

# MAINE STATE LEGISLATURE

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# Sixty-Fifth Legislature.

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HOUSE.

No. 9.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED  
AND NINETY-ONE.

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An Act to Prevent Bribery and to Provide for the Distribution  
of Official Envelopes for State, County, City, Town, and  
Plantation Elections.

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*Be it enacted by the Senate and House of Representatives  
in Legislature assembled, as follows :*

SECTION 1. All ballots cast in elections for national,  
2 State, district and county officers in cities and towns and  
3 plantations after the first day of April in the year eighteen  
4 hundred and ninety-one, and all ballots cast in municipal  
5 elections in cities after that date, shall be enclosed in offi-  
6 cial envelopes, as hereinafter provided.

SECT. 2. The Secretary of State shall send official  
2 envelopes to the clerks of cities, towns and plantations  
3 thirty days before an election for national, state, county,

4 city, town and plantation officers, in number equal to five  
5 for every legal voter, as recorded at the previous election ;  
6 and the respective city, town and plantation clerks shall  
7 on delivery to them of such official envelopes return  
8 receipts therefor to the Secretary. The Secretary shall  
9 keep a record of the time when and the manner in which  
10 the packages of envelopes are sent.

The official envelopes shall be not less than three inches  
12 in width and not less than four inches in length, and a  
13 fac-simile of the signature of the Secretary of State shall  
14 be printed on the back and outside.

SECT. 3. The several city, town and plantation clerks  
2 shall send to the election officers of each voting place before  
3 opening of the polls on the day of election, official envelopes  
4 for such voting place, and a receipt of such delivery shall  
5 be returned to them from the clerk present, which receipt,  
6 with a record of the number of envelopes sent, shall be  
7 kept in the clerk's office for one year.

SECT. 4. In case the official envelopes to be furnished  
2 to any city, town, plantation or voting place therein, in  
3 accordance with the provisions of this Act, shall fail for  
4 any reason to be duly delivered, or in case after delivery  
5 they shall be destroyed or stolen, it shall be the duty of  
6 the clerk of such city or town to cause other envelopes to  
7 be provided substantially in the form of the envelopes so  
8 wanting and to be furnished.

The term "State election," as used in this Act, shall  
10 apply to any election held for the choice of a national,  
11 State, district or county officer, whether for a full term  
12 or for the filling of a vacancy, and the term "State officer"  
13 shall apply to any person to be chosen by the qualified

14 voters at such an election. The term "city election"  
15 shall apply to any municipal election so held in a city,  
16 and the term "city officer" shall apply to any person to  
17 be chosen by the qualified voters at such an election.

*Additional Election Officers.*

SECT. 5. The municipal officers of cities, towns and  
2 plantations shall annually in the month of May appoint a  
3 clerk for each polling place, whose duty it shall be to  
4 distribute an official envelope to a voter at the entrance  
5 of the voting enclosure. For each polling place in cities,  
6 towns and plantations, one clerk. Each of said officers  
7 shall be sworn to the faithful performance of his duties,  
8 and shall hold office for one year from the date of his  
9 appointment, and until a successor is appointed and qual-  
10 ified, or he is removed. Such election officers shall attend  
11 at the times and places designated for meetings in their  
12 respective wards, towns or plantations for the election of  
13 any national, state, county or ward officers, and shall  
14 receive such reasonable compensation for each day's actual  
15 service as the municipal officers of their respective cities,  
16 towns and plantations may determine. No person shall  
17 be eligible to the position of election officer in any ward,  
18 town or plantation where he is a candidate to be voted  
19 for.

*Voting Shelves or Compartments.*

SECT. 6. The municipal officers in each city, town or  
2 plantation, shall cause the polling places therein to be  
3 suitably provided with a sufficient number of voting  
4 shelves or compartments, at or in which voters may con-  
5 veniently enclose their ballots in an envelope screened

6 from the observation of others, and a guard rail shall be  
7 so constructed and placed that only such persons as are  
8 inside said rail can approach within six feet of the ballot  
9 boxes, and of such voting shelves or compartments. The  
10 arrangement shall be such that neither the ballot boxes  
11 nor the voting shelves or compartments shall be hidden  
12 from view of those just outside the said guard rail. The  
13 number of such voting shelves or compartments shall not  
14 be less than one for every one hundred voters qualified to  
15 vote at such polling place, and not less than three in any  
16 town, and not less than five in any ward of a city. No  
17 persons other than the election officers and voters admitted  
18 as hereinafter provided, shall be permitted within said  
19 rail, except by authority of the election officers for the  
20 purpose of keeping order and enforcing the law.

*Preparation of Ballots.*

SECT. 7. Besides the election officers, not more than  
2 one voter in excess of the number of voting shelves or com-  
3 partments provided shall be allowed in said enclosed space  
4 at one time.

SECT. 8. On receipt of his ballot the voter shall forth-  
2 with and without leaving the enclosed space, retire alone to  
3 one of the voting shelves or compartments so provided and  
4 shall prepare his ballot by enclosing the same in the official  
5 envelope provided. He shall vote in the manner now  
6 provided by law before leaving the enclosed space. He  
7 shall enclose and deposit his ballot without undue delay  
8 and shall quit said enclosed space as soon as he has voted.  
9 No such voter shall be allowed to occupy a voting shelf or  
10 compartment already occupied by another, nor to remain

11 within said enclosed space more than ten minutes, nor to  
12 occupy a voting shelf or compartment for more than five  
13 minutes in case all of such shelves or compartments are  
14 in use, and other voters are waiting to occupy the same.  
15 No voter not an election officer whose name has been  
16 checked on the list of the ballot officers, shall be allowed  
17 to re-enter said enclosed space during said election. It  
18 shall be the duty of the presiding election officer for the  
19 time being to secure the observance of the provisions of  
20 this section.

SECT. 9. No person shall take or remove any official  
2 envelope from the polling place before the close of the  
3 polls.

SECT. 10. Any voter who declares to the presiding  
2 election officer that he cannot read, or that by blindness  
3 or other physical disability he is unable to enclose his  
4 ballot, shall, upon request, receive the assistance of one  
5 or two of the election officers in the enclosure thereof, and  
6 such officer or officers shall certify on the outside thereof  
7 that it was so enclosed with his or their assistance, and  
8 shall thereafter give no information regarding the same.  
9 The presiding officer may, in his discretion, require such  
10 declaration of disability to be made by the voter under  
11 oath before him, and he is hereby qualified to administer  
12 the same.

SECT. 11. If a voter enclose more than one ballot in the  
2 official envelope, none of the ballots shall be counted. No  
3 ballot without being enclosed in the official envelope shall  
4 be allowed to be deposited in the ballot box, and none but  
5 ballots provided in accordance with the provisions of this  
6 act shall be counted. Ballots not counted shall be marked

7 “defective” on the back thereof, and shall be preserved  
8 and sent to the several city or town clerks.

*Time of Opening and Closing the Polls.*

SECT. 12. Meetings for the election of national, State,  
2 county and municipal officers may be opened as early as  
3 six o'clock a. m., and in no case shall the polls be kept  
4 open later than five o'clock p. m., and notice of the time  
5 of opening and closing shall be given in the warrant calling  
6 the meeting.

*Penalties.*

SECT. 13. A voter who shall, except as herein otherwise  
2 provided, allow his ballot to be seen by any person with  
3 an apparent intention of letting it be known how he is  
4 about to vote, or who shall make a false statement as to  
5 his inability to enclose his ballot, or any person who shall  
6 interfere or attempt to interfere with any voter when  
7 inside said enclosed space, or when enclosing his ballot,  
8 shall be punished by fine of not less than five dollars, nor  
9 more than one hundred dollars; and election officers shall  
10 report any person so doing to the police officer in charge  
11 of the polls, whose duty it shall be to see that the offender  
12 is duly brought before the proper court.

SECT. 14. Any person who shall destroy any official  
2 envelope or take the same away from the enclosure at a  
3 voting precinct, or wilfully delay the delivery of any  
4 envelope, or who shall take or remove any official envelope  
5 outside of the enclosure provided for voting before the  
6 close of the polls, shall be punished by fine not exceeding  
7 one hundred dollars, or by imprisonment in the jail not  
8 more than one year.

SECT. 15. Any public officer upon whom a duty is  
2 imposed by this act, who shall wilfully neglect to perform  
3 such duty, or who shall wilfully perform it in such a way  
4 as to hinder the objects of this act, shall be punished by a  
5 fine of not less than five, nor more than one hundred dol-  
6 lars, or by imprisonment in jail for not more than six  
7 months, or by both such fine and imprisonment.



STATE OF MAINE.

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HOUSE OF REPRESENTATIVES. }  
January 21, 1891. }

Tabled on motion of Mr. THAYER of Waterville and ordered printed,  
pending reference to committee.

W. S. COTTON, *Clerk.*