

# HOUSE . . . . . No. 373.

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HOUSE OF REPRESENTATIVES, Jan. 25, 1900.

[Introduced on leave by Mr. Donahue of Fall River. Election Laws.]

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## Commonwealth of Massachusetts.

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In the Year One Thousand Nine Hundred.

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### AN ACT

To amend the Act relative to Elections.

*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. Section one hundred and thirty-  
2 eight of chapter five hundred and forty-eight of  
3 the acts of the year eighteen hundred and ninety-  
4 eight is hereby amended by striking out the words  
5 "by vote of one-fourth of the delegates present,"  
6 in the third line; also by striking out the words  
7 "any candidate," in the fourth line, and inserting  
8 in place thereof the words: — all candidates, — so  
9 as to read as follows: —
- 10 Section 138. At a political convention not

11 held for the nomination of state officers to be  
12 voted for at large, the nomination of all candi-  
13 dates shall be made by roll-call in the following  
14 manner: the secretary of the convention shall call  
15 the roll of the towns and cities in alphabetical  
16 order or of wards in a city in numerical order,  
17 and each delegate shall, as his name is called,  
18 state in the hearing of the convention the name  
19 of the candidate for whom he desires to vote,  
20 and the person receiving a majority of votes on  
21 such roll-call shall be the candidate of the con-  
22 vention.

1 SECTION 2. Section two hundred and ninety-  
2 two of said chapter is hereby amended by striking  
3 out the words "to be used in an election," in the  
4 fourth line; by striking out the words "has been  
5 nominated as," in the fifth line, and inserting in  
6 place thereof the word:— is; by inserting after  
7 the word "office," in the fifth line, the words:—  
8 at any caucus or; by striking out the words "in  
9 such," in the fifth and sixth lines; and by striking  
10 out the words "such candidate," in the sixth line,  
11 and inserting in place thereof the word:— per-  
12 son,— so as to read as follows:—

13 *Section 292.* No political committee, and no  
14 person acting under its authority or in its behalf,  
15 shall demand, solicit, ask or invite a payment of  
16 money or promise of payment of money, from a  
17 person who is a candidate for office at any caucus  
18 or election; and no person shall make any such  
19 payment to a political committee or to any person

20 acting under its authority or in its behalf, if such  
21 committee or person has demanded, solicited,  
22 asked or invited from him any such payment or  
23 promise of payment.

1 SECTION 3. Section three hundred and three  
2 of said chapter is hereby amended by striking out  
3 the words "except of town officers," in the second  
4 and third lines, so as to read as follows: —

5 *Section 303.* The provisions of this act relative  
6 to corrupt practices shall apply to all public elec-  
7 tions, and to elections by the general court and  
8 by city councils, and by either branch thereof, to  
9 the nomination by caucuses and conventions and  
10 nomination papers of candidates to be voted for  
11 at such elections. Sections two hundred and  
12 eighty-two, two hundred and eighty-four and two  
13 hundred and ninety-one of this act shall not apply  
14 to the proprietors and publishers of publications  
15 issued at regular intervals, in respect to the  
16 ordinary conduct of their business.

1 SECTION 4. Section three hundred and five  
2 of said chapter is hereby amended by striking out  
3 the words "The attorney-general, the district  
4 attorney, or some person designated by either,"  
5 in the fifth and sixth lines, and inserting in place  
6 thereof the words : — Some person designated by  
7 the court before which the complaint was brought;  
8 and by adding at the end of said section the  
9 words : — and said court or trial justice shall  
10 certify to the county treasurer the name and

11 address of the person so designated, together with  
12 the number of days he has attended such inquest,  
13 and the county treasurer shall pay to the person  
14 so designated a fee of ten dollars for each day so  
15 attended, — so as to read as follows : —

16 *Section 305.* The court or trial justice may  
17 exclude all persons whose presence is not neces-  
18 sary at such inquest; and may also direct the  
19 witnesses to be kept so separated that they can-  
20 not converse with each other, until they have been  
21 examined. Some person designated by the court  
22 before which the complaint was brought shall  
23 attend the inquest and examine the witnesses; and  
24 said court or trial justice shall certify to the  
25 county treasurer the name and address of the  
26 person so designated, together with the number  
27 of days he has attended such inquest, and the  
28 county treasurer shall pay to the person so  
29 designated a fee of ten dollars for each day so  
30 attended.

1 SECTION 5. This act shall take effect upon its  
2 passage.