

# 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**

As Passed by the Ninety-fourth Legislature

**1949**

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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

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## 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

under the provisions of sections 10, 11 or 12 of chapter 117 or under the provisions of section 6 of chapter 121, is released upon parole, or discharged in full execution of his sentence, the warden of the prison shall make and forward to the state police a copy of the prison record of said prisoner together with a statement of any fact or facts which he may deem necessary for a full comprehension of the case.'

Effective August 6, 1949

## Chapter 139

### AN ACT Relating to Retirement of Justices of the Superior and Supreme Judicial Courts.

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

Sec. 1. Repealed by P. L. 1949, c. 369, § 3.

Sec. 2. R. S., c. 91, § 6, amended. The 2nd paragraph of section 6 of chapter 91 of the revised statutes, as amended by section 2 of chapter 121 of the public laws of 1945, is hereby further amended to read as follows:

'The provisions of this section shall apply to the present and former justices of said court. Provided, however, that such justice shall within ~~a~~ ~~years~~ 1 year after attaining the age of 70 years, and serving as such justice for at least 7 consecutive years, cease to serve as such justice.'

Sec. 3. Repealed by P. L. 1949, c. 369, § 4.

Sec. 4. R. S., c. 94, § 4, amended. The last paragraph of section 4 of chapter 94 of the revised statutes, as amended by section 1 of chapter 121 of the public laws of 1945, and by chapter 9 of the public laws of 1947, is hereby further amended to read as follows:

'The provisions of this section shall apply to the present and former justices of said court. Provided, however, that such justices shall within ~~a~~ ~~years~~ 1 year after attaining the age of 70 years, and serving as such justice for at least 7 consecutive years, cease to serve as such justice.'

Sec. 5. **Limitation of this act.** The provisions of this act shall not apply to any justice of the supreme judicial court or superior court who has attained or hereafter shall attain the age of 70 years during his continuance in office as such justice under an appointment made prior to 90 days after the adjournment of this 94th legislature.

Effective August 6, 1949