

HOUSE No. 538

By Mr. Cella of Medford, petition of Charles H. McGlue for preventing the opening of ballot boxes and the counting of votes in towns during voting hours. Election Laws.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Eight.

AN ACT TO PREVENT THE OPENING OF BALLOT BOXES AND THE COUNTING OF VOTES IN TOWNS DURING VOTING HOURS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The fourth paragraph of section 105 of chapter
2 54 of the General Laws, which reads as follows: — “In towns,
3 except in town elections where members of boards or officers
4 are to be elected under the provisions of chapter fifty-four A,
5 the ballot box at any polling place may be opened and ballots
6 taken therefrom for counting when all the selectmen and the
7 town clerk, or, where the moderator is in charge of the election,
8 the moderator and the town clerk, or all the election officers at
9 the voting precinct shall so order. When the ballots have been
10 thus removed the presiding officer shall select from the election
11 officers an equal number from each of the two leading political
12 parties, who shall canvass such ballots, in accordance with this
13 section; but no announcement of the result of such canvass
14 shall be made by any election officer until the total result of the
15 canvass of ballots has been ascertained.” — is hereby amended
16 by striking out this entire paragraph of said section.

1 SECTION 2. Section 51 of chapter 53 of the General Laws,
2 which reads as follows: — “The provisions of section one hun-
3 dred and five of chapter fifty-four authorizing the opening of the
4 ballot box at elections in towns, the taking therefrom of the

5 ballots and counting thereof, prior to the closing of the polls,
6 shall apply to state primaries in towns. No ballot cast at a
7 state primary in cities shall be counted until the close of the
8 polls," is hereby amended so as to read as follows: — *Section 51.*
9 No ballots cast at a state primary in cities or towns shall be
10 counted until the close of the polls.