

SENATE . . . . . No. 89.

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[To accompany the petition of Josiah Quincy, Mayor of the City of Boston, for Changes in the Laws relating to Elections, Registration of Voters and Caucuses. Election Laws.]

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Commonwealth of Massachusetts

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

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AN ACT

Relative to the holding of Caucuses in certain Cities and Towns.

*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 three of chapter five hundred and seven  
2 of the acts of the year eighteen hundred and  
3 ninety-five is hereby amended by adding at the  
4 end thereof the following:—“but in the city of  
5 Boston no such caucus shall be called for a date  
6 earlier than ten days after the date of the regular  
7 state election, nor shall any convention to nomi-  
8 nate candidates to be voted for at any municipal  
9 election in said city be called for a date earlier

10 than five days after the holding of the caucuses  
11 for the choice of delegates to such convention,"  
12 so that the same shall read as follows:—

13 *Section 3.* All caucuses of a political party  
14 in said cities and towns for the choice of  
15 candidates to be voted for at a city or town  
16 election, and for the choice of delegates to a  
17 convention to nominate candidates to be voted  
18 for at a city or town election, shall be held on  
19 the same day in each city and town, except  
20 such caucuses as relate to a special election:  
21 *provided, however,* that in said cities or towns  
22 caucuses for the choice of delegates to a conven-  
23 tion to nominate candidates to be voted for by  
24 the city or town at large may be held upon a  
25 different day from the other caucuses above-men-  
26 tioned. All caucuses for the choice of a ward  
27 committee shall be held on the same day, which  
28 may be the same as the day for holding caucuses for  
29 the choice of candidates to be voted for at a city  
30 election. The city or town committee shall deter-  
31 mine the days upon which all the caucuses men-  
32 tioned in this section shall be held, and all calls  
33 for the same shall be issued by the chairman and  
34 secretary of the city or town committee. No two  
35 political parties shall hold their caucuses on the  
36 same day. The party first filing with the city or  
37 town clerk a copy of the call for a caucus shall be  
38 entitled to precedence on the day named; but in  
39 the city of Boston no such caucus shall be called  
40 for a date earlier than ten days after the date of  
41 the regular state election, nor shall any convention

42 to nominate candidates to be voted for at any  
43 municipal election in said city be called for a date  
44 earlier than five days after the holding of the  
45 caucuses for the choice of delegates to such con-  
46 vention.

47 Section nine of said chapter is hereby amended  
48 by inserting after the word "ten" in the sixth  
49 line thereof the word "week" so that the same  
50 shall read as follows:—

51 *Section 9.* The chairman or secretary of the  
52 city or town committee shall endorse upon the  
53 nomination papers the time at which they are  
54 filed with him.

55 All nomination papers shall be sealed up and  
56 filed in the office of the secretary of the city or  
57 town committee not less than ten week days  
58 previous to the day on which the caucus is to be  
59 held for which the nominations are made.

60 They shall not be opened until the time fixed for  
61 their announcement.

62 Section fifteen of said chapter is hereby  
63 amended by adding after the word "act" in the  
64 sixth line thereof the following:— "And in the  
65 case any error or informality shall be found in  
66 any of such papers the same shall be forthwith re-  
67 turned to the secretary of the committee by  
68 whom the same was filed for the purpose of cor-  
69 recting such error or informality, and if the said  
70 paper is not corrected and again filed as herein  
71 provided before five o'clock in the afternoon of  
72 the day following its return to said secretary the  
73 same shall be regarded and treated as of no effect

74 or validity, so that the same shall read as  
75 follows:—

76 *Section 15.* Not less than seven week days  
77 prior to the day upon which the caucuses are to  
78 be held the secretary of each city or town com-  
79 mittee shall place in the hands of the city or  
80 town clerk the nomination papers filed with him  
81 in accordance with the provisions of this act.  
82 And in the case any error or informality shall be  
83 found in any of such papers the same shall be  
84 forthwith returned to the secretary of the com-  
85 mittee by whom the same was filed for the pur-  
86 pose of correcting such error or informality,  
87 and if the said paper is not corrected and again  
88 filed as herein provided before five o'clock in the  
89 afternoon of the day following its return to said  
90 secretary, the same shall be regarded and treated  
91 as of no effect or validity.

92 All nomination papers which are by this act  
93 required to be filed with the city or town clerk  
94 shall be filed in the office of the city or town  
95 clerk before five o'clock in the afternoon of the  
96 last day fixed by this act for the filing thereof.

97 Section seventeen of said chapter is hereby  
98 amended by adding at the end thereof the  
99 following:—“In addition to the spaces left  
100 for a cross opposite the name of each candidate  
101 for delegate to a political convention, there shall  
102 be left at the right of each statement printed  
103 above the group of names of candidates for  
104 delegates to such convention a sufficient clear  
105 square in which each voter may designate by a

106 cross his choice for such group of candidates,  
107 and the voter shall in voting for such candidates  
108 be governed by the provisions of section one  
109 hundred and sixty-three, of chapter four hundred  
110 and seventeen of the acts of the year eighteen  
111 hundred and ninety-three, prescribing the manner  
112 of voting for presidential electors," so as to  
113 read as follows:—

114 *Section 17.* Names of candidates for all elec-  
115 tive offices shall be arranged alphabetically  
116 according to their surnames.

117 Names of candidates for caucus officers, for  
118 ward or town committees and for delegates to  
119 conventions may be arranged in groups in the  
120 order in which they are filed, but shall be  
121 arranged alphabetically according to their sur-  
122 names whenever written request therefor is made  
123 to the secretary of the city or town committee  
124 by any ward or town committee, or whenever  
125 the city or town committee shall vote so to do.

126 Against the name of a candidate for a caucus  
127 officer, for an elective office or a ward or town  
128 committee shall be printed the street and num-  
129 ber, if any, of his residence.

130 Against the name of a candidate for an elec-  
131 tive office or a political convention shall be  
132 printed the statement which is contained in the  
133 nomination paper placing the candidate in nom-  
134 ination.

135 In addition to the spaces left for a cross op-  
136 posite the name of each candidate for delegate  
137 to a political convention, there shall be left at

138 the right of each statement printed above the  
139 the group of names or candidates for delegates  
140 to such convention a sufficient clear square in  
141 which each voter may designate by a cross his  
142 choice for such group of candidates, and the  
143 voter shall in voting for such candidates be  
144 governed by the provisions of section one hun-  
145 dred and sixty-three of chapter four hundred  
146 and seventeen of the acts of the year eighteen  
147 hundred and ninety-three, prescribing the man-  
148 ner of voting for presidential electors.

149 Section twenty-three of said chapter is hereby  
150 amended by striking out in the first line thereof  
151 the words "within the twenty-four hours" and  
152 inserting in place thereof the words "if before  
153 five o'clock in the afternoon of the second day";  
154 and by inserting after the word "shall" in the  
155 fourth line thereof the words "sign, adding  
156 thereto their respective residences on the first  
157 day of May, of that year, swear to and," so that  
158 the same shall read as follows:—

159 *Section 23.* If, before five o'clock in the  
160 afternoon of the second day next succeeding  
161 the day of any caucus held under the provisions  
162 of this act, ten or more qualified voters of any  
163 ward or town shall sign, adding thereto their re-  
164 spective residences on the first day of May of that  
165 year, swear to, and file with the city or town  
166 clerk a statement that they have reason to be-  
167 lieve that the records and returns made by the  
168 caucus officers of such ward or town are errone-  
169 ous, and shall specify wherein they deem them

170 in error, in the city of Boston the city clerk shall  
171 forthwith transmit such statement to the ballot  
172 law commission having jurisdiction in the prem-  
173 ises, and in other cities to the registrars of  
174 voters, together with the sealed package or  
175 packages containing all the ballots cast and vot-  
176 ing lists used at such caucus, and said ballot law  
177 commission or registrars of voters, as the case  
178 may be, shall within two days next succeeding  
179 the day of such caucus open said package or  
180 packages and recount said ballots and determine  
181 the questions raised, and such recount shall  
182 stand as the true result of the vote cast in such  
183 caucus. And each candidate interested may ap-  
184 pear and be present during such recount, either  
185 in person or by an agent appointed by him in  
186 writing.

187 Section twenty-six of said chapter is hereby  
188 amended by adding at the end thereof the fol-  
189 lowing: "every caucus officer before entering  
190 upon the discharge of his duties shall be sworn  
191 to the faithful discharge thereof, and such oath  
192 may be administered by the warden, clerk, or a  
193 justice of the peace and a record of such fact  
194 shall be made upon the record book of such  
195 caucus and be certified to by the clerk," so as to  
196 read as follows:—

197 *Section 26.* In such city or town in each year  
198 at the caucus held in a ward or town for the  
199 choice of delegates to the state convention there  
200 shall be chosen one warden, one clerk and at  
201 least five inspectors, and such additional inspect-

202 ors in wards having more than five precincts as  
203 the city committee of the political party whose  
204 caucuses are to be held may each year deter-  
205 mine. They shall be qualified voters of the  
206 ward or town in which they are elected and  
207 members of the political party whose caucus is  
208 to be held. Every caucus officer so elected shall  
209 hold office for the term of one year, beginning  
210 with the first day of October succeeding his elec-  
211 tion and until his successor is elected.

212 Every caucus officer before entering upon the  
213 discharge of his duties shall be sworn to the  
214 faithful discharge thereof, and such oath may be  
215 administered by the warden, clerk, or a justice of  
216 the peace, and a record of such fact shall be  
217 made upon the record book of such caucus and  
218 shall be certified to by the clerk.