

the candidate, receiving the greatest number of valid votes shall be deemed to be elected and shall be declared elected accordingly: Provided that, where an equality of votes is found to exist between two or more candidates, the returning officer shall determine by lot which of such candidates is or are to be deemed to be elected, and the candidate or candidates so determined shall be declared elected accordingly.

15. The poll shall open on the fourth day after the expiration of the period allowed for nomination and shall close on such day as may be fixed by the returning officer, not being earlier than the tenth nor later than the twelfth day after the expiration of the period aforesaid.

16. On the day on which the poll opens the returning officer shall send to each of the registered electors of the class a voting paper containing a list of the candidates described as in their respective nomination papers and arranged alphabetically in the order of their surnames, together with a notice stating the time at which the poll closes. The voting paper shall be according to the form prescribed by the Irish Senates (Proportional Representation) Order, 1921, if four or more senators are to be elected by those electors, or to the Form B in the Appendix to this Order if less than four senators are to be elected by those electors.

17. An elector shall vote by filling up a voting paper in the appropriate form and delivering the same personally to the returning officer at his office or sending the same by post to the returning officer at his office, but no voting paper shall be counted unless it is received before five o'clock in the afternoon of the day on which the poll closes.

18. On the next day after the day on which the poll closes the returning officer shall count the votes and shall declare the result of the election and make return accordingly, and shall as soon as practicable publish in the "Dublin Gazette" the names of the persons elected and shall send to each of them notice of his election. The decision of the returning officer as to the validity of any voting paper shall be final.

RETURN OF WRITS, ETC.

19. The returning officer shall make return to the writ by endorsing thereon under his hand the names, places of abode, and professions, occupations or descriptions of the persons elected as senators, and (save where the Clerk of the Crown and Hanaper is himself returning officer) by sending the writ so endorsed to the Clerk of the Crown and Hanaper immediately after the election.

20. When return has been made to a writ the Clerk of the Crown and Hanaper shall cause the return to be entered in a book, called the "Return Book," to be kept by him for that purpose, and shall send a copy of that book, or of any entry in the case of a by-election, to the proper officer of the Senate.

21. Every deputy returning officer shall, as soon as return has been made to a writ, send to the Clerk of the Crown and Hanaper all nomination papers, voting papers, and other documents connected with the election which are in his possession or custody.

GENERAL.

22. The Clerk of the Crown and Hanaper shall, subject to the approval of the Lord

Lieutenant, appoint such deputies and clerks as he may think necessary for the proper holding of an election, and in particular may appoint a deputy for the discharge of all or any of the duties of returning officer in connection with any election by county councillors voting together as a province, and any deputy so appointed shall, subject to the terms of his appointment, have all the powers of the returning officer.

In the event of the death, illness or incapacity of the Clerk of the Crown and Hanaper, the Lord Lieutenant may appoint a person to act temporarily in his place for the purposes of this Order.

23. A voting paper shall be deemed to be a public document within the meaning of subsection (2) of section four of the Forgery Act, 1913, and section five of the Perjury Act, 1911, shall apply to statements in a voting paper and shall be deemed to extend to Ireland for the purpose.

24. In reckoning time for the purpose of the provisions of this Order Sunday, Good Friday, Christmas Day, and any day set apart as a bank or public holiday or public fast or public thanksgiving shall be excluded; and where anything required by those provisions to be done on any day falls to be done on any such day, it may be done on the next day not being one of any such days.

25. Subject to any express provision in this Order, any nomination paper, voting paper, or other document required by this Order to be sent to any person may be sent by delivering it to that person, or by sending it by post in a letter addressed to him at his office in the case of the Clerk of the Crown and Hanaper or returning officer, and at his usual or last known residence or place of business in the case of any other person.

26. If any question arises as to the validity of an election then, subject to the foregoing provisions of this Order, the same shall be determined by the Lord Lieutenant, or in such manner as he may direct, and any such determination shall be final and effect shall be given thereto by the Senate as circumstances may require.

27. The enactments relating to the taking of the oath required to be taken by members of the House of Commons of the United Kingdom shall, in their application to the members of the Senate, have effect with the following modifications:—

(a) references to the Parliament of Southern Ireland and to the Senate shall be substituted respectively for references to the Parliament and to the House of Commons of the United Kingdom;

(b) references to the person holding in the Senate the office corresponding to the office of Speaker shall be substituted for references to the Speaker of the House of Commons of the United Kingdom:

Provided that until such person has been chosen by the Senate his powers and duties shall be exercised and performed by the Lord Chancellor of Ireland, and until standing orders have been made for the purpose by the Senate the time and manner of taking the oath shall be such as may be directed by the person aforesaid or, if no such person has been chosen, by the said Lord Chancellor.

Almeric FitzRoy.