FIFTEENTH LEGISLATURE.

NO. 21. SENATE.

STATE OF MAINE.
IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND THIRTY-FIVE.

AN ADDITIONAL ACT regulating Elections.
[NEW DRAFT.]

Section 1. Be it enacted by the Senate and 2 House of Representatives, in Legislature as-
3 semble, That if any person, claiming a right 4 to have his name placed upon the list of voters, 5 at any session of the Aldermen, Selectmen, or 6 Assessors, for the purpose of preparing such list 7 of voters, to be used at any election of Gover-
8 nor, Senators, and Representatives, in the 9 Legislature of this State, Electors of President, 10 and Vice President of the United States, Rep-
resentative in Congress, County Treasurer, Register of Deeds, Town, City, or Plantation Officers, shall be challenged as unqualified, by any person entitled to vote at said election, the officers whose duty it shall be to prepare said list of voters, shall state to the person so challenged, the qualifications of an elector, and shall then proceed to receive the evidence of his qualifications as aforesaid, which, if satisfactory to all parties interested, shall entitle him to be placed on said list of voters, but if otherwise, and he shall still declare himself duly qualified, and shall furnish evidence of three months residence in the City, Town or Plantation, where he claims the right to vote, the officers aforesaid, shall tender to him the following oath or affirmation:—

You, A. B. do solemnly swear, (or affirm,) that you are a citizen of the United States, of the age of twenty one years and upwards, that you are not a pauper, nor under guardianship, that you have had your residence established in this town, (city or plantation,) for the term of three months next preceding this election, that such residence has not been gained by being stationed in any garrison, barrack, or military place, nor by being a student at any seminary of learning, in this town, (city or plantation,) so help you God.

And if he shall furnish evidence of his residence for the term of three months, in the town, (city or plantation,) next preceding the election, as
aforesaid, and shall take said oath or affirmation, he shall be deemed duly qualified, and his name shall be placed upon said list of voters, but not otherwise: Provided, however, That if the person to whom the oath or affirmation shall be tendered as aforesaid, be an Indian, he shall be required, in addition, to give oath, that he has been taxed; and provided also, that if any person living in any unorganized plantation and claiming a right to vote for any of the officers aforesaid, in the town or organized plantation where he has been, or is liable to be taxed, shall be required to furnish satisfactory evidence that he has had his residence, for the term of three months next preceding the election, in such unorganized plantation, and the aforesaid oath or affirmation, when administered to him, shall be varied accordingly, but the officers aforesaid, shall proceed to determine his qualifications, as an elector in all other respects, as in other cases.

Sec. 2. Be it further enacted, That it shall be the duty of the officer or officers, presiding at the election of any of the officers aforesaid, to receive the evidence, and determine the quali-
Sections of electors, at any time during the election, in the same manner as is prescribed in the first section of this additional act, and to place the names of such persons upon said list, and to receive their votes, who shall comply with the requirements of the aforesaid first section of this Additional Act, and be found to be duly qualified, agreeably thereto, but not otherwise.

Section 3. Be it further enacted, That the presiding officer or officers, at the election of any of the officers aforesaid, are hereby authorized to call on any person to state what he knows of the qualifications, as an elector, of any person claiming the right to vote at said election, and if such person so called upon, shall refuse to disclose what he knows of the qualifications, as an elector, of any such person claiming the right to vote, or shall wilfully or knowingly, make any false statement, or answer, relative thereto, shall forfeit and pay for each and every such offence, upon conviction thereof, before any court of competent jurisdiction, a sum not less than twenty, nor more than fifty dollars.

Section 4. Be it further enacted, That if any elector, challenged as unqualified, shall be guilty of wilful and corrupt false swearing or affirming,
4 in taking the oath or affirmation, prescribed in
5 this act, such person shall be adjudged guilty
6 of wilful and corrupt perjury.

 Sect. 5. Be it further enacted, That every
2 person who shall wilfully and corruptly, procure
3 or advise any person to swear or affirm falsely as
4 aforesaid, shall be adjudged guilty of subornation
5 of perjury, and shall upon the conviction thereof,
6 suffer the punishment directed by law, in cases of
7 wilful and corrupt perjury.

 Sect. 6. Be it further enacted, That if any
2 officer on whom any duty is enjoined in this act,
3 shall be guilty of any wilful neglect of such duty,
4 or of any corrupt conduct in the execution
5 of the same, and be thereof convicted, he
6 shall be deemed guilty of a misdemeanor, pun-
7 ishable by fine or imprisonment, according to the
8 aggravation of the offence; but the fine in no
9 case to be less than fifty, nor more than five
10 hundred dollars, nor the imprisonment more
11 than one year: Provided, however, that a re-
12 fusal to administer the oath or affirmation, shall
13 not subject the officer or officers presiding at said
14 election, to the penalties herein prescribed, un-
15 less the person offering to take the oath or affir-
SECTION 7. Be it further enacted, That if any person, shall, by bribery, menace, or other corrupt means whatsoever, either directly or indirectly, attempt to influence any elector of this State in giving his vote or ballot, or to deter him from giving the same, or disturb or hinder him in the free exercise of the right of suffrage, at any election within this State, held pursuant to the law regulating elections, and shall thereof be convicted, such person, so offending and convicted, shall be adjudged guilty of a misdemeanor, or, and be fined or imprisoned, according to the discretion of the Court, before which such conviction shall be had; such fine, in no case to be less than fifty, nor more than five hundred dollars, nor such imprisonment to exceed one year.

SECTION 8. Be it further enacted, That all Acts and parts of Acts, inconsistent with the provisions of this Act, be, and the same are hereby repealed.
STATE OF MAINE.

In Senate, February 17th, 1835.

Ordered, That the foregoing Bill lie on the table, and that three hundred copies, be printed for the use of the Legislature.

[Extract from Journal.]

Attest, WILLIAM TRAFTON, Secretary.