

MAINE STATE LEGISLATURE

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Fifty-Seventh Legislature.

HOUSE.

No. 5.

REPORT OF COMMITTEE ON ELECTIONS.

In the case of John P. Farrell, contestant for the seat held by Alexis Cyr, as Representative from the district composed of Madawaska, Grand Isle, Hamlin, Pleasant Ridge, Connor, Cyr and Van Buren plantations, the Committee on Elections have attended to their duty, and report as follows :

It is not disputed that the whole number of votes for Representative in said district was 650, of which 357 were for said Farrell and 293 for said Cyr. The returns of said votes were all in due form, and no evidence of fraud was offered except in relation to two of the votes for Farrell.

The list of voters, however, which was returned by the Assessors and Clerk of Van Buren plantation, was not attested by them, though their attestation was on the envelope containing said list, and for this reason the vote of Van Buren was not counted and thus Alexis Cyr appeared to be elected.

It has long been the rule of the House in deciding contested election cases, that the will of the people as honestly expressed at the polls, shall govern in all cases where it can be clearly ascertained, and that the majority shall not be practically disfranchised by the intentional or accidental errors of officials in transmitting returns.

We can discover nothing in this case which would justify a departure from a rule so long established. The evidence warrants no other conclusion than that John P. Farrell had a majority of the legal votes in said district, and we report that he is entitled to a

seat as Representative therefrom, and that Alexis Cyr is not so entitled, and we recommend the passage of the following resolve:

Resolved, That John B. Farrell is entitled to a seat in this House.

EBEN. WOODBURY,
GEO. A. CURRAN,
THOMAS W. PORTER,
TIMOTHY BRACKETT,
JOHN L. BROWNE,
M. C. WADSWORTH,
LEWIS PIERCE.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
January 15, 1878. }

Report read and accepted, resolve adopted, and on motion of
Mr. ROBIE of Gorham, ordered printed.

ORAMANDAL SMITH, *Clerk.*