

# VOTE MACHINES BOUGHT BY CITY

## Few or No Paper Ballots to Be Used—Suit Rejected

The city signed a contract yesterday for the purchase of 2,750 voting machines from the Shoup Voting Machine Company of Canton, Ohio.

None of the new machines will be delivered in time for use at the primary election Sept. 6. But Mayor Wagner made public at City Hall a letter from James M. Power, president of the Board of Elections, notifying him that Shoup would lend the city, without charge, 800 voting machines for use in the primary.

While the Mayor reiterated his demand that sufficient voting machines be available to avoid any use of paper ballots in the primary, Mr. Power's letter disclosed "a possibility" that "in a few election districts there may be so many contests that more than two machines will be required."

"In these few instances," Mr. Power wrote, "space limitations may force us to use paper ballots in addition to the machines.

"We emphasize, however, that paper ballots, if used at all, will be used only in a few emergency situations, and it is our real hope that paper ballots will not be used."

Meanwhile, in the first of two related State Supreme Court actions Justice Peter A. Quinn denied a taxpayer's suit brought to block the purchase of the Shoup machines. The purchase was authorized by the Board of Estimate on July 6.

In the second court action, Justice Charles A. Loreto reserved decision on an effort of a group of reform Democrats, including Bentley Kassal, David Levy and Martin M. Berger, to compel the Board of Elections to arrange the listing of candidates on voting machines in the Sept. 6 primary elections so that all of the reform candidates can be on the same line.

### Ruling Upholds Board

In the taxpayer action, William J. Tinston of 2139 East Thirty-third Street, Brooklyn, filed suit last month charging that the Board of Estimate acted illegally July 6 in awarding the purchase contract to Shoup without competitive bidding.

Mr. Tinston is an employe of the Rockwell Manufacturing Company, whose Voting Machines Division has supplied the city with machines in the past. Justice Quinn held:

"It satisfactorily appears that the kind of voting machines specified by the Board of Elections was procurable from only one source. Hence it would have been a needless formality and the idlest of gestures for the Board of Estimate to compel letting [bidding] in these circumstances."

The Shoup machines that the city is buying, according to the contract signed yesterday in the office of the Department of Purchase in the Municipal Building will cost \$3,988,875.

The first shipment of 400 Shoup machines is scheduled to be delivered to the city within ninety days.