

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1891.

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1891.

PUBLIC LAWS
OF THE
STATE OF MAINE.

1891.

Chapter 33.

An Act to amend chapter one hundred fifteen of the Revised Statutes entitled "Salaries of Public Officers and Compensation of Members of the Government."

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

Section one of said chapter is hereby amended in that paragraph which provides for the salary of the secretary of the board of agriculture, by striking out the word "six" and inserting in lieu thereof the word 'fifteen,' so that said paragraph shall read as follows :

Sec. 1, ch. 115,
R. S., amended.

'The secretary of the board of agriculture, fifteen hundred dollars, and reimbursement for necessary expenses incurred in the discharge of his duties, an account whereof shall be first audited by the governor and council, who from time to time may draw their warrants on the treasurer of state for such sums as are necessary to defray the same and other expenses provided for in chapter fifty-eight.'

Salary of secretary of board of agriculture, increased.

Approved February 25, 1891.

Chapter 34.

An Act to provide a Board of Registration in the Cities of this State.

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

SECT. 1. A board of registration is hereby established in each city of the state, which shall have the exclusive power and authority to determine the qualification of voters therein, and exclusive power to make up, correct and revise the list of voters in each of said cities, and shall perform all the duties and have, exclusively, all the powers now exercised by the municipal officers of said cities in making, preparing, revising and correcting the list of voters therein under chapter four of the revised statutes or any other statute relating thereto.

Board of registration, established.

—powers.

SECT. 2. Said board shall consist of three members who shall be residents and legal voters of the city where such board is established, one of whom shall be appointed and commissioned by the governor by and with the consent of his council for a term of four years, but the first term shall

Number, appointment, terms and qualification of members.

CHAP. 34

expire May one, eighteen hundred and ninety-five, and who shall not hold or be eligible to any elective municipal office during said term. Said member of said board shall be appointed immediately upon the approval of this act. The other two members of this board shall be chosen one from the political party polling the highest number of votes for governor in this state at the next preceding state election and one from the political party polling the next highest number of votes for governor of this state at said election, and they shall each hold their office for the term of two years, but the first term shall expire May one, eighteen hundred and ninety-three, and said member shall not hold or be eligible to any elective municipal office during said term. Each shall be nominated by the city committee of his own political party, and upon due notice thereof in writing the several mayors of said cities shall forthwith appoint such persons so nominated members of said board. If either, or both of said political parties for the space of seven days after the approval of this act, or after a vacancy occurs in such board by its said committees, neglects or refuses so to nominate a member of such board and to notify the mayor of such city thereof, said mayor shall select and appoint a member of said board from the political party so neglecting and refusing to nominate. And in case any member of said board, so appointed by said mayor, neglects or refuses to act as a member of said board the other two shall proceed with the business of this board as provided by this act in his absence. And if any member of said board be absent or disqualified by sickness, such mayor may fill his place for the time being by the appointment of some qualified elector of said city of the same political party as the absent member represents.

—vacancy, how filled.

Chairman, powers and duties.

SECT. 3. The person appointed and commissioned by the governor shall preside at all meetings of the board but shall not vote therein except in case of a tie. He shall give due notice of the time and place of the sessions of said board and sign all orders and processes issued by the same. If he is necessarily absent or disqualified by sickness or otherwise during any session of said board, the mayor of said city shall immediately appoint a qualified elector of the city who shall be of the same political party as said chairman, to act in his absence.

SECT. 4. All the members of said board shall be sworn to the faithful and impartial performance of the duties of the said office.

Members shall be sworn.

SECT. 5. Said board shall have the exclusive power and authority to hear evidence and determine the qualifications of voters in the city in which it is established. Said presiding officer, at the request of any member, shall cause any party or witness appearing before the board to be sworn; any member of the board may administer oaths; and the board shall have power to compel the attendance of witnesses, to punish for contempt, and to issue all processes necessary to the performance of the duties of the board.

Exclusive power to determine qualifications of voters.

SECT. 6. Any person who shall knowingly and willfully testify falsely to any material facts in any proceeding before said board, shall be liable to the pains and penalties of perjury now provided by law.

Penalty for testifying falsely.

SECT. 7. All meetings of said board shall be open and public and shall close on each day at nine o'clock in the afternoon, except on the last day of its session, at five o'clock in the afternoon. A record shall be kept of all names added to or stricken from the voting lists in said cities, and of all other proceedings of said board at each session thereof. No name shall be added to or stricken from said voting lists except during open session of the board.

Meetings shall be public.

—shall keep record of names added to or stricken from lists.

SECT. 8. Said board of registration appointed in any city in this state shall prepare lists of voters in the several wards in said cities of such persons as appear to them to be legally qualified voters therein, at least thirty days prior to the next ensuing election for electors of president and vice president, representative to congress, state and county officers, or any election of municipal officers in said cities. Thereafter said board of registration shall so prepare such lists of voters at least thirty days prior to any such election by placing upon such lists all the names which appear upon the voting lists for the last preceding election in said cities, except the names of such persons as have died or ceased to reside in said city, or shall appear to said board to have otherwise become disqualified to vote therein since such preceding election. And a certified copy of all such lists made in accordance with this section shall be furnished to the city clerk of said city by said board at least thirty days prior to any such election; and said city clerk shall post said certified copies of said

Shall prepare lists of voters 30 days before any election.

—certified copy shall be furnished city clerk and posted.

CHAP. 34

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

Sessions of board.

SECT. 9. Said board of registration shall be in session from nine to twelve o'clock in the forenoon, and from two till five o'clock in the afternoon, and from seven to nine o'clock in the afternoon, in cities of not less than ten thousand inhabitants upon each of the six secular days and in all cities having less than ten thousand inhabitants upon each of the four secular days next prior to any election in said cities, excepting the last day of said sessions when it shall not be in session after five o'clock in the afternoon, to receive evidence touching the qualification of voters therein, and to revise and correct the voting lists in said cities. Said board shall not place upon such lists during said revision of the same, the name of any person who shall not personally appear before said board and request the same. During said time said board shall revise and correct the voting lists in said cities, and the wardens of said cities shall be governed by said revised and corrected lists; and no name shall be added to or stricken from said lists on the day of election, and no person shall vote at any election whose name is not on said list. When the right of any person to have his name placed upon any such list is challenged by any qualified elector in said city, or when the right of any person to have his name remain upon any such list is so challenged, before said board shall add to or strike from said lists the name of any such person, they shall issue a notice and summons to said person so challenged and allow him a reasonable opportunity to be heard. Such notice and summons shall be served upon 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

—names shall not be placed upon lists unless at personal request.

—names shall not be added to or stricken from lists on election day.

—proceedings when any person is challenged.

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.

—city clerk shall keep record of notices of change of residence.

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 an offense and punished by imprisonment for not less than six months nor more than one year.

Penalty if a person registers falsely.

SECT. 11. The clerk of the city shall act as the clerk of the board of registration during its session for revising said voting lists. He shall be the custodian of the records of said board and of the corrected and revised lists of voters prepared by it for use at any election and shall provide the wardens of the various wards of such cities with a true and attested copy of such lists of voters in their respective wards for their use on election day; and it shall be his duty to keep said lists one year and furnish certified copies thereof on application of any person and payment therefor, within ten days thereafter, and for failure so to do shall be punished as provided by section fifty-nine of chapter four of the revised statutes.

City clerk shall act as clerk of board.

—powers and duties.

SECT. 12. The members of such board of registration shall be subject to the same penalties for misconduct in office as are by law imposed upon municipal officers. The president of such board shall receive five dollars for each day that the board shall be in session for the revision of the voting lists, and the other two members of said board shall receive three dollars per day for such time. They shall also be paid a reasonable compensation for such time as they are necessarily employed in making up and preparing such lists of voters, together with reasonable and necessary expenses including blank books, stationery and the necessary assistance of clerks, all of which shall be paid by the city where such board is established, and each of said cities shall provide a suitable

Penalties for misconduct of members.

—compensation.

CHAP. 35

place for holding the sessions of said board, and pay for the services of such officers as said board may select, and have in attendance to preserve order and execute its precepts. All witness fees shall be paid at the established rates of fees before municipal courts.

—witness fees,
how paid.

Notices of time
and place of
sessions shall be
given.

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

Any elector may
challenge the
right of any
person to vote.

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

Sec. 47, ch. 4, R.
S., repealed.

SECT. 15. Section forty-seven, chapter four of the revised statutes and all other acts and parts of acts inconsistent herewith, are hereby repealed. But the provisions of this act shall not apply to the municipal elections of the year eighteen hundred and ninety-one, in any of the cities in which such elections are held, or to the preparation and revision of the lists therefor.

—act shall not
apply to municip-
al elections
during the year
1891.

Approved February 25, 1891.

Chapter 35.

An Act to amend section one of chapter one hundred and fifteen of the Revised Statutes, relating to Salaries.

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

Sec. 1, ch. 115,
R. S., amended.

SECT. 1. Section one of chapter one hundred and fifteen of the revised statutes is hereby amended by striking out lines fifty-three, fifty-four, fifty-five, fifty-six and fifty-seven and inserting instead thereof the following: 'Four assistant superintendents of the insane hospital, one of whom shall be a female, such sum as the trustees may from time to time vote not exceeding thirty-two hundred dollars a year for the four; the steward, including his duties as treasurer, such sum as

—salaries of offi-
cers of insane
hospital.