

material, with openings closed by metal covered doors, hung to rabbetted iron frames, or to iron hinges in brick or iron rabbets. No range, stove, oven or boiler shall be used for cooking in a hotel or restaurant, or for manufacturing purposes, until the same has been examined and approved by the inspector.

SECTION 7. Section seventy-five of said chapter is hereby amended by inserting in the second line, after the word "erected", the words:— or altered by increasing the height of the front, rear or sides thereof,— so as to read as follows:— *Section 75.* In every second class building hereafter erected or altered by increasing the height of the front, rear or sides thereof, all exterior parts more than forty-five feet above the sidewalk, except window frame sashes and blinds, shall be made of metal, stone, brick or other equally incombustible material.

1892, 419, §75, amended.

Exterior parts to be incombustible.

*Approved June 9, 1893.*

AN ACT TO AUTHORIZE TOWNS TO USE THE McTAMMANY AUTOMATIC BALLOT MACHINES AT ELECTIONS OF TOWN OFFICERS.

*Chap. 465*

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

SECTION 1. Any town may by a majority vote of the legal voters thereof present and voting thereon at a meeting held not less than ten days before its annual town meeting, determine upon, purchase and order the use of one or more McTammany automatic ballot machines at elections of town officers in said town; and thereafter at all elections of town officers in said town, until otherwise ordered by the board of selectmen, said McTammany automatic ballot machines shall be used for the purpose of voting for the officers to be elected at such elections and for taking the vote upon the question of granting licenses for the sale of intoxicating liquors, and for registering and recording the votes cast thereat.

McTammany automatic ballot machines may be used at town elections.

SECTION 2. The ballot by means of which the elector designates his choice or vote in said McTammany automatic ballot machines shall be in secret and shall be a cardboard or paper ticket which shall contain written or printed, or partly written and partly printed, the names of the persons for whom the elector intends to vote, and shall designate the office to which each person so named is intended by him to be chosen, and shall not contain any other printed or written device or distinguishing

Ballot.

Regulations.

mark, excepting the political or party designation of each person so to be voted for, and index hands pointing to the slot through which the elector marks or registers his vote. The board of selectmen may make regulations for the use of said McTammany automatic ballot machines, but such regulations shall require all actions and proceedings of the election officers to be in public, in the presence of the voters, and shall not be inconsistent with law further than may be necessary by reason of the use of such McTammany automatic ballot machines for the purpose of holding elections and recording and canvassing the results thereof.

Canvass of votes.

SECTION 3. At the close of the polls at such elections at which said McTammany automatic ballot machines shall be used, the canvassers shall proceed to ascertain publicly the total number of votes cast or recorded for each candidate for each office, as recorded and declared by the ballot register or tally sheet used in said machines, and such ascertainment of the results shall be deemed to be the canvassing of the votes cast at such election.

Proceedings when vote is challenged.

SECTION 4. When in any election, at which the ballot machine herein provided for is used, the right of any person offering to vote is challenged for any cause recognized by law, the selectmen or presiding officer shall furnish a blank sheet of paper on which they shall require the name and residence of the person so offering to vote to be written, either by himself or by some one in his behalf, and the selectmen or presiding officer shall add thereto the words "vote challenged by", the name of the person challenging and the cause assigned therefor, and the number of the challenged vote as shown by the indicator on the box, before the challenged person shall be allowed to vote: *provided*, that nothing contained in this section shall be so construed as to permit any election officers to receive any vote which they are by law required to refuse. Every memorandum of a challenge made as herein required shall be considered as a part of the ballot card contained in the machine and be subject to the existing laws in regard to the preservation of ballots.

Proviso.

Proceedings when voter makes a mistake in voting.

SECTION 5. If a voter makes a mistake in voting he may, before leaving the polling booth or the machine, require the person having charge of the machine to cancel his vote by marking with a blue pencil in all the spaces wherein such voter might have marked, or by taking a

record of the knobs mistakenly pushed in by the voter, which shall be subtracted from the total of the several candidates so voted for, after the final ascertainment of the result, and shall thereupon be entitled to vote again; but such cancellation and new voting shall not be permitted more than twice to any voter.

SECTION 6. At any election at which the ballot machine herein provided for is used, the selectmen shall provide a sufficient number of blank sheets of paper for ballots not more than five nor less than four and a half inches wide and not more than twelve nor less than eleven and a half inches in length with envelopes of convenient size to enclose said ballots. Any voter may vote on one of said blank ballots instead of on the machine, but no such vote shall be received by the presiding officers at any election provided for in this act, unless presented by the voter in person in a sealed envelope or open and unfolded and so that such officers can know that only one ballot is presented. The presiding officers shall provide a suitable box in which said ballots shall be deposited. Votes for different persons cast as provided in this section for the same office found in one envelope shall not be counted, and if more than one vote for the same person for the same office is found in one envelope, but one such vote shall be counted; and no vote shall be counted which does not clearly indicate in writing the office to which it is intended to elect the person voted for, except when but one officer is voted for.

Ballots, etc., for use of voters; deposit and counting of ballots.

*Approved June 9, 1893.*

AN ACT RELATIVE TO THE PUNISHMENT FOR RAPE.

*Chap. 466*

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

SECTION 1. Whoever ravishes and carnally knows a female by force and against her will shall be punished by imprisonment in the state prison for life, or for any term of years.

Penalty for rape.

SECTION 2. Whoever unlawfully and carnally knows and abuses a female child under the age of sixteen years shall be punished by imprisonment in the state prison for life or for any term of years, or for any term in any other penal institution in the Commonwealth.

Age of consent; penalty, etc.

SECTION 3. Chapter three hundred and ninety-one of the acts of the year eighteen hundred and eighty-eight is hereby repealed.

1888, 391, repealed.

*Approved June 9, 1893.*