

fulfill the purpose of his presence, he may not be "absent," yet he does not attend. This will more fully appear upon a close reading of said section and the discovery that the word "attend" is used all through it as applying to the Judges, while the word "present" is invariably used in speaking of all others. What must he attend? He must attend "at any election, Federal, State or County," and then it prescribes that he shall attend such election at the time and place designated. For what must he be present, to stand passive, to keep quiet, to do nothing, to refuse to hold an election? No. He must be present and perform his duty or be willing so to do, and then he attends within the meaning of the statute. Moreover such a construction as is contended for by the committee would not only enable the Judges to defeat the law entirely, and render it ineffective, but would be ridiculous in its results. The Judges might be present in body, and without rhyme or reason or arbitrarily refuse to hold an election. Official ballots might be furnished, the machinery of election complete in every detail and yet two ignorant, unqualified, or prejudiced Judges could defeat the right of suffrage by their construction of the law, and as in this case rely upon the Legislature, upon a quibble, to throw out the vote of a precinct, a district or a county by a narrow construction of the law based upon a contracted definition of a word. It is a well established canon of construction that all laws should be so construed, as by every reasonable intendment, to make them effective, and to accomplish their patent purposes. To this end the spirit and not the letter of the law is followed, and to ascertain its purpose is the best guide. The plain purpose of this section is to provide officers for holding elections, whenever, for any reason, those regularly appointed neglect or refuse to do so. The Legislature never intended to leave the sacred right of suffrage to the tender mercies of the legal opinion or the narrow partisanship of an Election Judge, based upon an attenuated technicality. The first duty of an Election Judge is to hold an election at the time and place prescribed, to secure a free expression of the will of the people, by a literal compliance with the terms of the