

MAINE STATE LEGISLATURE

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Sixty-Sixth Legislature.

SENATE.

No. 4.

STATE OF MAINE.

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

AN ACT relating to Boards of Registration and the Regis-
tration of Voters.

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

SECTION 1. All persons born or naturalized in the United
2 States and subject to the jurisdiction thereof, are citizens
3 of the United States and of the State wherein they reside.

SECT. 2. Every male citizen who had the right to vote on
2 the fourth day of January, eighteen hundred and ninety-
3 three, together with those not heretofore registered, who
4 were sixty years of age and upwards on said day, and
5 every other male citizen, not a pauper or person under
6 guardianship, an Indian not taxed, who, not being pre-
7 vented by physical disability from so doing, is able to

8 read the constitution of the State of Maine in the English
9 language, in such manner as to show that he is neither
10 prompted nor reciting from memory, and write his name,
11 and who is twenty-one years of age or upward, and shall
12 have his residence established in this State for the term
13 of three months next preceding any National, State, City
14 or Town election, shall have the right to vote at every
15 such election in such city or town where his residence is
16 so established, *provided however*, that no person whose
17 name is not entered upon the voting list as hereinafter
18 provided, shall be allowed to vote.

SECT. 3. Every person qualified to vote, as hereinbe-
2 fore provided, shall vote only in the ward of the city or
3 in the town and voting precinct, if any, in which was
4 situated his residence on the first day of April preceding,
5 or of his becoming an inhabitant after said day; but if
6 any male person qualified as abovesaid, shall remove his
7 residence to another city or town within the State, he
8 may continue to vote in the place of his former residence
9 as aforesaid for National and State purposes only, until
10 the expiration of three months from the date of said
11 removal.

SECT. 4. No person having served in the army or navy of
2 the United States in time of war, and having been honora-
3 bly discharged from such service, if otherwise qualified to
4 vote, shall be disqualified therefor on account of receiving
5 or having received aid from a city or town.

SECT. 5. Every person whose name has not been
2 entered upon the voting lists, in accordance with the pro-
3 visions of this act, must, if he desires to vote, appear in
4 person at a place provided for registration and prove that
5 he possesses all the qualifications of a voter.

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

SECT. 7. Said Board shall consist of three members who
2 shall be residents and legal voters of the city where such
3 Board is established; one of whom shall be appointed
4 and commissioned by the Governor of the State, by and
5 with the consent of his Council, for a term of four years
6 from May first, eighteen hundred and ninety-three,
7 (unless previously appointed and commissioned under
8 chapter thirty-four of the Public Laws of Maine, approved
9 February twenty-five, eighteen hundred ninety-one, in
10 which case the term of service of such appointee shall be
11 governed by the provisions of said law), and who shall
12 not hold or be eligible to any city office however elected

13 or appointed thereto during said term. Said member of
14 said board shall be appointed upon the approval of this act.
15 The other two members of the board shall be chosen one
16 from the political party polling the highest number of
17 votes for Governor in this State at the next preceding
18 State election, and one from the political party polling the
19 next highest number of votes for Governor of this State
20 at said election; and they shall each hold their office for
21 the term of three years from the first day of May, eighteen
22 hundred and ninety-three; and said members shall not
23 hold or be eligible to any city office however elected or
24 appointed thereto during said term. Each shall be nom-
25 inated by the city committee of his own political party,
26 and upon due notice thereof in writing, the several
27 mayors of said cities shall forthwith appoint such persons,
28 so nominated, members of said board. If either or both
29 of said political parties, after the approval of this Act,
30 refuses or neglects to seasonably nominate a member of
31 such board and to notify the mayor of such city, said
32 mayor shall select and appoint a member of said board
33 from the political party so neglecting and refusing to
34 nominate. The same shall apply to all cases of vacancy
35 however caused, whether by death, resignation or decli-
36 nation, or by neglect or refusal to act after being so
37 appointed; but in cases of necessity arising from the
38 exigency of the public business, the other two members
39 may proceed therewith as provided by this act, until such
40 vacancy shall be supplied in the same manner as is pro-

41 vided for an original appointment. And if any member
42 of said board be absent or disqualified by sickness or
43 otherwise, such mayor may fill his place by the appoint-
44 ment of some qualified elector of said city of the same
45 political party as the absent member represents, to act in
46 his absence.

SECT. 8. 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 notice of the time and place of the sessions of
5 the board and sign all orders and processes issued by the
6 same. If he is necessarily absent or disqualified by sick-
7 ness or otherwise during any session of said board, the
8 mayor of said city shall immediately appoint a qualified
9 elector of the city, who shall be of the same political party
10 of said chairman, to act in his absence.

SECT. 9. All the members of said board shall be sworn
2 to the faithful and impartial performance of the duties of
3 said office.

SECT. 10. Said board shall have the exclusive power and
2 authority to hear evidence and determine the qualification
3 of voters in the city in which it is established. Said pre-
4 siding officer, at the request of any member, shall cause
5 any 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. 11. Any person who shall knowingly or willfully
2 testify falsely to any material fact in any proceeding before
3 said board shall be liable to the pains and penalties of per-
4 jury now provided by law, and to any penalties provided
5 by this act.

SECT. 12. The assessors of any city, by one or more of
2 their number, or by one or more assistant assessors, shall
3 in the months of April and May in each year, visit every
4 building in their respective cities and make true lists con-
5 taining, as near as can be ascertained from any owner or
6 occupant thereof, the name, age, occupation and residence
7 on the first day of April in the current and preceding
8 year, or of his becoming an inhabitant after said day, of
9 every male person twenty-one years of age and upwards,
10 residing therein and liable to be assessed for a poll tax ;
11 and shall ascertain, if any such person has within the year
12 next preceding, moved from said building out of said
13 city and taken up his residence elsewhere, and shall make
14 diligent inquiries concerning all matters required of them
15 in this Section. They shall make correction of any error
16 in the name or place of residence of a person assessed on
17 his personal application therefor, and on proof of the
18 same, shall make proper correction thereof on their books.

SECT. 13. The assessors shall promptly on or before the
2 first day of July in each year, transmit to the Boards of
3 Registration, the lists so made or certified copies thereof,
4 noting therein every change in name or residence of per-
5 sons assessed a poll tax by them and on or before said

6 first day of July in each year, shall prepare street lists
7 containing the name of every person assessed by them.
8 Such lists shall be arranged by wards or voting precincts
9 if any. They shall print said lists in pamphlet form, and
10 deliver to boards of registration as many copies as said
11 boards may require and hold the remainder for public
12 distribution.

SECT. 14. The assessors shall, in said street lists,
2 arrange all buildings used as residences in the order in
3 which they stand on the street or other place, giving their
4 number or other definite description; so that each build-
5 ing can be readily identified, and shall place opposite or
6 under each number, as near as can be ascertained, the
7 name, age and occupation of every person residing in
8 said building on the first day of April of the current year
9 and assessed a poll tax, with his residence on the first
10 day of April of the preceding year or of his becoming an
11 inhabitant after said day. And said Board of Registra-
12 tion shall enter on the voting lists the name of every per-
13 son assessed a poll tax for the current year, as transmitted
14 to them by the assessors, *provided* every such name can
15 be identified as having been borne upon the voting lists
16 of the last preceding election. The several boards of
17 registration in the State shall promptly transmit to the
18 assessors of cities in the State, notice of any error in the
19 name or residence of a person assessed, and they shall
20 further transmit to said assessors the name and residence
21 of every male citizen who shall prove for the purposes of

22 registration, that he was a resident of the city on the first
23 day of April preceding, but whose name does not appear
24 on the list transmitted to said boards by said assessors.

SECT. 15. Any assessor or assistant assessor, who shall
2 knowingly or willfully enter or cause to be entered on any
3 list of assessed polls, the name of any person as a resident
4 of any building, who is not a resident thereof, shall for
5 each such offence be punished by a fine not exceeding one
6 hundred dollars or by imprisonment in the county jail not
7 exceeding six months.

SECT. 16. Any inmate of a building liable to be
2 assessed for a poll tax, who shall refuse or neglect to
3 give his true name when inquired thereof by any
4 assessor or assistant assessor, and any owner or occupant
5 of a building who shall refuse or neglect to give full and
6 true information within his knowledge relating to all per-
7 sons residing in such buildings when inquired thereof by
8 any assessor or assistant assessor, shall for each offence
9 be punished by a fine not exceeding one hundred dollars,
10 or by imprisonment in the county jail not exceeding six
11 months; and any person who shall knowingly or willfully
12 give to an assessor or assistant assessor, for the purpose
13 of the assessment of a poll tax, the name of any person
14 as a resident of a building, who is not a resident therein,
15 shall be punished for each offence by a fine not exceeding
16 three hundred dollars or by imprisonment not exceeding
17 one year.

SECT. 17. Boards of Registration shall keep a general
 2 register containing the names and records of all voters
 3 entered from year to year on the voting lists under the
 4 provisions of this act, giving the full Christian name and
 5 the surname, or the full name or initial or initials of any
 6 other name or names he may have, date of registration,
 7 residence on the first day of April of the year of registra-
 8 tion, or of his becoming an inhabitant after said first day
 9 of April, and on the day of registration, age, place of
 10 birth, occupation, place of occupation, how long resident
 11 of city, place of casting his last vote, married or single,
 12 residence of wife or family, where naturalized, when nat-
 13 uralized, in what court :—arranged under the following
 14 heads, viz. :

When registered.	Name.	Residence, street and number.	Residence April 1st, street and number.	Age—date of birth.	Occupation.	Place of business.	How long a resident of city.	Where last vote was cast.	Married or single.	Residence of wife or family.	Where naturalized.	When naturalized.	By what court.	Remarks
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SECT. 18. Applicants under examination for registra-
 2 tion shall be required, unless prevented by physical disa-
 3 bility from so doing, or unless he had the right to vote,
 4 on the fourth day of January, eighteen hundred and
 5 ninety-three, to read in the English language other than
 6 the title, so much as may be necessary, from an official
 7 edition of the constitution, in such manner as to show
 8 that he is neither prompted nor reciting from memory,
 9 and to write his name in a book kept for the purpose.

10 The name of the applicant if admitted to registration,
11 shall be announced in a clear, audible and distinct voice
12 before entering his name on the register.

SECT. 19. Any applicant for registration claiming
2 exemption from the educational test herein required,
3 excepting those sixty years of age and upwards at the time
4 said test became operative, must declare under oath that he
5 was a legal voter in this State on the fourth day of January,
6 eighteen hundred and ninety-three, and if required so to
7 do furnish such other and further reasonable evidence of
8 the truthfulness of his statement as may be satisfactory to
9 a majority of said board.

SECT. 20. In making examination of an applicant, who
2 is a naturalized citizen, he shall be required to produce
3 for inspection his papers of naturalization, or a certificate
4 of the same from the court where he was naturalized, and
5 to make oath that he is the identical person mentioned
6 therein, and if satisfied that he has been legally naturalized,
7 said board shall make a record or memorandum upon said
8 paper of the date of such inspection and enter upon the
9 general register, and also in a book kept for the purpose,
10 the name and location of the court by which said papers
11 were issued, with the date thereof and the date of said
12 inspection, together with the name of said applicant as it
13 is spelled and recorded in said papers, which need not
14 again be produced before said board for examination after
15 they have once been passed upon and the above minutes

16 thereof recorded on the papers and in the general register.

SECT. 21. All meetings of said Board of Registration
2 shall be open and public and shall close on each day at
3 nine o'clock in the afternoon, except as hereinafter pro-
4 vided. A record shall be kept of all names added to or
5 stricken from the voting lists in said cities and of all other
6 proceedings at each session thereof. No name shall be
7 added to or stricken from said voting lists except during
8 the open sessions of said boards.

SECT. 22. Said Board of Registration appointed in any
2 city in this State, shall prepare ward lists of voters
3 thereof of such persons as appear to them to be legally
4 qualified voters therein, at least thirty days before the
5 next ensuing election. Thereafter said Board of Regis-
6 tration shall so prepare such lists of voters at least thirty
7 days before any city election to be held for any purpose,
8 by placing upon such lists all the names which appear
9 upon the voting lists for the last preceding election in
10 said cities, except the names of such persons as have
11 died or ceased to reside therein, or shall appear to said
12 board to have otherwise become disqualified to vote
13 therein since said preceding election. And a certified
14 copy of all such lists made in accordance with this sec-
15 tion, shall be furnished to the clerk of such city by said
16 board at least thirty days prior to any such election, and
17 said clerk shall post said certified copies of said lists of
18 voters in their respective wards, at or near the several

19 voting places customarily used as such in said cities, at
20 least twenty-seven days prior to any such election.

SECT. 23. Said Board of Registration shall be in ses-
2 sion from nine A. M. to one o'clock P. M., and from
3 three to five o'clock in the afternoon and from seven to
4 nine o'clock in the afternoon, in cities of not less than
5 ten thousand inhabitants, on each of the twelve secular
6 days next prior to any election; on the first nine of said
7 secular days, to receive evidence touching the qualifica-
8 tion of voters therein, and to revise and correct the voting
9 lists in said cities, and on the latter three of said secular
10 days, to enable the board to verify, complete and close
11 up its records of said sessions. And in all other cities
12 for the same purpose the time to be determined by the
13 municipal officers thereof, except that on the last of said
14 days devoted to registration and on the last of said days
15 devoted to the records as above, the sessions of the board
16 shall close at five o'clock in the afternoon. Said board
17 shall not place upon said lists during said revision of the
18 same, the name of any person who shall not personally
19 appear before said board and request the same. During
20 said time said boards shall revise and correct the voting
21 lists. And the wardens of cities shall be governed by
22 said revised and corrected lists; and no names shall be
23 added to or stricken from said lists on the day of elec-
24 tion, and no person shall vote at any election whose name
25 is not on said lists. No board of registration shall be
26 answerable for any omission of a name or residence from

27 the voting lists, or for any error in the same, unless such
28 name and residence are correctly entered in the general
29 register of voters. But on the day of election shall be
30 in session and shall give to any registered voter whose
31 name has been omitted from the voting list, or in whose
32 name or residence as placed on said voting list a clerical
33 error has been made, a certificate, signed by a majority
34 of the board, giving the corrected name and residence of
35 such person and directed to the officer presiding over the
36 election; such officer shall on receipt of such certificate,
37 allow the person therein named to vote, check his name
38 on the certificate and securely attach the certificate to the
39 voting list.

SECT. 24. When the right of any person to have his
2 name placed upon such list is challenged by any qualified
3 elector, or when the right of any person to have his name
4 remain upon such list is so challenged, before said board
5 shall add to or strike from said list the name of any such
6 person, they shall issue a notice and summons to said
7 person so challenged and allow him a reasonable oppor-
8 tunity to be heard. Such notice and summons shall be
9 served upon such person by an officer selected by the
10 board, by giving him in hand or by leaving at his last
11 and usual place of abode, an attested copy of said notice
12 and summons, at least six hours before the closing of the
13 final sessions of the board devoted to the revision and
14 correction of the voting lists. Said person and said

15 board may also summon and examine other witnesses
16 before said board concerning his right to vote, and if it
17 appears to said board that such person is not or will not
18 be qualified to vote at such election, they shall cause his
19 name to be erased from said list and not add it thereto.
20 And the lists of voters made under this act shall state the
21 street and so far as practicable, the number of the street
22 where each voter resides. The residence of a voter as
23 stated upon the list of voters used at the last preceding
24 election, shall be deemed his last and usual place of
25 abode, unless he shall have given notice in writing, over
26 his own signature, or in person, to the city clerk, of a
27 change of his residence, which notice, if given after the
28 first day of April, shall entitle him to have his residence
29 so corrected on the voting list to be used at the next sub-
30 sequent election, but shall not entitle him to vote in any
31 ward or precinct other than that in which he resided on
32 said first day of April. Said clerk shall keep a record of
33 all notices of change of residence, which record shall at all
34 times be open to public inspection. Registered voters
35 who have changed their residence within the year subse-
36 quent to the first day of April preceding, and have not
37 so notified said clerk, must appear before the board of
38 registration to have their residence properly corrected on
39 the voting lists for the next year.

SECT. 25. Any person who shall cause his name to be
2 placed upon the list of voters of more than one ward in
3 any city for the same election, or shall cause his name to

4 be placed upon any list of voters in any city in the State,
5 knowing he is not a qualified voter therein for the elec-
6 tion for which the said list is made, or who shall falsely
7 personate any voter, or any person causing any such act
8 or aiding and abetting any person in any manner in either
9 of said acts shall be punished by imprisonment for not
10 less than six months nor more than one year.

SECT. 26. The clerks of cities shall be the custodians
2 of the records of said boards and of the corrected and
3 revised lists of voters prepared by said boards for use at
4 any election, and shall seasonably transmit to the wardens
5 of cities a true and attested copy of such lists for their
6 use on election day ; and it shall be the duty of said clerks
7 to keep said lists one year and furnish certified copies
8 thereof on application of any person and payment there-
9 for, within ten days thereafter ; and for failure so to do
10 they shall be punished as provided by section fifty-nine
11 of chapter four of the Revised Statutes. The wardens
12 and ballot clerks shall certify on said voting lists that
13 they are the lists used by them respectively at said elec-
14 tions.

SECT. 27. The members of said boards 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 boards shall receive five dollars for each
5 day that the board shall be in session for the revision and
6 correction of the voting lists and for completing the
7 records thereof, and the other two members of said boards

8 shall receive four dollars per day for such time. They
9 shall also be paid a reasonable compensation for such
10 time as they are necessarily employed in making up and
11 preparing such lists of voters, together with reasonable
12 and necessary expenses, including blank books, station-
13 ery and the necessary assistance of clerks, all of which
14 shall be paid by the city where such board is established,
15 and each of said cities shall provide a suitable place for
16 holding the sessions of said board, and pay for the ser-
17 vices of such officers as said board may employ and have
18 in attendance to preserve order and execute its precepts.
19 All witness fees shall be paid at the established rates of
20 fees before municipal courts.

SECT. 28. 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 clerks
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 at
7 each election held in said cities in the several wards thereof.

SECT. 29. Any qualified elector in said cities may chal-
2 lenge the right of any person to vote in any ward of said
3 cities at any election held therein and shall be given the
4 opportunity by the presiding officer thereof, to make such
5 challenge, and such presiding officer shall note the fact of
6 such challenge upon the voting list used in such ward.

SECT. 30. All notices of said boards, assessors, city
2 clerks or of any other public officer relating to registration

3 of voters or to elections, shall be posted at or as near as
4 may be to the places designated for receiving votes on
5 election days.

SECT. 31. The clerk or register of deaths of each city,
2 shall, at least thirty-three days before each election,
3 and on the first day designated by said boards for the
4 revision and correction of the voting lists and also on the
5 last of said days set apart for such revision and correction,
6 transmit to said boards, a certified list of the names of all
7 male persons over twenty-one years of age deceased since
8 the preceding election, or since the date of the preceding
9 list, with the ward, street and number where such person
10 resided at the date of death.

SECT. 32. The board or officer in charge of the police
2 force of any city shall, upon request so to do by said
3 boards, detail a sufficient number of police officers to attend
4 any meeting held by said boards and preserve order and
5 enforce the orders of said boards.

SECT. 33. Any member of said boards who shall refuse
2 or willfully neglect to require any applicant for registra-
3 tion to whom the same is applicable, to read a portion
4 satisfactory to a majority of said board, other than the
5 title, from some official edition of the constitution, in such
6 manner as to show that he is neither prompted nor recit-
7 ing from memory, or to require such applicant to write his
8 name in a book kept for the purpose, unless he is pre-
9 vented by physical disability from so doing, or who
10 knowingly shall prevent or seek to prevent the registra-

11 tion of any legal voter, or who knowingly shall register
12 the name of any person not qualified to vote, or who shall
13 be guilty of any fraud or corrupt conduct in the execution
14 of the duties of his office, shall for each offense be pun-
15 ished by a fine not exceeding three hundred dollars or by
16 imprisonment in the county jail not exceeding six months.

SECT. 34. Any city officer who shall willfully neglect
2 or refuse to perform any duty required of him by law in
3 matters relating to the registration of voters, shall for each
4 offense be punished by a fine not exceeding three hundred
5 dollars or by imprisonment in the county jail not exceeding
6 six months.

SECT. 35. Any person who knowingly or willfully shall
2 make a false affidavit, or take a false oath, or sign a false
3 certificate regarding the qualification of any person for the
4 assessment of a tax or for registration, or shall injure or
5 deface any lists of voters or any notice relating to the
6 registration of voters in any city, or shall prevent or
7 interfere with, or aid or abet any person in preventing or
8 interfering with any public officer in the discharge of his
9 duty relating to the registration of voters, shall for each
10 offense be punished by a fine of three hundred dollars or
11 by imprisonment in the county jail not exceeding one
12 year.

SECT. 36. Any person who shall cause his name to be
2 registered knowing that he is not a qualified voter in the
3 place where so registered, or shall falsely represent or
4 attempt to represent himself as another person before any

5 board of registration, or shall give a false answer to said
6 board concerning any matter relating to the registration
7 of a voter, or the right of any person to vote, or shall aid
8 or abet any other person in doing either of the acts above
9 mentioned, shall for each offence be punished by a fine
10 not exceeding three hundred dollars and by imprisonment
11 in the county jail not exceeding one year.

SECT. 37. Any person who shall refuse to obey the
2 lawful orders or directions of any board of registration, or
3 of a member thereof, or shall interrupt or obstruct the
4 proceedings at any meeting for registration, shall be
5 arrested, detained in custody and taken before the court,
6 and shall for each offence be punished by a fine not exceed-
7 ing fifty dollars or imprisonment not more than sixty days.

SECT. 38. Section forty-seven, chapter four of the
2 Revised Statutes and chapter thirty-four Public Laws of
3 Maine eighteen hundred and ninety-one and all other acts
4 and parts of acts inconsistent herewith are hereby repealed.

SECT. 39. This act shall take effect upon its approval.

STATE OF MAINE.

IN SENATE, January 17, 1893.

Presented by Mr. SEIDERS of Cumberland, and on motion by same Senator, laid on table to be printed, pending reference to the Committee on the Judiciary.

KENDALL M. DUNBAR, *Secretary*.