

HOUSE.....No. 8.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES.

The Committee on Elections, find that Ezra Beaman and others, inhabitants of West Boylston, remonstrate against the right of Silas Walker and Benjamin F. Keyes to a seat in this House, on the ground that the warrant calling the town meeting at which they were elected, did not conform to the provisions of the statutes.

A certified copy of the warrant was exhibited, which the sitting members admitted to be correct; and the member who offered the remonstrance stated that no other evidence would be offered.

The inhabitants are summoned to meet "at one o'clock in the afternoon," "to bring in their votes to the Selectmen for a Governor, and Lieutenant Governor of the Commonwealth, and for six Senators on one ballot, for the District of Worcester for the year ensuing. Also to determine the number of Representatives, said town will choose for the present year. Also to choose one or more Representatives to represent them in the

General Court." And the warrant then goes on to specify other subjects to be attended to.

From the above statement, it is apparent that the warrant does not specify, (otherwise than by implication, if at all) the hour at which the polls should be opened. But there is no allegation or suspicion of fraud in this case, or of any injurious result arising from this omission ; and the Committee are of opinion that it is not sufficient to vacate the seats of the sitting members.

The Committee therefore report, that the Remonstrants have leave to withdraw their Remonstrance.

THEOPHILUS PARSONS, *Chairman.*

Per order of the Committee.

January 16, 1840.

