

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Eighty-ninth and Ninetieth
Legislatures

OF THE
STATE OF MAINE

From April 21, 1939 to April 26, 1941
AND MISCELLANEOUS STATE PAPERS

Published by the Revisor of Statutes in accordance
with the Resolves of the Legislature approved June
28, 1820, March 18, 1840, March 16, 1842, and Acts
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PROPERTY OF THE
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninetieth Legislature

1941

enjoy a preemptive right at such time to subscribe thereto, unless such right shall be negatived by some statute applicable thereto, by the charter or by-laws of the corporation or by the provisions of a plan of reorganization of any corporation at any time reorganized under the provisions of the act of congress of July 1, 1898 entitled "An Act to Establish a Uniform System of Bankruptcy Throughout the United States" or under the provisions of an act of congress of August 26, 1935 entitled "Public Utility Holding Company Act of 1935", as now or hereafter amended or supplemented.

Provisions of the charter or by-laws relating to preemptive rights may be adopted or amended at any time by the stockholders having a right to vote at any meeting, the call for which shall give notice of the proposed action, by 90% of the shares which are present or represented at the meeting.'

Approved April 11, 1941

Chapter 207

AN ACT Relating to the Counting of Ballots.

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

R. S., c. 8, § 18, amended. Section 18 of chapter 8 of the revised statutes, as amended, is hereby further amended to read as follows:

'Sec. 18. Ballots, how counted. The ballots shall be sorted and counted in open town or ward meeting by election officials, duly sworn by town or city clerks who shall be considered public officials. Any person in the employ of any political party or its agents or in the employ of any candidate for election or his agent or in the employ of any corporation interested in any referendum within 6 months next prior to the election or referendum shall not serve as such election officer. The ballots counted by the election officers shall be made up into a secure packages and each such package shall have plainly written or stamped thereon the name of the officials counting the ballots in such package; and all such election officers shall sign and file a sworn statement of their count of such package that they counted with such package. The counting of ballots shall be done in such manner as to afford the electors present opportunity to observe the sorting and counting, and the result shall be declared and recorded in open town or ward meeting. ~~When the ballots have been so sorted and counted and the result so declared and recorded, all the ballots and sworn statements of said officials shall in open meeting be sealed in a package,~~

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which said package with the check lists sealed in the same manner as the ballots shall forthwith be returned to the city, town or plantation clerk. When the ballots have been so sorted and counted and the result so declared and recorded, each lot of ballots together with the sworn statement of the count of that lot thereof shall in open meeting be sealed in a package by the election official or officials who counted the same. The package so sealed shall be placed in the container in which ballots had been delivered at the polling place together with all unused ballots and said container sealed before removal from the polling place to the office of the city, town or plantation clerk. The check lists which have been used at such polling place shall likewise be sealed and forthwith returned to the city, town or plantation clerk. In case 2 or more kinds of official ballots are used in any election each kind shall be sealed in a separate package. All ballots and check lists and sworn statements of said officials, shall be so sealed that the packages and check lists cannot be opened or examined without first breaking the seal; and the sealed packages of ballots cast at any state election or at any election of the electors of president and vice-president of the United States shall have an indorsement of substantially the following tenor indorsed thereon or securely affixed thereon: "This package contains the ballots cast at an election for _____ held in the _____ of _____ (or in ward _____ of the city of _____) on the _____ day of _____ 19____; said ballots were sorted, counted, result declared and recorded, and this package sealed in open meeting in accordance with section 18 of chapter 8 of the revised statutes." Such indorsement shall be signed by the town, plantation, or ward clerk and by a majority of the selectmen of towns and the assessors of plantations, or by the wardens in cities or voting precincts. The ballots and check lists and sworn statements of said officials returned to the city clerk after any city election and all other ballots returned to him, which he is not required to forward to the secretary of state according to the provisions of section 47, shall be preserved by him as a public record for 6 months. This section is hereby made applicable to primary elections, and all elections and referendum questions.'

Approved April 9, 1941

Chapter 208

AN ACT Relating to Gambling.

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

Sec. 1. R. S., c. 136, § 11, amended. The 1st sentence of section 11 of chapter 136 of the revised statutes is hereby amended to read as follows: