

SENATE....No. 18.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Fifty.

AN ACT

Concerning the Election of Representatives in Congress and Electors of President and Vice President of the United States.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows :

1 SECT. 1. Whenever there shall be a failure to
2 elect a representative in Congress, in any district, at
3 the first meeting held therefore, agreeably to the
4 provisions of the sixth chapter of the Revised Stat-
5 utes, the same proceedings shall be had for subse-
6 quent further meetings as are required by said sixth
7 chapter ; and the person receiving the highest num-
8 ber of votes, at any such meeting, shall be declared
9 elected, and shall receive a certificate of his election
10 in the manner provided in said chapter.

1 SECT. 2. Whenever, in any such election, the
2 greatest number of votes for two or more candidates,
3 in any district, shall be equal to one another, said
4 candidates shall be deemed not to be elected, and a
5 new election shall be ordered within said district, in
6 the manner prescribed in said sixth chapter.

1 SECT. 3. Whenever, hereafter, elections shall be
2 holden in this Commonwealth for the election of
3 electors of president and vice president of the United
4 States, the several persons who shall receive the
5 highest number of votes, at such election, to the
6 number required to be chosen, shall be deemed to be
7 elected, and the governor shall transmit to each per-
8 son, so chosen, a certificate of his election.

1 SECT. 4. If, upon examination of the votes given
2 at such election, agreeably to the provisions of the
3 sixth chapter of the Revised Statutes, it shall appear
4 that two or more persons have received an equal
5 number of votes, by reason whereof a majority of
6 the electors shall not be chosen, the governor shall,
7 by proclamation, call the General Court together
8 forthwith, and the General Court shall, by joint bal-
9 lot of the senators and representatives, assembled in
10 one room, choose as many electors as shall be neces-
11 sary to complete the number to which this Common-
12 wealth may be entitled.

1 SECT. 5. All acts and parts of acts inconsistent
2 with the provisions of this act are hereby repealed.

HOUSE OF REPRESENTATIVES, January 29, 1850.

Ordered to be engrossed.

Sent up for concurrence.

C. W. STOREY, *Clerk.*