

64TH CONGRESS,
1ST SESSION.

S. 5796.

IN THE SENATE OF THE UNITED STATES.

APRIL 29, 1916.

Mr. LA FOLLETTE introduced the following bill; which was read twice and referred to the Committee on the Census.

A BILL

To authorize the Director of the Bureau of the Census under certain conditions to prepare and distribute blank ballots and to receive and count marked ballots and report to Congress the result of an advisory vote.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That whenever the President shall sever diplomatic rela-
- 4 tions with any foreign Government, and thereafter, one per
- 5 centum of the qualified electors in each of twenty-five States,
- 6 as determined by the votes cast at the last preceding general
- 7 election at which Members of Congress were voted for in
- 8 each of said States, shall file with the Director of the Bureau
- 9 of the Census duly verified petitions as herein provided, it
- 10 shall be the duty of said director to ascertain and report to

1ST SESSION. S. 5796.

A BILL

Granting a pension to William H. Emery.

By Mr. THOMAS.

APRIL 29, 1916.—Read twice and referred to the Committee on Pensions.

1 Congress, as provided in this Act, the number of electors
2 voting at an advisory election in each congressional district
3 in the several States of the Union in favor and the number of
4 such electors voting in opposition to a declaration of war
5 against such foreign Government. Each of the aforesaid
6 petitions shall have written or printed at the top of each
7 sheet thereof substantially the following:

8 "I, the undersigned, a qualified elector of the city
9 of _____, county of _____, and State of _____, who
10 resides at number _____, on _____ street (or in the town
11 of _____), do hereby petition that the question of declar-
12 ing in favor of, or in opposition to, war against the
13 Government of _____ (with which Government diplo-
14 matic relations have been severed by the President) be
15 submitted to a vote of the electors of the several States.

16 "Name of signer, _____.

17 "In cities: Street _____, number _____.

18 "Date of signing, _____, 19____."

19 Each signer of such petition shall sign but one such
20 paper; he shall add his residence, with the street and num-
21 ber, if any, and the date of signing. The affidavit of a quali-
22 fied elector shall be appended to each such petition paper
23 stating that he is personally acquainted with all the persons
24 who have signed the same and that he knows them to be
25 qualified electors of the city or town of _____, in the

1 State of _____; that he knows that they signed this petition
2 with a full knowledge of the contents thereof and that their
3 respective residences are as stated therein and that each
4 signer signed the same upon the date set opposite his name.
5 Such affidavit may be attested before a notary public or other
6 officer authorized by the laws of such state to administer
7 oaths.

8 SEC. 2. That immediately upon the severance of diplo-
9 matic relations as aforesaid and the filing of the required
10 number of duly executed petitions from the requisite number
11 of States with the Director of the Bureau of the Census, as
12 provided in this Act, the said director shall cause to be
13 printed, and within ten days thereafter shall furnish at the
14 office of each postmaster in the United States in the inverse
15 order of their respective distances from Washington, District
16 of Columbia, a sufficient number of blank ballots to enable
17 each qualified elector residing within the limits of city
18 delivery, rural delivery, and other postal service from such
19 office (including its stations and branches from which mail
20 deliveries are made), to vote in favor of or against the
21 declaration of war.

22 The said ballots shall be of such size and shape and
23 bear such local identification marks as the Director of the
24 Bureau of the Census may determine to be most suitable to
25 enable the votes to be counted by congressional districts as

1 rapidly as possible, and on each ballot shall be printed the
2 following form, namely:

3 "Shall the United States declare war against the Gov-
4 ernment of _____ (here insert name of country), with
5 which government the President has severed diplomatic
6 relations?

7 "Yes. No.

8 "Mark in one of the square spaces with an X.

9 "I do hereby certify that I am a legally qualified voter,
10 residing at number _____, on _____ Street, in the city,
11 village, or town of _____, county of _____, State of
12 _____, and that I have not heretofore voted at this
13 advisory election.

14 "(Signature of voter) _____

15 "Dated this _____ day of _____, 19____."

16 And on the opposite side of said card the address of
17 the Bureau of Census, Washington, District of Columbia,
18 with the words "Official business—Free."

19 SEC. 3. That the postmaster or his deputy shall imme-
20 diately on receipt of the ballots cause to be posted in con-
21 spicuous places in the post office and in each branch post
22 office or station under his jurisdiction notices announcing
23 that the ballots are available for distribution during a period
24 of five days. Such notices shall be prepared by the Director
25 of the Bureau of the Census, and the time for the beginning

1 of the distribution of ballots shall be not more than ten days
2 after the date upon which the Director of the Census receives
3 a sufficient number of petitions to authorize an advisory vote
4 as provided in this Act. It shall be the duty of the Director
5 of the Census immediately to furnish the copy for the ballots
6 and notices to the Public Printer, to determine the number
7 of each to be printed, and the Public Printer shall print said
8 ballots and notices with all possible dispatch.

9 For a period of five days from the date specified in the
10 notice the postmaster or his deputy shall distribute the
11 ballots, either directly or through the regular carrier service,
12 to persons entitled to vote on the question in accordance with
13 the provisions of this Act.

14 SEC. 4. That every qualified elector in each State shall
15 be entitled to obtain one of the ballots at the post office
16 where he receives mail if there is no free delivery, or from
17 a letter carrier if there is city delivery, or from a rural mail
18 carrier if such elector receives mail on a rural route from
19 that office; and each such elector shall be entitled to mark
20 one, and only one, ballot and mail it to the Bureau of the
21 Census, Washington, District of Columbia. No postage
22 shall be necessary upon such card ballots.

23 SEC. 5. That at least once each day during the time
24 allowed for mailing ballots each postmaster, or the deputy
25 postmaster, shall assemble all ballots deposited in his office

1 for mailing to the Director of the Bureau of the Census, shall
 2 arrange the same in convenient packages for handling,
 3 securely wrap and seal the same for safe transit through the
 4 mails, and shall address each package to the Director of
 5 the Bureau of the Census, and shall designate on the outside
 6 of each package the name of the post office, the county and
 7 State in which it is located, and then to mail such package.

8 SEC. 6. That upon receipt of said ballots the Director
 9 of the Bureau of the Census shall use the staff and equip-
 10 ment of said bureau to ascertain separately the number of
 11 affirmative and negative votes cast from each State and from
 12 each congressional district: *Provided*, That no ballots re-
 13 ceived at the Bureau of the Census later than the fifteenth
 14 day from the beginning of the distribution from post office
 15 shall be counted.

16 The Director of the Bureau of the Census shall report
 17 the result of the count to Congress not later than ten days
 18 after the last day upon which ballots may be received for
 19 counting, and, as soon as may be thereafter, shall arrange
 20 by congressional districts and shall transmit to the clerk of
 21 the House of Representatives that portion of the ballots
 22 upon which appears the certificate of the voter.

23 Such certificates shall be filed by congressional dis-
 24 tricts by such clerk, and shall be open to the inspection of
 25 Senators and Representatives for their information.

1 SEC. 7. That any person who shall wilfully alter,
 2 mutilate, or destroy, or who shall delay or prevent the trans-
 3 mission of delivery by mail, of the ballot of any voter cast
 4 in an advisory election under the provisions of this Act, and
 5 any person not a qualified elector who shall vote at such
 6 election, and any qualified elector who shall cast more than
 7 one vote at such election, shall each be deemed guilty of a
 8 misdemeanor, and upon conviction thereof shall be punished
 9 for each offense by a fine of not less than \$300 or by
 10 imprisonment for a term of not less than one year, as the
 11 court shall determine.