

HOUSE....No. 278.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, May 6, 1856.

The Committee on the Judiciary, to whom was referred an Order in relation to more prompt returns of votes by City and Town Clerks, have considered the same, and report the accompanying Bill.

GEO. H. DEVEREUX, *Chairman.*

Commonwealth of Massachusetts.

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

AN ACT

In relation to the Returns of Votes.

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

1 SECT. 1. The clerks of cities and towns, who shall
2 fail to make their returns of the votes given in their
3 respective cities or towns, at any election whatsoever,
4 in due season, and in conformity with the provisions
5 of the laws, shall be liable to a fine of not less than
6 five and not more than fifty dollars, to be recovered
7 by complaint in any court of competent jurisdiction,
8 and one-half of the penalty shall go to the complain-
9 ant, and the other half into the treasury of the city
10 or town to which such delinquent clerk may belong.

1 SECT. 2. All returns of votes shall, henceforward,
2 be made by mail to the officers who are, or may be,
3 specified by law to receive the same; and shall be
4 mailed within forty-eight hours after the closing of
5 the polls in each election; and proof of such mailing
6 within such time, shall be a bar to any complaint for
7 delinquency.

1 SECT. 3. The secretary of State, and all other
2 officers to whom such returns of votes are, or may be
3 directed to be made, shall notify all city and town
4 clerks, from whom returns shall not have been re-
5 ceived within seven days after each election, that the
6 returns have not been received. And, if such clerks,
7 after being so notified, shall fail to mail such deficient
8 returns within twenty-four hours after receipt of said
9 notice, they shall be liable to the penalty above-
10 named, for each and every instance of delinquency.

11 *Provided*, that if such returns shall actually be de-
12 livered to the officer or officers pointed out by law to
13 receive the same, within seven days after each elec-
14 tion, in any manner convenient to said clerks, it shall
15 be deemed a satisfactory and sufficient discharge of
16 their duty, and shall be a bar to any complaint for
17 delinquency.

1 SECT. 4. All acts and parts of acts, inconsistent
2 herewith, are hereby repealed.

