

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**L A W S**

OF THE

**S T A T E O F M A I N E ;**

TO WHICH ARE PREFIXED

THE

**C O N S T I T U T I O N O F T H E U . S T A T E S**

AND OF SAID STATE,

IN TWO VOLUMES,

**W I T H A N A P P E N D I X .**

.....  
VOL. II.  
.....

Published according to a resolve of the State, passed  
March 8, 1821.

BRUNSWICK.

Printed by J. Griffin, for the State.

.....  
1821.

such town, or with one of the Selectmen, thirty days at least before the day of the sitting of the Court, unto which the same shall be returnable.

Boundaries of towns established, and lines to be run every five years, &c. by selectmen, &c.

SEC. 8. *Be it further enacted,* That the bounds of all townships shall be and remain as heretofore granted, settled and established. And to prevent an interference of jurisdiction, the lines between towns shall be run and the marks renewed within three years from the last day of March next, and once every five years forever after, by two or more of the Selectmen of each town or such other persons as they shall in writing appoint to run and renew the same; and their proceedings, after every such renewal of boundaries, shall be recorded in the respective town books; the Selectmen of the most ancient town to give ten days notice in writing unto the Selectmen of the adjoining towns, of the time and place of meeting for such perambulation: and the Selectmen who shall neglect their duty in notifying or attending, either personally or by their substitutes, to perambulate the line at the time and places assigned as aforesaid, shall severally forfeit and pay the sum of ten dollars, two thirds to the use of the town which shall comply with their duty as aforesaid, and the other third part unto any two or more of the Selectmen of the town so complying, who are hereby empowered to inform or sue therefor in the Circuit Court of Common Pleas for the same county, at any time within two years after the forfeiture shall be incurred and not afterwards.

Mode of proceeding in such cases.

[Approved March 19, 1821.]

## CHAPTER CXV.

An Act regulating Elections.

Assessors to make a list of votes for State officers, &c. before 1st. of August annually.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That it shall be the duty of the Assessors of each town within this State, on or before the first day of August annually, to make out and deliver to the Selectmen thereof, a correct and alphabetical list of all such inhabitants of their respective towns as shall appear to them qualified by the Constitution of this State, or of the

United States, respectively, to vote for Governor, Senators, Representatives in the State, or in Congress; which list it shall be the duty of the Selectmen of such town at some time within ten days then next following, to revise and correct, as to them shall appear necessary, so that the same shall, in their opinion, be a complete list of such of the inhabitants, within their respective towns as shall be constitutionally qualified to vote in the elections aforesaid: And the Assessors of every plantation are alike required to furnish themselves with like lists, on or before the tenth day of August annually; and it shall be the duty of the Selectmen of such towns, and the Assessors of such plantations, to be provided with, and have a complete list as aforesaid at every meeting for the choice of Governor, Senators and Representatives in the Legislature or in Congress; which list shall so be corrected, previous to the opening of any such meeting, as to contain all the qualified voters for the particular election then to be made; and it shall be the duty of such Selectmen or Assessors to be in session at some convenient place, immediately preceding such meeting, for so long time as they shall judge necessary to receive evidence of the qualifications of persons, whose names have not been entered on the list aforesaid; and to give public notice of the time and place of such meeting in the warrant for calling such town or plantation meeting.

Selectmen to revise it within 10 days.

Assessors of plantations to make like lists.

Selectmen of towns and assessors of plantations to have such lists at meetings for State officers. Same list to be corrected before opening of meeting.

Selectmen and assessors to be in session immediately before such meeting to receive proof, &c.

Previous notice of such meeting to be given.

SEC. 2. *Be it further enacted,* That in any town where the number of qualified voters shall exceed two thousand, it shall be the duty of the Selectmen of such town to be in session at some convenient place, on the day immediately preceding such meeting; and when this shall happen on Sunday, then on the Saturday immediately preceding such meeting and for a time as much longer, previous to said day, as they shall judge necessary, to receive the evidence of the qualifications of persons mentioned in the first section of this Act.

In towns containing more than 2000 voters, selectmen to be in session day before meeting, and sooner, if necessary.

SEC. 3. *Be it further enacted,* That no such meeting shall be opened at an earlier hour than eleven of the clock of the forenoon of the day of election; provided that any such meeting in any town where the number of qualified voters shall exceed five hundred, may be opened at an earlier hour at the discretion of the Selectmen of such town.

In towns containing more than 500 voters, meeting may be opened before 11 o'clock—otherwise not.

Mode of calling town and plantation meetings for State officers, &c.

SEC. 4. *Be it further enacted,* That it shall be the duty of the Selectmen of each town, and the Assessors of each plantation in this State, by their warrant, to cause the inhabitants of such towns and plantations, qualified according to the Constitution, to be notified and warned, seven days at least, before the election, to assemble in their respective towns and plantations, on the second Monday of September annually, to give in their votes for Governor, Senators and Representatives, as the Constitution requires: such meeting to be warned in the manner there legally established for calling other town and plantation meetings; and at the meetings called for the purposes aforesaid, such proceedings shall be had as the Constitution requires.

At such meetings selectmen, &c. to preside.

SEC. 5. *Be it further enacted,* That the Selectmen and Assessors, authorized and required to preside in any meeting of a town or plantation, which shall be convened for the election of Governor, Senators and Representatives in the Legislature of this State, shall have all the powers which are legally vested in the Moderator of town meetings for the regulation thereof. And in such meetings, the Selectmen or Assessors presiding, shall have power, and it shall be their duty to prevent and refuse the vote of any person not qualified to be an elector, whose qualifications shall be determined according to the Constitution of this State, or the Constitution of the United States, as the case may be.

Their powers;

to refuse improper votes.

Selectmen, &c. to require votes for Senators to be brought in on one list.

SEC. 6. *Be it further enacted,* That whenever a meeting is holden in any town or plantation for the purpose of choosing Governor, Senators and Representatives, the Selectmen or Assessors presiding at such meeting, be, and hereby are directed to call on the voters in such meeting qualified for choosing such officers, requiring each of them to give in their votes on one list for as many different persons as are then to be chosen to the office of Senators.

No person to vote until his name has been found in the list.

SEC. 7. *Be it further enacted,* That no person shall be permitted to give in his vote at any meeting of a town or plantation, holden for an election to any of the offices aforesaid, until the Selectmen of such town, or the Assessors of such plantation, presiding at such election, shall have had opportunity to inquire his name, and found the same in the list aforesaid; and any person wilfully voting contrary to the

provision of this section, or who shall give any false answer to such Selectmen or Assessors, being duly thereof convicted, shall forfeit and pay a fine not exceeding thirty dollars, for each and every offence, according to the nature and aggravation thereof.

Penalty for so voting or giving false answer.

SEC. 8. *Be it further enacted,* That if any person, who is by law authorized to preside at any meeting, or to receive votes at any meeting, which may be holden for the choosing of Governor, Senators and Representatives to the Legislature, or any town officers, shall knowingly receive the vote of any person who is not qualified to vote agreeably to the Constitution and laws of this State, in choosing as aforesaid; such person so presiding or receiving any vote as aforesaid, shall forfeit and pay one hundred dollars; to be recovered by information, to be filed and prosecuted by the Attorney General, in the Supreme Judicial Court, or by indictment in said Court.

Penalty for presiding officer's receiving votes contrary to law.

SEC. 9. *Be it further enacted,* That it shall not be lawful for the Selectmen or Assessors of any town or plantation, presiding at a meeting for either of the elections aforesaid, to receive any vote, unless delivered in writing by the voter in person; and the Selectmen or Assessors, who shall offend herein, shall severally forfeit and pay a sum not exceeding one hundred dollars.

Penalty for receiving any vote, unless delivered in writing by voter himself.

SEC. 10. *Be it further enacted,* That any elector who shall give in more than one vote in any one election, and any person who shall be disorderly in any such meeting, shall forfeit a sum not exceeding fifty dollars, nor less than ten dollars, according to the aggravation of each offence.

Penalty for double voting or disorderly conduct.

SEC. 11. *Be it further enacted,* That if any Selectmen or Assessors of any town, or the Assessors of any plantation, shall knowingly and corruptly neglect or refuse to comply with, or to perform the several duties respectively required of him or them, as pointed out in and by the first section of this Act, he shall, for each and every such offence, forfeit and pay a fine not exceeding fifty dollars, according to the nature and aggravation thereof.

Penalty for selectmen or assessors neglecting the duties required by 1st section of this Act.

SEC. 12. *Be it further enacted,* That the Selectmen of any town, and the Assessors of any plantation in the several counties of this State, who shall neglect to call meetings of

Penalty for selectmen or assessors neglecting to call meetings, &c.

and do their duty at such meetings.

the inhabitants and others privileged there to vote for the election of Governor, Senators and Representatives, and to give due warning of the time and place of such meetings, as required by the Constitution of this State; or who shall refuse or neglect to preside in any such meetings, or to receive the votes of the qualified electors present; or who shall neglect to ascertain, declare and certify the number of votes; or who shall wilfully make any false declaration or certificate thereof, to the prejudice of the rights of the electors; shall forfeit a sum not exceeding eighty dollars, nor less than forty dollars; to be recovered from each Selectman or Assessor, who shall offend in the premises, according to the aggravation of each offence. And every town Clerk and the Clerk or Assessors of any plantation, present at any such meeting, who shall neglect or refuse to make a fair record of the votes; or a fair copy of such record; or to attest the same; or who shall refuse or neglect to make due and seasonable return thereof into the Secretary's office, as required by the Constitution of this State; shall forfeit a sum not exceeding eighty dollars, nor less than forty dollars, for each offence.

Duty of town and plantation clerks at such meetings.

Penalty for neglect.

No military duty on days of election of state officers, or electors, or members of Congress.

SEC. 13. *Be it further enacted,* That no officer or soldier of the militia shall be holden to do any military duty on the day pointed out in the Constitution for the election of Governor, Senators and Representatives of this State; or on any day which is or may be, appointed for the choice of Electors of President and Vice President of the United States, or Representatives to Congress: And it shall not be lawful for any such officer to exercise any military command on either of said days, except in time of war or public danger, and every officer offending herein, shall, for each offence, forfeit and pay a sum not less than ten, nor more than three hundred dollars.

No militia officer to exercise command on such days except, &c.

Assessors in each town before 20th day of February annually to make a list of voters for town officers,

and to be in session on the day before the

SEC. 14. *Be it further enacted,* That it shall be the duty of the Assessors of each town within this State, on or before the twentieth day of February annually, to make out a correct and alphabetical list of all such inhabitants of their respective towns as may be qualified by law to vote in the choice of town officers; and it shall be the duty of said Assessors to be in session at some convenient place, to be by

them notified, as provided in the first section of this Act, on the day next preceding the day of the annual election of town officers, in the month of March or April annually; unless the same happen on the Lord's day, in which case the Assessors shall be in session on the Saturday preceding, or on the morning of the day of election, as aforesaid, as the Assessors think proper; for so long time as they shall judge necessary, to receive evidence of the qualifications of persons whose names have not been entered on said list.

election in  
March or  
April annually,  
unless, &c.

SEC. 15. *Be it further enacted*, That no person shall be permitted to give in his vote or ballot, at any meeting for the choice of town officers, until the person presiding at such meeting shall have had opportunity to inquire his name, and shall have ascertained that the same is in the list aforesaid, and shall have had time to check the same; and any person wilfully voting contrary to the provisions of this section, or who shall give any false answer or false name to the Assessors, when receiving evidence of the qualifications as aforesaid, or to the person presiding in such town meeting, shall forfeit and pay a fine not exceeding thirty dollars, for each and every such offence.

No person to  
vote for town  
officers till his  
name has been  
found on the  
list, &c.

Penalty for  
violation, false  
answers, &c.

SEC. 16. *Be it further enacted*, That if any person, at any meeting for the choice of town officers, shall knowingly give in more than one vote or list, for any officer or list of officers then voted for at any such meeting, he shall forfeit and pay a fine not exceeding one hundred dollars.

Penalty for  
double voting.

SEC. 17. *Be it further enacted*, That the Selectmen or Assessors of any town aforesaid, who shall refuse or neglect to do and perform all or any of the duties prescribed to them by the fourteenth section of this Act, shall forfeit and pay for each and every such offence, a fine not exceeding two hundred dollars; and all the fines and forfeitures accruing in consequence of a violation of this Act, shall be recovered by indictment in any Court proper to try the same; one half to the use of the State, and the other half to the use of the complainant. This Act shall be in force from and after the first day of June next.

If town offi-  
cers neglect  
their duty as  
prescribed in  
the 14th sec-  
tion.

Penalty.

[Approved March 19, 1821.]