

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-fourth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE

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The secretary of state shall receive a fee of \$5 for the registering of each such mark, which fee shall cover issuance of the certificate of registration thereof, and a fee of \$1 for the issuance of each certified copy of such certificates. Registers of deeds shall receive a fee of \$1 for recording a certified copy of any such certificate of registration.

Notwithstanding anything to the contrary contained in this section, the secretary of state shall not register any such mark nor issue any such certificate of registration or certified copies thereof until the expiration of 60 days after the effective date of this section. If any 2 or more marks filed with the secretary of state pursuant to the provisions of this section prior to the expiration of said 60 days are alike, or in the opinion of the secretary of state so near alike as to cause confusion, the secretary of state shall at the expiration of said 60 days register the mark of the one proving to the satisfaction of the secretary of state that such mark was used by him prior to the use of the mark or marks conflicting therewith by the filer or filers thereof and shall deny registration of the mark or marks conflicting therewith.'

Effective August 6, 1949

Chapter 137

AN ACT Relating to Inspections and Recounts in Municipal Elections.

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

Sec. 1. R. S., c. 80, § 60, amended. Section 60 of chapter 80 of the revised statutes is hereby amended by adding at the end thereof a new sentence to read as follows:

'The person presiding at a meeting for the choice of town officers and the submission of questions, in pursuance of sections 46 to 60, inclusive, shall, after counting and tabulation of the votes cast, deliver all ballots cast to the clerk who shall seal them in a suitable package or packages and preserve them safely for 6 months for the purposes of the following section.'

Sec. 2. R. S., c. 80, § 61, amended. Section 61 of chapter 80 of the revised statutes is hereby amended to read as follows:

'Sec. 61. Inspection of ballots. Upon written application by any candidate for any ~~city~~ municipal office within 3 days after the result of a city election is declared, or the result of a town election under the provisions of sections 46 to 60, inclusive, is declared, the clerk of ~~each~~ such city or town shall permit any candidate or his agent to inspect the ballots cast at any such municipal election after the same have been returned to him,

under such reasonable regulations or restrictions consistent with the right of inspection as will secure every ballot from loss, injury or change in any respect. Such inspection shall be permitted only after written notice in a city by said clerk to the ward officers who signed the returns of said election and in a town to the person who presided at the meeting, and in all instances after written notice by said clerk to the other contesting candidates, sufficient to enable them to be present in person or by agent at said inspection. After each inspection the packages shall be again sealed, and the fact and date of inspection noted on the package. No such examination of the ballots shall be made without reasonable notice to all candidates upon the ballot for the offices specified in the application as to which such errors are alleged to have occurred, stating when and where such examination will be made and affording such candidates a reasonable opportunity to be present in person or by counsel at such examination and be heard in relation thereto. Said inspection of ballots shall be held not later than 5 days after written application for an inspection of said ballots has been received by the said city or town clerk.'

Sec. 3. R. S., c. 80, § 62, amended. Section 62 of chapter 80 of the revised statutes is hereby amended to read as follows:

'Sec. 62. Recount proceedings. Whenever any candidate for any municipal office shall desire a recount of the votes cast for the particular office for which he was a candidate, he shall within 3 days from the date of said inspection file a sworn petition with the ~~city~~ clerk of said municipality setting forth the particular office for which he was a candidate, and state on his own knowledge or on information and belief, that because of the closeness of the vote, or a mistake in counting of the ballots or in the return of the ward offices, or fraud committed before or during said election, or any other cause, he would like a recount of all the ballots cast in said municipality for the office for which he was a candidate.'

Effective August 6, 1949

Chapter 138

AN ACT Relating to Paroled and Discharged Prisoners from State Prison.

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

R. S., c. 136, § 18-A, additional. Chapter 136 of the revised statutes is hereby amended by adding thereto a new section to be numbered 18-A, to read as follows:

'Sec. 18-A. Paroled or discharged prisoners, record to be forwarded to state police. Whenever any prisoner, who has been convicted of an offense