

# 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.



AUGUSTA:  
BURLEIGH & FLYNT, PRINTERS TO THE STATE.  
1892.

NEW DRAFT.

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Sixty-Fifth Legislature.

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SENATE.

No. 88.

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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 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 estab-  
2 lished in each city of the State which shall have the  
3 exclusive power and authority to determine the qualifica-  
4 tion of voters therein, and exclusive power to make up,  
5 correct and revise the list of voters in each of said cities,  
6 and shall perform all the duties and have, exclusively, all  
7 the powers now exercised by the municipal officers of  
8 said cities in making, preparing, revising and correcting

9 the list of voters therein under chapter four of the Revised  
10 Statutes or any other 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 but the first  
6 term shall expire May 1, 1895, and who shall not hold or  
7 be eligible to any elective municipal office during said  
8 term. Said member of said board shall be appointed  
9 immediately upon the approval of this act. The other  
10 two members of this board shall be chosen one from the  
11 political party polling the highest number of votes for  
12 governor in this State at the next preceding State elec-  
13 tion and one from the political party polling the next  
14 highest number of votes for governor of this State at  
15 said election and they shall each hold their office for the  
16 term of two years, but the first term shall expire May 1,  
17 1893, and said members shall not hold or be eligible to  
18 any elective municipal office during said term. Each  
19 shall be nominated by the city committee of his own  
20 political party and upon due notice thereof in writing the  
21 several mayors of said cities shall forthwith appoint such  
22 persons so nominated members of said board. If either  
23 or both of said political parties for the space of seven  
24 days after the approval of this act or after a vacancy  
25 occurs in such board by its said committees neglects or  
26 refuses so to nominate a member of such board and to  
27 notify the mayor of such city thereof said mayor shall  
28 select and appoint a member of said board from the  
29 political party so neglecting and refusing to nominate.

30 And in case any member of said board so appointed by  
31 said mayor neglects or refuses to act as a member of said  
32 board the other two shall proceed with the business of  
33 this board as provided by this act in his absence. And  
34 if any member of said board be absent or disqualified by  
35 sickness such mayor may fill his place for the time being  
36 by the appointment of some qualified elector of said city  
37 of the same political party as the absent member rep-  
38 resents.

SECT. 3. 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. 4. 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. 5. Said board shall have the exclusive power and  
2 authority to hear evidence and determine the qualifications  
3 of voters in the city in which it is established. Said pre-  
4 siding officer, at the request of any member, shall cause any  
5 party or witness appearing before the board to be sworn;  
6 any member of the board may administer oaths; and the  
7 board shall have power to compel the attendance of wit-  
8 nesses, to punish for contempt, and to issue all processes  
9 necessary to the performance of the duties of the board.

SECT. 6. Any person who shall knowingly and wilfully  
2 testify falsely to any material facts in any proceeding be-  
3 fore said board shall be liable to the pains and penalties of  
4 perjury now provided by law.

SECT. 7. All meetings of said board shall be open and  
2 public and shall close on each day at 9 o'clock p. m., except  
3 on the last day of its session at 5 o'clock p. m. A record  
4 shall be kept of all names added to or stricken from the  
5 voting lists in said cities, and of all other proceedings of  
6 said board at each session thereof. No name shall be  
7 added to or stricken from said voting lists except during  
8 open session of the board.

SECT. 8. Said board of registration appointed in any  
2 city in this State shall prepare lists of voters in the sev-  
3 eral wards in said cities of such persons as appear to them  
4 to be legally qualified voters therein, at least thirty days  
5 prior to the next ensuing election for electors of president  
6 and vice president, representative to Congress, State and  
7 county officers, or any election of municipal officers in  
8 said cities. Thereafter said board of registration shall so  
9 prepare such lists of voters at least thirty days prior to  
10 any such election by placing upon such lists all the names  
11 which appear upon the voting lists for the last preceding  
12 election in said cities, except the names of such persons  
13 as have died or ceased to reside in said city, or shall  
14 appear to said board to have otherwise become disquali-  
15 fied to vote therein since such preceding election.

And a certified copy of all such lists made in accordance  
17 with this section shall be furnished to the city clerk of  
18 said city by said board at least thirty days prior to any  
19 such election; and said city clerk shall post said certified

20 copies of said lists of voters in the respective wards, at  
21 the respective ward rooms in said cities, at least thirty  
22 days prior to any such election.

SECT. 9. 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., and from seven to nine o'clock p. m., in  
4 cities of not less than ten thousand inhabitants upon each  
5 of the six secular days and in all cities having less than  
6 ten thousand inhabitants upon each of the four secular  
7 days next prior to any such election in said cities except-  
8 ing the last day of said sessions when it shall not be in  
9 session after five o'clock p. m., to receive evidence touch-  
10 ing the qualification of voters therein, and to revise and  
11 correct the voting lists in said cities. Said board shall  
12 not place upon such lists during said revision of the  
13 same the name of any person who shall not personally  
14 appear before said board and request the same. During  
15 said time said board shall revise and correct the voting  
16 lists in said cities; and the wardens of said cities shall be  
17 governed by said revised and corrected lists; and no  
18 name shall be added to or stricken from said lists on the  
19 day of election; and no person shall vote at any election  
20 whose name is not on said list. When the right of any  
21 person to have his name placed upon any such list is  
22 challenged by any qualified elector in said city, or when  
23 the right of any person to have his name remain upon any  
24 such list is so challenged, before said board shall add to  
25 or strike from said lists the name of any such person they  
26 shall issue a notice and summons to said person so chal-  
27 lenged and allow him a reasonable opportunity to be  
28 heard. Such notice and summons shall be served upon

29 such person by any officer selected by the board, by giving him in hand, or by leaving at his last and usual place of abode, an attested copy of said notice and summons, at least six hours before the closing of the final session of the board. Said person and said board may also summon and examine other witnesses before said board concerning his right to vote in said city, and if it appears to said board that such person is not or will not be qualified to vote in said city at such election they shall cause his name to be erased from said list and not add it thereto, and the lists of voters made under this act shall state the street and so far as practical the number of the street where each voter resides. The residence of a voter as stated upon the list of voters used at the last preceding election, shall be deemed his last and usual place of abode, unless he shall have given notice to the city clerk of a change of his residence. The city clerk shall keep a record of all notices of change of residence, which record shall at all times be open to public inspection.

SECT. 10. Any person who shall cause his name to be placed upon the list of voters of more than one ward in any such city for the same election, or shall cause his name to be placed upon any such lists of voters in any ward knowing he is not a qualified elector therein for the election for which the said list is made, or who shall falsely personate any legal voter or any person causing any such act or aiding or abetting any person in any manner in either of said acts shall be deemed guilty of any offence and punished by imprisonment for not less than six months nor more than one year.



SECT. 11. 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 of any person and  
11 payment therefor within ten days thereafter, and for  
12 failure so to do shall be punished as provided by section  
13 59 of chapter 4 of the Revised Statutes.

SECT. 12. 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. 13. Notices of the time and place of the sessions  
2 of such board to revise and correct said voting lists shall  
3 be given by the president thereof and posted by the clerk  
4 of said cities at the same time and place as is the warrant  
5 for calling ward meetings ; and the voting lists as revised  
6 and corrected by said board of registration shall be used in  
7 said cities in the several wards thereof.

SECT. 14. Any qualified elector in such city may chal-  
2 lenge the right of any person to vote in any ward in such  
3 city at any election, and he shall be given the opportunity  
4 by the warden of such ward to make such challenge and  
5 the warden of such ward shall make a minute of the fact  
6 of such challenge upon the voting list of such ward.

SECT. 15. Section forty-seven, chapter four of the  
2 Revised Statutes and all other acts and parts of acts incon-  
3 sistent herewith are hereby repealed. But the provisions  
4 of this act shall not apply to the municipal elections of the  
5 year 1891, in any of the cities in which such elections are  
6 held, or to the preparation and revision of the lists therefor.

SECT. 16. This act shall take effect when approved.

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## STATE OF MAINE.

IN SENATE, February 13, 1891.

On motion by Mr. HAINES of Kennebec, laid on table to be printed as amended.

KENDALL M. DUNBAR, *Secretary.*