

# MAINE STATE LEGISLATURE

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# DOCUMENTS

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# THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING THE SESSION

A. D. 1891.



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1892.

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# Sixty-Fifth Legislature.

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SENATE.

No. 1.

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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 provide a Board of Registration of Voters in the  
Cities of this State.

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

SECTION 1. A board of registration is hereby established  
2 in each city of the State which shall have the exclusive  
3 power and authority to determine the qualification of voters  
4 therein, and exclusive power to make up, correct and revise  
5 the list of voters in each of said cities, and shall perform  
6 all the duties and have, exclusively, all the powers now  
7 exercised by the municipal officers of said cities in making,  
8 preparing, revising and correcting the list of voters therein  
9 under chapter four of the Revised Statutes or any other  
10 statute relating thereto.

SECT. 2. Said board shall consist of three members,  
2 who shall be residents and legal voters of the city where  
3 such board is established, one of whom shall be appointed

4 and commissioned by the Governor, by and with the con-  
5 sent of his Council for a term of four years, and shall not  
6 be eligible to any elective municipal office during said  
7 term. Said member of said board shall be appointed  
8 within seven days after the approval of this act.

SECT. 3. The other two members of such board shall be  
2 chosen, one from the political party polling the highest  
3 number of votes for Governor in this State at the proceed-  
4 ing State election, and one from the political party polling  
5 the next highest number of votes for Governor of this  
6 State at said election ; and they each shall hold said office for  
7 the term of two years and said members shall not be eligi-  
8 ble to any elective municipal office during said term. Each  
9 shall be nominated by the city committee of his own politi-  
10 cal party, and upon due notice thereof in writing, the  
11 several mayors of said cities shall forthwith appoint such  
12 persons as are so nominated members of said boards for  
13 their respective cities. If either or both of said political  
14 parties for ten days by their respective city committees  
15 neglect or refuse to nominate a member of said board and  
16 notify the mayor of their respective cities thereof, said  
17 mayor shall select and appoint a suitable person, a mem-  
18 ber of said board, from the party so neglecting and  
19 refusing. And like proceedings shall be had whenever a  
20 vacancy occurs and a like ten days have elapsed.

SECT. 4. The person appointed and commissioned by  
2 the Governor shall preside at all meetings of the board  
3 but shall not vote therein except in case of a tie. He  
4 shall give due notice of the time and place of the sessions  
5 of said board and sign all orders and processes issued by  
6 the same. If he is necessarily absent or disqualified by

7 sickness or otherwise during any session of said board,  
8 the mayor of said city shall immediately appoint a quali-  
9 fied elector of the city who shall be of the same political  
10 party as said chairman, to act in his absence.

SECT. 5. If any other member of the board be absent  
2 or disqualified by sickness or otherwise during the sessions  
3 of the said board, the mayor shall fill his place for the time  
4 being by appointment of some qualified elector of said city  
5 of the same political party as the absent member whom he  
6 represents.

SECT. 6. All the members of said board shall be sworn  
2 to the faithful and impartial performance of the duties of  
3 the said office.

SECT. 7. Said board shall have the exclusive power and  
2 authority to hear evidence and determine the qualifications  
3 of voters in said cities. Said presiding officer shall cause  
4 all parties and witnesses appearing before said board to be  
5 sworn, and said board shall have power to compel the  
6 attendance of witnesses, to punish for contempt and to  
7 issue all processes necessary to the performance of the  
8 duties of said boards.

SECT. 8. Any person who shall knowingly and wilfully  
2 testify and falsify to any material facts in any proceeding  
3 before said board shall be liable to the pains and penalties  
4 of purgery now provided by law.

SECT. 9. All meetings of said board shall be open and  
2 public and shall close on each day at 5 o'clock p. m. A  
3 record shall be kept of all names added to or stricken from  
4 the voting lists in said cities and of all other proceedings  
5 of said board at each session thereof. No name shall be

6 added to or stricken from said voting lists except during  
7 open session of the board.

SECT. 10. Within five days of the appointment of said  
2 board of registration as herein provided in any city in this  
3 state said board shall commence and proceed to prepare  
4 lists of voters in the several wards in said cities of such  
5 persons as appear to them to be legally qualified voters  
6 therein, and a certified copy of such lists shall be furnished  
7 to the city clerk of said cities by said board at least four-  
8 teen days prior to any election for municipal officers in  
9 said cities, and said city clerk shall post said certified  
10 copies of said lists of voters in the respective wards, at  
11 the respective ward rooms in said cities, at least fourteen  
12 days before such election. Thereafter said board of regis-  
13 tration shall so prepare such lists of voters at least thirty  
14 days prior to any election for electors of president and  
15 vice president, representatives to congress, state and  
16 county officers, and for the annual election of municipal  
17 officers in said cities by placing upon such lists all the  
18 names which appear among the voting lists for the last  
19 preceding election in said cities except the names of such  
20 persons as have died or ceased to reside in said ward or  
21 city or shall appear to said board to have otherwise become  
22 disqualified to vote therein since such preceding election.

SECT. 11. Said board of registration shall be in session  
2 from nine to twelve o'clock a. m., and from two till five  
3 o'clock p. m., in cities of not less than ten thousand in-  
4 habitants upon each of the six secular days and in all  
5 cities having less than ten thousand inhabitants upon each  
6 of the four secular days next prior to any such election in  
7 said cities, to receive evidence touching the qualification

8 of voters therein, and to revise and correct the voting  
9 lists in said cities. Said board shall not place upon such  
10 lists the name of any person who shall not personally  
11 appear before said board and request the same. During  
12 said time said board shall revise and correct the voting  
13 lists in said cities; and the wardens of said cities shall be  
14 governed by said revised and corrected lists; and no name  
15 shall be added to said lists on the day of election; and no  
16 person shall vote at any election whose name is not on  
17 said list. When the right of any person to have his name  
18 placed upon any such list is challenged by any qualified  
19 elector in said city, or when the right of any person to  
20 have his name remain upon any such list is so challenged,  
21 before said board shall add to or strike from said lists the  
22 name of any such person they shall issue a notice and  
23 summons to said person so challenged and allow him a  
24 reasonable opportunity to be heard. Said person and  
25 said board may also summon and examine other witnesses  
26 before said board concerning his right to vote in said city,  
27 and if it appears to said board that such person is not or  
28 will not be qualified to vote in said city at such election  
29 they shall cause his name to be erased from said list and  
30 not add it thereto.

SECT. 12. Any person who shall cause his name to be  
2 placed upon the list of voters of more than one ward in any  
3 such city for the same election, or shall cause his name to  
4 be placed upon any such lists of voters in any ward  
5 knowing he is not a qualified elector therein for the elec-  
6 tion for which the said list is made, or who shall falsely  
7 personate any legal voter or any person causing any  
8 such act or aiding or abetting any person in any manner

9 in either of said acts shall be deemed guilty of felony and  
10 punished by imprisonment in the State Prison for not less  
11 than one nor more than five years.

SECT. 13. The clerk of the city shall act as the clerk  
2 of the board of registration during its session for revising  
3 said voting lists. He shall be the custodian of the records  
4 of said board and of the corrected and revised lists of  
5 voters prepared by it for use at any election and shall  
6 provide the wardens of the various wards of such cities  
7 with a true and attested copy of such lists of voters in  
8 their respective wards for their use on election day; and  
9 it shall be his duty to keep said lists one year and furnish  
10 certified copies thereof on application and payment there-  
11 for within ten days thereafter.

SECT. 14 The members of such board of registration  
2 shall be subject to the same penalties for misconduct in  
3 office as are by law imposed upon municipal officers. The  
4 president of such board shall receive five dollars for each  
5 day that the board shall be in session for the revision of  
6 the voting lists, and the other two members of said board  
7 shall receive three dollars per day for such time. They  
8 shall also be paid a reasonable compensation for such time  
9 as they are necessarily employed in making up and pre-  
10 paring such lists of voters, together with reasonable and  
11 necessary expenses including blank books, stationery and  
12 the necessary assistance of clerks, all of which shall be  
13 paid by the city where such board is established, and each  
14 of said cities shall provide a suitable place for holding the  
15 sessions of said board, and pay for the services of such  
16 officers as said board may select, and have in attendance  
17 to preserve order and execute its precepts. All witness



18 fees shall be paid at the established rates of fees before  
19 municipal courts.

SECT. 15. Notices of the time and place of the sessions  
2 of such board of registration shall be given by the presi-  
3 dent thereof and posted by the clerk of said cities at the  
4 same time and place as is the warrant for calling ward  
5 meetings ; and the voting lists as revised and corrected by  
6 said board of registration shall be used in said cities in the  
7 several wards thereof thereafter.

SECT. 16. Section forty-seven, chapter four of the  
2 Revised Statutes and all other acts and parts of acts incon-  
3 sistant herewith are hereby repealed.

SECT. 17. This act shall take effect when approved.

STATE OF MAINE.

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IN SENATE, January 16, 1891.

Presented by Mr. HAINES of Kennebec and laid on table to be printed,  
pending reference to Committee on Legal Affairs.

KENDALL M. DUNBAR, *Secretary*