom, without the box being unlocked. The presiding officer at any polling station, just before the commencement of the poll, shall show the ballot box empty to such persons, if any, as may be present in such station, so that they may see that it is empty, and shall then lock it up, and place his seal upon it in such manner as to prevent its being opened without breaking such seal, and shall place it in his view for the receipt of ballot papers, and keep it so locked and sealed.

24. Immediately before a ballot paper is delivered to an elector, it shall be marked on both sides with the official mark either stamped or perforated, and the number, name, and description of the elector as stated in the copy of the register shall be called out, and the number of such elector, together with the distinguishing mark, if any, of the part of the register in which the number occurs, shall, as required by Section 2 of this Act as adapted, be marked on the counterfoil, and a mark shall be placed in the register against the number of the elector, to denote that he has received a ballot paper, but without showing the particular ballot paper which he has received.

25. The elector, on receiving the ballot paper, shall forthwith proceed into one of the compartments in the polling station, and there mark his paper, and

" of _____, in this or any other { County } Electoral Division
 { District }

" of the said { County } of _____, and that I have not
 { Rural District }

" already voted at an Election either of Rural District Councillors.
 " or Guardians in any other District Electoral Division of the Union
 " of _____ "

28. A voter who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper, may, on delivering to the presiding officer the ballot paper so inadvertently dealt with, and proving the fact of the inadvertence to the satisfaction of the presiding officer, obtain another ballot paper in the place of the ballot paper so delivered up (in this Act called a spoilt ballot paper), and the spoilt ballot paper shall be immediately cancelled.

29. The presiding officer of each station, as soon as practicable after the close of the poll, shall make up into separate packets sealed with his seal,—

- (1.) Each ballot box in use at his station, unopened but with the key attached and
- (2.) The unused and spoilt ballot papers, placed together; and
- (3.) The tendered ballot papers; and
- (4.) The marked copies of the register of electors, and the counterfoils of the ballot papers; and
- (5.) The tendered votes list, and the list of votes marked by the presiding officer, and a statement of the number of the voters whose votes are so marked by the presiding officer under the heads " physical incapacity," " Jews," and " unable to read," and the declaration of inability to read;

and shall deliver such packets to the returning officer, or deputy returning officer by whom the votes are to be counted, unless he is himself such officer.

30. The packets shall be accompanied by a statement made by such presiding officer, showing the number of ballot papers entrusted to him and accounting for them under the heads of ballot papers in the ballot box, unused, spoilt, and tendered ballot papers, which statement is in this Act referred to as the ballot paper account.

Counting Votes.

31. Each candidate may appoint an agent to attend the counting of the votes.

32. The returning officer shall make arrangements for counting the votes in the presence of the agents of the candidates as soon as practicable after the close of the poll, and shall give to the agents of the candidates appointed to attend at the counting of the votes notice in writing of the time and place at which he will begin to count the same.

33. The returning officer, his assistants and clerks, the agents of the candidates, and any person to whom Rule 51 of this Schedule applies, and no other person, except with the sanction of the returning officer, may be present at the counting of the votes.

34. Before the returning officer proceeds to count the votes, he shall, in the presence of the agents of the candidates, open each ballot box, and taking out the papers therein, shall count and record the number thereof, and then mix together the whole of the ballot papers contained in the ballot boxes. He shall then proceed to count the votes.

The returning officer, while counting and recording the number of ballot papers and counting the votes, shall keep the ballot papers with their faces upwards, and take all proper precautions for preventing any person from seeing the numbers printed on the backs of such papers.

35. The returning officer shall, so far as practicable, proceed continuously with counting the votes, allowing only time for refreshment, and excluding, if and so far as he thinks it necessary, the hours between the close of the poll and

nine o'clock on the succeeding morning. During the excluded time the returning officer shall place the ballot papers and other documents relating to the election under his own seal and the seals of such of the agents of the candidates as desire to affix their seals, and shall otherwise take proper precautions for the security of such papers and documents.

36. The returning officer shall endorse "rejected" on any ballot paper which he may reject as invalid, and shall add to the endorsement "rejection objected to," if an objection be in fact made by any agent to his decision. The returning officer shall draw up a statement showing the number of ballot papers rejected and not counted by him under the several heads of—

1. Want of official mark.
2. Voting for more candidates than entitled to ;
3. Writing or mark by which voter could be identified ;
4. Unmarked or void for uncertainty ;

and shall on request allow any agents of the candidates to copy such statement. If the votes are counted by a deputy returning officer he shall, with the declaration of the result of the poll, report to the returning officer the number of ballot papers rejected and not counted by him, under the above heads, and no such statement as aforesaid shall be drawn up by the returning officer. The deputy returning officer shall, on request, allow any agents of the candidates, before such report is sent in, to copy it.

37. Upon the completion of the counting, the returning officer shall seal up in separate packets the counted and rejected ballot papers. He shall not open the sealed packet of tendered ballot papers or marked copy of the register of voters and counterfoils, but shall proceed, in the presence of the agents of the candidates, to verify the ballot paper account given by each presiding officer by comparing it with the number of ballot papers recorded by him as aforesaid, and the unused and spoilt ballot papers in his possession and the tendered votes list, and shall reseal each sealed packet after examination. The returning officer shall draw up a statement as to the result of such verification, and shall, on request, allow any agents of the candidates to copy it.

If the votes are counted by a deputy returning officer, he shall report to the returning officer the result of the verification, and no such statement as aforesaid shall be drawn up by the returning officer. The deputy returning officer shall, on request, allow any agents of the candidates, before such report is sent in, to copy it. He shall with his report send to the returning officer the sealed packets of counted and rejected ballot papers, and the unopened sealed packets which he has received from any presiding officer.

38. Lastly, the returning officer shall carefully preserve for the period hereinafter mentioned all the packets of ballot papers in his possession, together with the said reports, the ballot paper accounts, tendered votes lists, lists of votes marked by the presiding officer, statements relating thereto, declarations of inability to read, and packets of counterfoils, and marked copies of registers, endorsing on each packet a description of its contents and the date of the election to which they relate, and the name of the district for which such election was held.

39. The returning officer shall retain for six months all documents relating to an election of $\left\{ \begin{array}{l} \text{County} \\ \text{Rural District} \end{array} \right\}$ Councillors, and then, unless otherwise directed

by an order of a court having jurisdiction in the matter, or of any tribunal in which the election is questioned, shall cause them to be destroyed.

40. No person shall be allowed to inspect any rejected ballot papers in the custody of the returning officer, except under the order of the court or tribunal aforesaid to be granted by such court or tribunal on being satisfied by evidence on oath that the inspection or production of such ballot papers is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of a petition questioning an election or return; and any such order for the inspection or production of ballot papers may be made subject to such conditions as to persons, time, place, and mode of inspection or production as the court or tribunal making the same may think expedient, and shall be obeyed by the returning officer.

41. No person, shall except by order of a court, or of any tribunal having cognizance of any question relating to the election, open the sealed packet of counterfoils after the same has been once sealed up, or be allowed to inspect any counted ballot papers in the custody of the returning officer. Such order may be made subject to such conditions as to persons, time, place, and mode of opening or inspection as the court or tribunal making the order may think expedient: provided that on making and carrying into effect any such order, care shall be taken that the mode in which any particular elector has voted shall not be discovered until he has been proved to have voted, and his vote has been declared by a competent court to be invalid.

42. All documents in the custody of a returning officer in pursuance of this Act, other than ballot papers and counterfoils, shall be open to public inspection at such time and under such regulations as may have been or may hereafter be prescribed by the Council of the County in which the

{	<i>County</i>	}
{	District	}

 electoral division is situate, and the returning officer shall supply copies of or extracts from the said documents to any person demanding the same, on payment of such fees and subject to such regulations as may have been or may hereafter be prescribed by the county council.

43. Where an order is made for the production by the returning officer of any document in his possession relating to any specified election of

{	<i>County</i>	}
{	Rural District	}

 Councillors, the production by such officer or his agent of the document ordered, in such manner as may be directed by such order, or by an order of the court having power to make such first-mentioned order, shall be conclusive evidence that such document relates to the specified election; and any endorsement appearing on any packet of ballot papers produced by such returning officer or his agent shall be evidence of such papers being what they are stated to be by the endorsement. The production from proper custody of a ballot paper purporting to have been used at any election, and of a counterfoil marked with the same printed number and having a number marked thereon in writing, shall be prima facie evidence that the person who voted by such ballot paper was the person who at the time of such election had affixed to his name in the register of voters at such election the same number as the number written on such counterfoil.

General Provisions.

47. If the returning officer presides at any polling station, the provisions of this Act relating to a presiding officer shall apply to such returning officer with the necessary modifications as to things to be done by the returning officer to the presiding officer, or the presiding officer to the returning officer.

48. The returning officer may, in addition to any clerks, appoint competent persons to assist him in counting the votes.

49. No person shall be appointed by a returning officer for the purposes of an election who has been employed by any other person in or about the election.

50. The presiding officer may do, by the clerks appointed to assist him, any act which he is required or authorised to do by this Act at a polling station, except ordering the arrest, exclusion, or rejection from the polling station of any person.

51. A candidate may himself undertake the duties which any agent of his, if appointed under Rule 31 of this Schedule, might have undertaken, and may, if he does not appoint such an agent, be present at the counting of the votes, or may himself take the place of such agent: provided that any persons acting under this Rule, may at any time before so acting, make the statutory declaration as to secrecy required by Rule 54 of this Schedule, but he shall not so act until he has made such declaration.

52. The name and address of every agent of a candidate appointed to attend the counting of the votes shall be transmitted to the returning officer so as to reach him two clear days at the least before the opening of the poll; and the returning officer may refuse to admit to the place where the votes are counted any agent whose name and address has not been so transmitted, notwithstanding that his appointment may be otherwise valid, and any notice required to be given to an agent by the returning officer may be delivered at or sent by post to such address.

53 If any person appointed an agent for the purposes of attending a polling station, or at the counting of the votes dies, or becomes incapable of acting during the time of the election, another agent may be appointed in his place, and notice shall forthwith be given to the returning officer in writing of the name and address of any agent so appointed

54 Every returning officer, and every officer, clerk, or agent authorised to attend at a polling station, and also every officer, clerk, or agent authorised to attend at the counting of the votes, shall, before the opening of the poll, make a statutory declaration of secrecy, in the presence, if he is the returning officer, of a justice of the peace, and if he is any other officer or an agent, of a justice of the peace or of the returning officer; but no such returning officer, clerk, or agent as aforesaid shall, save as aforesaid, be required, as such, to make any declaration or take any oath on the occasion of any election.

55. Where in this Act any expressions are used requiring or authorising or inferring that any act or thing is to be done in the presence of the agents of the candidates, such expressions shall be deemed to refer to the presence of such agents of the candidates as may be authorised to attend, and as have in fact attended, at the time and place where such act or thing is being done, and the non-attendance of any agents or agent at such time and place shall not, if such act or thing be otherwise duly done, in anywise invalidate the act or thing done.

SECOND SCHEDULE TO ACT.

Note.—The forms contained in this schedule, or forms as nearly resembling the same as circumstances will admit, shall be used in all cases to which they refer and are applicable, and when so used shall be sufficient in law.

Form of Ballot Paper.

Form of Front of Ballot Paper.

ELECTION OF { COUNTY COUNCILLORS }
 OF { RURAL DISTRICT COUNCILLORS. }

Counterfoil No.



NOTE—

The counterfoil is to have a number to correspond with that on the back of the Ballot Paper.

1	DOYLE (James Doyle, of 10, High St., Oilman.)
2	LYNCH (Jane Ellen Lynch, of 12 Main St., Grocer.)
3	O'BRIEN (John O'Brien, of 22 Wellclose Place, Accountant.)
4	O'CONNOR (Charles O'Connor, of 7 Green St., Gentleman.)
5	THOMPSON (William Henry Thompson, of 14 Queen St., Silversmith.)
6	WILSON (Robert Wilson, of 22 Ranelagh Square, Chemist.)

Form of Back of Ballot Paper.

No. Election of $\left\{ \begin{array}{l} \text{County} \\ \text{Rural District} \end{array} \right\}$ Councillor for the $\left\{ \begin{array}{l} \text{County} \\ \text{District} \end{array} \right\}$ Electoral Division

Note.—The number on the ballot paper is to correspond with that on the counterfoil.

Directions as to printing Ballot Paper.

Nothing is to be printed on the ballot paper except in accordance with this schedule.

The surname of each candidate, and if there are two or more candidates of the same surname, also the other names of such candidates, shall be printed in large characters, and the names, places of abode, and descriptions and the number on the back of the paper, shall be printed in small characters.

Form of Directions for the Guidance of the Voter in voting, which shall be printed in conspicuous Characters, and placarded outside every Polling Station, and in every Compartment of every Polling Station.

The voter may vote for $\left\{ \begin{array}{l} \text{candidate} \\ \text{candidates} \end{array} \right\}$ only $\left\{ \begin{array}{l} \text{County Councillor [or} \\ \text{Councillors]} \\ \text{Rural District Councillors.} \end{array} \right\}$ as.

The voter will go into one of the compartments, and, with the pencil provided in the compartment, place a cross on the right-hand side, opposite the name of the candidate for whom he votes, thus X

The voter will then fold up the ballot paper so as to show the official mark on the back; and leaving the compartment will, without showing the front of the paper to any person, show the official mark on the back to the presiding officer, and then, in the presence of the presiding officer, put the paper into the ballot box and forthwith quit the polling station.

If the voter inadvertently spoils a ballot paper, he can return it to the officer, who will, if satisfied of such inadvertence, give him another paper.

If the voter votes for more than $\left\{ \begin{array}{l} \text{candidate} \\ \text{candidates} \end{array} \right\}$ or places any mark on the paper by which he may be afterwards identified, his ballot paper will be void, and will not be counted.

If the voter takes a ballot paper out of the polling station, or deposits in the ballot box any other paper than the one given him by the officer, he will be guilty of a misdemeanour and be subject to imprisonment for any term not exceeding six months, with or without hard labour.

Note.—These directions shall be illustrated by examples of the ballot paper.

Form of Statutory Declaration of Secrecy.

I solemnly promise and declare, That I will not at this election of $\left\{ \begin{array}{l} \text{a County Councillor [or Councillors]} \\ \text{Rural District Councillors} \end{array} \right\}$ for the $\left\{ \begin{array}{l} \text{County} \\ \text{District} \end{array} \right\}$ Electoral Division of _____, do anything forbidden by section four of The Ballot Act, 1872, which has been read to me.

Note.—The section must be read to the declarant by the person taking the declaration.

Form of Declaration of inability to read.

I, A.B., _____, being numbered _____ on the Register of Local Government Electors for the $\left\{ \begin{array}{l} \text{County} \\ \text{District} \end{array} \right\}$ Electoral Division of _____, do hereby declare that I am unable to read.
 A.B., _____ his mark.
 day of _____, 19 _____

