

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

## Eightieth Legislature

OF THE

## STATE OF MAINE

1921

Including Acts and Resolves of the Special Session held in 1920.

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Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

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1921

**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Eightieth Legislature

**1921**

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## CHAP. 70

vided, however, that each department required to make an annual report shall on July first, nineteen hundred and twenty-two, submit a report for the eighteen months beginning January first, nineteen hundred and twenty-one and ending on June thirtieth, nineteen hundred and twenty-two, and each department required to make a biennial report shall on the first day of July, nineteen hundred and twenty-two, submit a report for the eighteen months beginning January first, nineteen hundred and twenty-one and ending June thirtieth, nineteen hundred and twenty-two.

Approved March 30, 1921.

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## Chapter 70.

An Act Authorizing Towns to Elect Certain Municipal Officers by Secret Ballot.

*De it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Provisions must be accepted by town at legal meeting before applicable.** Any town in Maine may, at any legal meeting called by a warrant containing an article for the purpose, accept the provisions of this act and when so accepted, all elections for town officers now required by law to be chosen by ballot, shall thereafter be in accordance with the provisions herein provided, except the moderator, who shall be chosen as now provided by law.

**Sec. 2. At same meeting provisions are accepted voters shall determine what officers are to be elected by ballot and no change to be made except at a legal meeting.** When any town so accepts the provisions of this act it shall at the same time or meeting determine what officers, if any, not now required by law to be chosen by ballot, shall be chosen in the manner herein provided. All such matters shall be stated in the warrant calling such meeting. No change shall be thereafter made in the officers to be chosen by ballot or in the number or terms thereof except at a meeting held at least thirty days before any annual town election.

**Sec. 3. Opening and closing of polls.** All warrants for town meetings for the election of officers as herein provided shall specify the time of opening the polls and the time when the same may be closed; but the polls shall be kept open at least four hours, and the method of voting shall be as in gubernatorial elections.

**Sec. 4. Nomination of candidates, how made.** Nominations for candidates may be made at a caucus, or by nomination papers signed in the aggregate for each candidate by qualified voters of said town not less in number than one for every fifty voters, who have registered for the last

preceding state election in said town; but the voters so signing shall in no case be less than twenty-five in number. Each voter signing such nomination paper shall add to his signature his place of residence with the street and number thereof, if any; and each voter may subscribe to as many nomination papers for each office as there are members to be elected thereto and no more.

**Sec. 5. Certificates of caucus nominations.** All certificates of caucus nominations shall be signed by the chairman and secretary of the caucus. Such certificates and nomination papers shall, besides containing the names of candidates, specify as to each candidate the office for which he is nominated.

**Sec. 6. Filing of certificates of nomination and nomination papers.** Certificates of nomination shall be filed with the town clerk of said town at least eight days previous to the day of election, and nomination papers shall be so filed at least six days previous to the day of election. The certificates of nomination and nomination papers being so filed, and being in conformity with the provisions of this act, shall be deemed to be valid unless objection thereto is duly made in writing. Such objections or questions arising in the case of nominations shall be considered by the selectmen of said town, and the decision of a majority of the selectmen shall be final. In case such objection is made, notice shall forthwith be delivered to the candidates affected thereby. All certificates of nomination and nomination papers when filed shall be open under proper regulations to public inspection, and the town clerk shall preserve the same in his office for not less than one year.

**Sec. 7. Form of ballots and by whom prepared; selectmen; number to be elected to be determined by voters; how their names shall be printed on the ballot; questions submitted to voters.** All ballots for use in such elections shall be prepared by the town clerk. Every general ballot, or ballot intended for the use of all voters, which shall be printed in accordance with the provisions of this act, shall contain the names of all candidates whose nominations for any offices specified in the ballot have been duly made, and shall contain no other names. The names of candidates for each office shall be arranged under the designation of the office in alphabetical order according to surnames, but candidates for selectmen, assessors and overseers of the poor respectively, shall be named, and designated in the ballot, in as many groups as the town shall by vote have determined there are to be individuals on any such board. Previous to balloting the voters may determine by majority whether to elect three, five or seven selectmen, assessors or overseers of the poor respectively. Without such determination three shall be elected. The

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three (or if so determined five or seven) having the largest number of votes shall be declared elected. There shall be left at the end of the list of candidates for each different office as many blank spaces as there are persons to be elected to such office, in which the voter may insert the name of any person not printed on the ballot for whom he desires to vote as candidate to such office. Whenever any question is submitted to the vote of the people of the town, in accordance with a statute providing for such submission, such question shall be printed upon the ballot after the list of candidates. The ballots shall be so printed as to give each voter a clear opportunity to designate by a cross mark (X) in a square at the right of the name and designation of each candidate, his choice of candidates and his answer to the question submitted, and in the ballot may be printed such words as will aid the voter to do this, as "vote for one," "vote for three," "yes," "no," and the like. Before distribution the ballots shall be so folded in marked creases as to measure when folded not less than four and one-half nor more than five inches in width and not less than six nor more than thirteen and one-half inches in length. On the back and outside, when folded, shall be printed "Official Ballot for the Town of \_\_\_\_\_," and the date of election, and the signature or facsimile of the signature of the town clerk.

**Sec. 8. Town clerk to preserve record of number of ballots.**

All ballots when printed shall be folded as hereinbefore provided and fastened together in convenient numbers in packages, books or blocks, in such manner that each ballot may be detached and removed separately. A record of the number of ballots printed and furnished shall be kept and preserved by the town clerk.

**Sec. 9. Number of ballots to be prepared.** There shall be provided for every such election such general ballots, of not less than seventy-five for each fifty and fraction of fifty registered voters therein.

**Sec. 10. Town clerk to prepare cards of instruction and sample ballots.** The town clerk shall provide full instructions for the guidance of voters at such elections, as to obtaining ballots, as to the manner of marking them, and the method of obtaining assistance, and as to obtaining new ballots in place of those accidentally spoiled; and shall cause the same, together with copies of sections twenty, twenty-one, ninety-two and ninety-three of chapter seven of the revised statutes and any amendments thereof, to be printed in clear type, on separate cards, to be called cards of instruction. He shall also cause to be printed on tinted paper, and without the endorsements, ten or more copies of the form of the ballot provided for such election, which shall be called specimen ballots, and shall be furnished with the other ballots provided therefor.

**Sec. 11. Town clerk to post list of candidates four days prior to election.** At least four days prior to the election, the town clerk shall cause to be conspicuously posted in one or more public places a printed list containing the names and residences of all candidates to be voted for in such town, and any designation as provided in section five, substantially in the form of a general ballot to be so used therein.

**Sec. 12. Ballots, cards of instructions, etc., to be put up in sealed packages.** The ballots, together with the specimen ballots and cards of instruction printed by the town clerk as herein provided, shall be packed by him in sealed packages, with marks on the outside designating the number of ballots of each kind enclosed.

**Sec. 13. Ballot clerks.** Before the opening of the polls the selectmen shall appoint the necessary number of ballot clerks, and in case of vacancies after the opening of the polls the moderator shall fill the same. The ballot clerks shall be sworn and have charge of the ballots and shall furnish them to the voters in the manner hereinafter provided.

**Sec. 14. Delivery of ballots at polling places; not to be delivered until moderator is chosen; ballot clerks to be furnished with duplicate check list.** The town clerk shall, before the opening of the polls on the day of election, deliver the ballots to the ballot clerks, who shall receipt therefor, which receipt shall be kept in the clerk's office. Before the opening of the polls the town clerk shall cause the cards of instructions to be posted at or in each voting shelf or compartment provided for the marking of the ballots, and not less than three such cards and not less than five specimen ballots to be posted in or about the polling room, outside the guard rails. No ballots prepared under this act shall be delivered to voters until the moderator shall have been chosen in the manner now provided by law. A duplicate list of the qualified voters shall be prepared for the use of the ballot clerks, and all provisions of law relative to the preparation, furnishing, use and preservation of check lists shall apply to such duplicate lists.

**Sec. 15. Officers to be elected by plurality vote; procedure in case of a tie.** Except as herein provided, the election shall be conducted as now provided by law. All officers voted for in the manner as herein provided shall be elected by a plurality vote. In case of failure to elect any officer or officers so voted for by reason of a tie vote, the meeting shall be adjourned to a day certain, when such officer or officers shall be chosen as herein provided.