

Proviso. nine, shall be a sufficient acceptance of the said provisions for all purposes and as of that date: *provided*, that the definition of "accrued interest", as made in the preceding section, shall be accepted by the town as hereinafter provided.

When to take effect. SECTION 3. This act shall be submitted to the town at a town meeting to be held within two months after its passage, and shall take full effect upon the acceptance by the town at such meeting of the definition of the term "accrued interest", set forth in section one.

*Approved May 31, 1906.*

Chap.443 AN ACT TO PROVIDE FOR THE FURTHER IMPROVEMENT BY THE BOARD OF HARBOR AND LAND COMMISSIONERS OF APPONEGANSETT HARBOR IN THE TOWN OF DARTMOUTH.

*Be it enacted, etc., as follows:*

Harbor and land commissioners may further improve Apponegansett harbor, etc.

SECTION 1. The board of harbor and land commissioners is hereby authorized and directed to expend, in its discretion, a sum not exceeding ten thousand dollars, for further improving the harbor at Apponegansett, in the town of Dartmouth, by extending the stone breakwater built in said harbor pursuant to the provisions of chapter five hundred and nine of the acts of the year nineteen hundred and two.

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

*Approved May 31, 1906.*

Chap.444 AN ACT RELATIVE TO CAUCUSES AND ELECTIONS.

*Be it enacted, etc., as follows:*

Caucuses for a certain purpose to be held in each voting precinct.

SECTION 1. A caucus held in a city or town by a political party which has adopted the provisions of section ninety-nine of chapter eleven of the Revised Laws and of the following thirty-two sections of said chapter, or the corresponding provisions of earlier laws, and in cities and towns where elections are held in voting precincts under and by virtue of sections one hundred and sixty-six to one hundred and seventy, inclusive, and of section three hundred and fifty-three of said chapter, shall be held in each of the voting precincts therein: *provided*, that the city or town committee of either of the two chief political parties shall, two weeks at least before the time for holding the

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caucus, file a written request to the foregoing effect with the aldermen of the city or the selectmen of the town. In case such request is filed, the aldermen or selectmen shall furnish a polling place in every such precinct for the use of the political party filing such request, in accordance with the provisions of section one hundred and five of said chapter.

SECTION 2. The first paragraph of section one hundred and five of said chapter eleven is hereby amended by inserting after the word "ward", in the eighth line, the words: — and in cities and towns where elections or caucuses are held in voting precincts one in each of such precincts, — so that said paragraph will read as follows: — *Section 105.* At least two weeks prior to the day named for a caucus, the chairman or secretary of the city or town committee shall give notice of such date to the aldermen or to the selectmen, or in Boston to the election commissioners, who shall, at least ten days prior to such date, notify the city or town committee of the places selected for holding the caucuses, and shall, at the expense of the city or town, provide polling places, in a city not less than one for each ward, and in cities and towns where elections or caucuses are held in voting precincts one in each of such precincts; and furnish them with booths, registering ballot boxes, guard rails and the like, as they are arranged for state elections.

R. L. 11, § 105,  
amended.

Polling places  
to be provided.

SECTION 3. Section one hundred and thirty of chapter eleven of the Revised Laws is hereby amended by striking out the word "or", in the fifth line, and by inserting after the word "town", in said line, the words: — or voting precinct in cities and towns where elections or caucuses are held in such precincts, — so as to read as follows: — *Section 130.* A city or town committee of a political party adopting the special provisions of this chapter applying to caucuses in Boston and certain cities and towns shall, at least ten days before holding any caucus thereunder, appoint caucus officers in each ward, town or voting precinct in cities and towns where elections or caucuses are held in such precincts, to serve at the first caucus to be held thereafter.

R. L. 11, § 130,  
amended.

Appointment  
of officers for  
first caucus.

SECTION 4. Section one hundred and forty-three of chapter eleven of the Revised Laws is hereby amended by striking out the words "one voter", in the eighth line, and inserting in place thereof the words: — two voters, — so

R. L. 11, § 143,  
amended.

Nomination papers, number of signatures, etc.

as to read as follows:— *Section 143.* Nominations of candidates for any offices to be filled by all the voters of the Commonwealth may be made by nomination papers, stating the facts required by section one hundred and forty-six and signed in the aggregate by not less than one thousand voters for each candidate. Nominations of all other candidates for offices to be filled at a state election, and of all candidates for offices to be filled at a city election, may be made by like nomination papers, signed in the aggregate, for each candidate, by two voters for every one hundred votes cast for governor at the preceding annual state election in the electoral district or division for which the officers are to be elected, but in no case by less than fifty qualified voters. Nominations of candidates for offices to be filled at a town election may be made by nomination papers, signed by at least one voter for every fifty votes polled for governor at the preceding annual state election in such town, but in no case by less than twenty voters. At a first election to be held in a newly established ward of a city, the number of voters upon a nomination paper of a candidate who is to be voted for only in such ward need not exceed fifty; and at a first election in a town the number for the nomination of a candidate who is to be voted for only in such town need not exceed twenty.

R. L. 11, § 144, amended.

SECTION 5. Section one hundred and forty-four of said chapter eleven is hereby amended by inserting after the word "residence", in the fourth line, the words:— on the previous first day of May and the place where he is then living, — so that the first sentence of said section will read as follows:— *Section 144.* Every voter who signs a nomination paper shall sign it in person, with his full surname, his Christian name and the initial of every other name which he may have, and shall add his residence on the previous first day of May and the place where he is then living, with the street and number thereof, if any, to his signature; but any voter who is prevented by a physical disability from writing or who had the right to vote on the first day of May in the year eighteen hundred and fifty-seven, may authorize some person to write his name and residence in his presence; and every voter may sign as many nomination papers for each office to be filled as there are persons to be elected thereto, and no more.

Nomination papers, signature of voter, etc.

R. L. 11, § 162, amended.

SECTION 6. Section one hundred and sixty-two of chapter eleven of the Revised Laws is hereby amended by strik-

ing out all after the word "voters", in the third line, down to and including the word "voters", in the seventh line, and inserting in place thereof the following: — Every ward shall constitute a voting precinct by itself, or shall be divided into such precincts. If a ward constituting one precinct contains less than one thousand voters, according to the registration of voters at the preceding annual city election, — so as to read as follows: — *Section 162.* Each city shall be divided into convenient voting precincts, designated by numbers or letters and containing not more than one thousand voters. Every ward shall constitute a voting precinct by itself, or shall be divided into such precincts. If a ward constituting one precinct contains less than one thousand voters, according to the registration of voters at the preceding annual city election, the aldermen may, and if it contains more than one thousand voters, shall, on or before the first Monday of July, divide it into two or more voting precincts. If a voting precinct shall, in any year, according to such registration, contain more than one thousand voters, the aldermen shall in like manner either divide such precinct into two or more voting precincts or shall make a new division of the ward into voting precincts, so that no precinct shall contain more than one thousand voters. Such precincts shall be so established as to contain, as nearly as may be, an equal number of voters, shall consist of compact and contiguous territory entirely within one ward, and be bounded, so far as possible, by the centre line of known streets or ways or by other well-defined limits.

Voting  
precincts,  
designation,  
etc.

SECTION 7. A copy of the voting list for each precinct in the city of Boston required to be made by section seventy-seven of chapter eleven of the Revised Laws shall be furnished by the board of election commissioners at each primary and at each election to the warden in charge of each polling place for the use of the police officer in each polling place. Said list shall not be removed from the polling place and shall be returned to the warden immediately after the close of the polls, and he shall immediately transmit the same to the board of election commissioners according to the provisions of section two hundred and thirty-nine of chapter eleven of the Revised Laws.

Copy of voting  
list to be  
furnished in  
each polling  
place.

SECTION 8. Section two hundred and thirty-three of chapter eleven of the Revised Laws, as amended by section ten of chapter four hundred and seventy-four of the acts

R. L. 11, § 233,  
etc., amended.

Deposit of  
ballot, etc.

of the year nineteen hundred and three, is hereby further amended by inserting after the word "name", in the seventh line, the words:—and in Boston the height,— and by striking out the word "it", in the seventh line, and inserting in place thereof the words:—the name,— so as to read as follows:—*Section 233.* A voter after marking his ballot shall give his name and, if requested, his residence, to one of the officers in charge of the ballot box, who shall distinctly announce the same. If the name is found upon the voting list by the election officer, he shall distinctly repeat the name, and in Boston the height, and check the name upon the voting list; and the voter may then deposit his ballot in the ballot box with the official indorsement uppermost and in sight. No ballot without the official indorsement, except as provided in section two hundred and ten, shall be deposited in the ballot box. No person shall vote if his name is not on the voting list, nor until the election officer shall check his name thereon, unless he presents a certificate from the registrars of voters as provided by section sixty-four.

Result of elec-  
tion to be  
tabulated, etc.

SECTION 9. The clerk of a city or town to which this act shall apply, immediately upon receipt of the returns from the caucus officers, which shall be made as provided in section one hundred and twenty-four of said chapter eleven, shall tabulate and determine the results thereof, and shall certify to the facts required by section one hundred and forty-two of said chapter eleven, and in accordance with the provisions of said section one hundred and forty-two and section one hundred and forty-seven of said chapter eleven, except in cases where the nomination is for an office to be filled by the voters of a city or town to which the provisions of this act shall apply, in which cases no such certificate shall be required.

R. L. 11, § 237,  
amended.

SECTION 10. The last paragraph of section two hundred and thirty-seven of chapter eleven of the Revised Laws is hereby amended by striking out all after the word "towns", in the thirty-ninth line, to and including the word "census", in the forty-first line, so as to read as follows:—

Removal of  
ballots from  
ballot box, etc.

In towns, the ballot box at any polling place may be opened and ballots taken therefrom for counting when all the selectmen and the town clerk, or both the moderator and the town clerk, as the case may be, or all the election officers at the voting precinct shall so order. When the

ballots have been thus removed, the presiding officer shall select from the election officers an equal number from each of the two leading political parties, who shall canvass such ballots, in accordance with the provisions of this section; but no announcement of the result of such canvass shall be made by any election officer until the total result of the canvass of ballots has been ascertained.

SECTION 11. The second paragraph of section two hundred and sixty-seven of chapter eleven of the Revised Laws is hereby amended by striking out the words "may appear and be present during such recount, either in person or by an agent appointed by him in writing", in the thirtieth, thirty-first and thirty-second lines, and inserting in place thereof the words: — shall be allowed to be present and witness such recount either in person, accompanied with counsel if he so desires, or by an agent appointed by him in writing. In the case of a recount of the ballots cast upon a question submitted to the voters, one representative from any committee organized to favor or to oppose the question so submitted shall be permitted to be present and witness the recount, — so that the said paragraph will read as follows: —

R. L. 11, § 267,  
amended.

The registrars of voters, or in Boston the election commissioners, shall, before proceeding to recount the ballots, give notice in writing to the several candidates interested in such recount and liable to be affected thereby, or to such person as shall be designated by the petitioners for a recount of ballots cast upon questions submitted to the voters, of the time and place of making the recount, and each such candidate or person representing petitioners shall be allowed to be present and witness such recount, either in person, accompanied with counsel if he so desires, or by an agent appointed by him in writing. In the case of a recount of the ballots cast upon a question submitted to the voters, one representative from any committee organized to favor or to oppose the question so submitted shall be permitted to be present and witness the recount. In the city of Boston, the chairman of the city committee representing the largest political party and the chairman of the city committee representing the second largest political party may in writing designate two persons, or such further number as the election commissioners may allow, to be present and witness the count, and said board shall allow each candidate whose election is in ques-

Recount of  
ballots, etc.

tion, or his representative, to be present and may allow representatives of other political parties and other persons to be present and witness the recount.

1903, 279, § 1,  
etc., amended.

SECTION 12. Section one of chapter two hundred and seventy-nine of the acts of the year nineteen hundred and three, as amended by section two of chapter two hundred and forty-five of the acts of the year nineteen hundred and four, is hereby further amended by inserting after the word "upwards", in the tenth line, the words:— who is not a pauper in a public institution, — so as to read as follows:— *Section 1.* In Boston the board of police shall, within the first seven week days of May in each year, by itself or its officers, visit every building in said city, and after diligent inquiry make true lists, arranged by streets, wards and voting precincts, and containing as nearly as the board can ascertain, the name, age, occupation and residence on the first day of May in the current year, and the residence on the first day of May in the preceding year, of every male person, twenty years of age or upwards, who is not a pauper in a public institution, residing in said city. Said board shall designate in such lists all buildings used as residences by such male persons, in their order on the street where they are located, by giving the number or other definite description of every such building so that it can be readily identified, and shall place opposite the number or other description of every such building the name, age and occupation of every such male person residing therein on the first day of May in the current year, and his residence on the first day of May in the preceding year. The board shall also inquire at the residences of the women voters whose names are contained in the list transmitted to them by the election commissioners under section eight of this act whether such women voters are resident thereat, and shall thereupon make true lists of the women voters found by them.

R. L. 11, § 380,  
amended.

SECTION 13. Section three hundred and eighty of chapter eleven of the Revised Laws is hereby amended by inserting after the word "by", in the sixth line, the words:— a fine of not less than five nor more than one thousand dollars, or by, — and by inserting after the word "year", in the seventh line, the words:— or by both such fine and imprisonment, — so as to read as follows:— *Section 380.* A public officer, caucus or election officer, or officer or member of a political committee or political convention, upon

Penalty on  
public officer,  
election officer,  
etc.

whom a duty is imposed by law, who refuses or wilfully neglects or wilfully fails to perform such duty, or who wilfully performs it contrary to law, shall for each offence, if no other penalty is herein specifically imposed therefor, be punished by a fine of not less than five nor more than one thousand dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment. An election officer in the city of Boston who knowingly permits or aids in the violation of any provisions of law relating to registration or elections, shall be punished by imprisonment in the state prison for not more than three years or in the house of correction for not less than six months.

*Approved May 31, 1906.*

AN ACT TO PROVIDE FOR A WATER SUPPLY FOR THE HYANNIS FIRE DISTRICT AND ITS INHABITANTS.

*Chap. 445*

*Be it enacted, etc., as follows:*

SECTION 1. The Hyannis Fire District in the town of Barnstable may supply itself and its inhabitants with water for extinguishing fires and for domestic, manufacturing and other purposes; may establish fountains and hydrants and relocate or discontinue the same; and may regulate the use of such water and fix and collect rates to be paid for the use of the same.

The Hyannis Fire District may supply itself, etc., with water.

SECTION 2. Said fire district, for the purposes aforesaid may, by purchase or otherwise, acquire water by means of bored, driven or other wells, on any land within said district: *provided*, that no source of water supply shall be taken for domestic purposes without the written approval of the state board of health. Said district may hold said water and convey it through said fire district and may acquire, by purchase or otherwise, and hold all lands, rights of way, and easements within said district, necessary for holding, storing, purifying and preserving such water and for conveying the same to any part of said district; and may erect on the lands so taken, purchased or held, proper dams, reservoirs, buildings, fixtures and other structures, and may make excavations, procure and operate machinery, and provide such other means and appliances as may be necessary for the establishment and maintenance of complete and effective water works; and may construct and lay conduits, pipes and other works under or over any lands, water courses, railroads, railways or public or pri-

May acquire water by means of wells, etc.

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May convey water through the district, etc.