

HOUSE No. 479.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, April 8, 1891.

The committee on Election Laws, to whom was referred that portion of the Governor's Message which recommended legislation in regard to the publication of election expenses, and also an order relative to the same matter, report the accompanying Bill.

For the Committee,

CHARLES F. SPRAGUE.

HOUSE OF REPRESENTATIVES, April 22, 1891.

The committee on Finance, to whom was referred the Bill to secure the publication of election expenses, report that it ought to pass.

For the Committee,

BENJAMIN F. PETERSON.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Ninety-one.

AN ACT

To secure the Publication of Election Expenses.

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. State, district, city, county, town
2 and all other committees of all political parties,
3 political clubs and other equivalent organizations,
4 and all committees, organizations or combinations
5 assisting in the nomination, election or defeat of
6 any candidate for a political office hereinafter
7 mentioned shall have treasurers and shall cause
8 to be kept by them detailed accounts of all the
9 money, securities and equivalents of money re-
10 ceived by or promised to them, and of the man-
11 ner in which the same have been expended,
12 and of all payments, liabilities or promises
13 of payment made by them; and within four
14 weeks after any election at which state, county,
15 municipal or town officers or members of con-
16 gress are chosen, the treasurer of any such
17 committee, club or other organization, which
18 shall have expended money or incurred liabili-

19 ties in the campaign preceding such election,
20 or in any way in connection with the same,
21 whether before or after such election, shall file
22 with the secretary of the Commonwealth or in
23 the case of municipal or town elections with the
24 clerk of the city or town where such election is
25 held, a detailed statement, subscribed and sworn
26 to by him, setting forth the amounts of its
27 receipts, and a detailed statement of all its
28 expenditures, liabilities and disbursements, as
29 hereinafter provided. Any person not a member
30 of any such committee or organization who col-
31 lects or disburses funds or incurs liabilities for
32 the purpose of nominating, electing or defeating
33 any candidate as above provided, exceeding
34 five dollars in amount, shall be deemed to be
35 a committee within the meaning of this act,
36 and shall file the statement hereby required to be
37 filed by treasurers of committees.

1 SECT. 2. Any member of any of the commit-
2 tees, clubs or other organizations described in
3 section one, who shall receive any money, securi-
4 ties or equivalent of money, or promises of the
5 same, or disburse any such or incur any liabilities
6 for political or campaign purposes, or in connec-
7 tion with any election set forth in section one,
8 shall forthwith give to the treasurer of such com-
9 mittee, club or other organization, a detailed state-
10 ment of the same, with the vouchers herein
11 required, or else shall file an individual account
12 as above provided; and such treasurer shall

13 include such statement in his return, required
14 by said section one. And no member of any
15 of said committees, clubs or other organiza-
16 tions, shall receive any money, securities or equiv-
17 alents of money or promises for the same, nor
18 disburse or expend the same, or incur any liabili-
19 ties for political or campaign purposes, or in con-
20 nection with any election, unless the committee,
21 club, or other organization of which he is a mem-
22 ber, shall first have chosen a treasurer to keep its
23 accounts, as hereinbefore provided.

1 SECT. 3. Whoever shall be candidate before
2 any caucus or convention, or at any election for
3 the office of representative in the congress of the
4 United States, or for any state, county, municipi-
5 pal or town office, shall, within four weeks after
6 the time fixed by law for the election to such
7 office, file with the secretary of the Common-
8 wealth, or in the case of a candidate for a muni-
9 cipal or town office, with the clerk of the city or
10 town where such election is held, a detailed state-
11 ment as hereinafter provided, subscribed and
12 sworn to by him of all money, securities and
13 equivalentents of money contributed or promised,
14 disbursed or expended by him, and of all liabili-
15 ties incurred by him, in attempting to secure, or
16 in any manner in connection with, the nomina-
17 tion or election to such office. If, however, the
18 aggregate amount of money so contributed, prom-
19 ised, disbursed, incurred or expended, shall not
20 exceed the sum of twenty dollars, he may file an

21 affidavit to that effect in the same place and time
22 and intent of said detailed statement.

1 SECT. 4. Every payment in respect of any
2 expense incurred which is to be accounted for
3 under this act shall, except where the total ex-
4 pense payable to the same person is less than five
5 dollars, be vouched for by a bill stating the par-
6 ticulars and by a receipt, and every voucher, re-
7 ceipt or account required by this act shall be
8 preserved for at least one year.

1 SECT. 5. Whoever shall wilfully make any
2 false statement in any return or statement re-
3 quired by this act shall be deemed guilty of
4 perjury, and whoever shall violate any of the
5 provisions of this act shall be punished by fine
6 not exceeding one thousand dollars or by
7 imprisonment not exceeding one year.

1 SECT. 6. The returns and statements required
2 by this act shall be full, detailed and explicit,
3 and shall give a clear idea of the purposes for
4 which each of the several expenditures were
5 made and the liabilities incurred, with the names
6 and addresses of any persons receiving or to
7 receive anything, dates and the nature of any
8 services rendered, and shall be made in con-
9 formity with schedules to be prepared at least
10 six weeks before the election by the board pro-
11 vided for in chapter four hundred and thirty-six,
12 section five of the Acts of eighteen hundred and
13 ninety. These schedules shall be printed and

14 distributed to all persons applying for them, who
15 are to render accounts under this act.

16 These schedules shall, besides other things that
17 may be required, contain in substance the follow-
18 ing:—

I, [If a treasurer under this act, state of what, and if a candidate, state for what office], residing at, [street and number, if any], in _____, in the county of _____, do solemnly swear that the following is a true and full statement of all money, securities, and equivalents of money, received by or promised to [here state the "said" committee, club, etc., "or any member of the same," or "me," if a candidate], and of all payments, disbursements, liabilities, or promises of payment made by [_____]; or by any one acting under _____ direction or authority, on account or in connection with the [here state the election] [or my nomination to office].

RECEIPTS.

- | | |
|--|----|
| 1. Amounts respectively contributed or promised by the several candidates at the election | \$ |
| 2. Total contributed or promised by persons holding national, State, county, city or town offices, not included in [1] | \$ |
| 3. Total received from or promised by all others | \$ |
| Total | \$ |

EXPENDITURES.

- | | |
|---|----|
| 1. Total expended or incurred for printing and printed matter, as per detailed list marked [A] | \$ |
| 2. Total expended or incurred for headquarters, including rent, fuel, lights, stationery, clerk hire, etc., as per detailed list marked [B] | \$ |
| 3. Total expended or incurred for distribution of printed matter, as per detailed list marked [C] | \$ |
| 4. Total expended or incurred for postage, not included in [3] as per detailed list marked [D] | \$ |

5. Total expended or incurred for public meetings, etc., as per detailed list marked [E]	\$
6. Total expended or incurred for services of canvassers and others, not included in [2] before or after elec- tion day, as per detailed list marked [F]	\$
7. Total expended and incurred for services of all per- sons on election day, as per detailed list marked [G],	\$
8. Total expended and incurred for all other purposes, as per detailed list marked [H]	\$
Total,	\$

[Signed]

ss.

Subscribed and sworn to before me this _____ day of
A. D.

Justice of the Peace [or] Notary Public.

1 SECT. 7. Officers with whom accounts are
2 filed under this act shall notify all persons whose
3 accounts and schedules as filed are not in apparent
4 conformity to the requirements of this act to
5 amend the same, and the accountants shall there-
6 upon amend them as required.

1 SECT. 8. The accounts so filed shall be open
2 to public inspection under reasonable regulations.

1 SECT. 9. The supreme judicial court and the
2 superior court shall have full equity powers to
3 compel any person, who fails to file an account
4 required by this act, or who files an account which
5 does not conform to the provisions of this act in
6 respect to sufficiency in detail or otherwise, to
7 comply with the provisions of this act by filing
8 such an account as is required, and may compel
9 such compliance upon the petition of any candi-

10 date voted for, or of any ten persons qualified to
11 vote at the election on account of which the ex-
12 penditures, or a part thereof, were or are alleged
13 to have been made.

14 No such petition shall be brought later than
15 sixty days after said election against any one who
16 has filed his account within the four weeks
17 required, excepting that a petition may be
18 brought within four weeks of any payment for
19 anything which should have been but was not
20 stated in the account so filed.

21 Proceedings under this section shall be ad-
22 vanced upon the dockets of said courts, if
23 requested by either party, so that they may be
24 tried and decided with as little delay as possible.

25 No petition brought under this act may be
26 withdrawn, or discontinued, without first notifying
27 the attorney-general, if the proceedings are in the
28 supreme judicial court, or, if the proceedings are
29 in the superior court the district attorney for the
30 district in which the petition is brought, who may
31 appear and prosecute the same within three weeks
32 of the service on him of such notice.

1 SECT. 10. No person called to testify in any
2 proceedings under the preceding section shall be
3 liable to criminal prosecution under this act or
4 otherwise, for any matters or causes in respect of
5 which he shall be examined or to which his testi-
6 mony shall relate, except to prosecution for per-
7 jury committed in such testimony.