

MAINE STATE LEGISLATURE

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DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1853.

Augusta:
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1853.

THIRTY-SECOND LEGISLATURE.

HOUSE.]

[No. 13.

REPORT

OF THE

COMMITTEE ON ELECTIONS.

THE Committee on Elections, to whom was referred the remonstrance of Joseph Lombard against the right of Barker Duley to a seat in this House as representative from the district composed of the towns of West Bath, Phipsburg, Arrowsic and Georgetown, and claiming that he, the said Lombard, is the rightful claimant of said seat as the representative of said district, have had the same under consideration and ask leave to

REPORT:

The vote in the several town was as follows:

| | Duley. | Lombard. | Scattering. |
|-------------|--------|----------|-------------|
| Phipsburg, | 147. | 142 | 3 |
| West Bath, | 32 | 75 | |
| Arrowsic, | 41 | 22 | |
| | — | — | |
| | 220 | 239 | |
| Georgetown, | 79 | 23 | |
| | — | — | |
| | 299 | 262 | |

The only question involved, is one as to the vote of Georgetown; for, as will be seen by the above statement, if the vote of this town be counted, Barker Duley is elected by a plurality of thirty-seven votes; but if, on the other hand, the vote of Georgetown be rejected, then Joseph Lombard is elected by a plurality of nineteen votes.

It appears that the warrant for calling the town meeting in Georgetown was dated the 9th day of September, which was Thursday next preceding the meeting on Monday, and one of the notices was posted up, on that day, at the store of Mr. Berry, one of the usual places for posting such notices; the other notice was left at the usual place to be posted up, but does not appear to have been put up until the next day, Friday.

There was testimony tending to show that reports were circulated through the town, that there would be no meeting on account of the illegality of the notice. There was also testimony tending to show that much pains was taken to notify the inhabitants that there *would* be a meeting. The aggregate vote of said town at the annual election in 1849, was seventy, and stood as follows:

| | |
|--------------|----|
| For Hubbard, | 38 |
| “ Hamlin, | 7 |
| “ Talbot, | 25 |
| | — |
| | 70 |

In 1850, the entire vote was one hundred and seven.

| | |
|--------------|-----|
| For Hubbard, | 67 |
| “ Crosby, | 13 |
| “ Talbot, | 27 |
| | — |
| | 107 |

It is believed that the above statement embodies all the material facts in the case, and as such, they are respectfully submitted.

I. W. TABOR,

Chairman of Com. on Elections.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 21, 1853. }

ORDERED, That 350 copies of the foregoing Report from the Committee on Elections be printed for the use of the House.

A. B. FARWELL, *Clerk.*