

SECTION 2. Said corporation shall within sixty days after taking any land under this act, otherwise than by purchase, file in the registry of deeds for the northern district of Berkshire a description of the land so taken, sufficiently accurate for identification, with a statement of the purpose for which the same was taken, and the title of all land so taken shall vest in said corporation. Any person injured in his property by any act of said corporation, who fails to agree with said corporation as to the amount of damages which he has sustained by reason of such taking, may have such damages assessed and determined in the manner provided by law when land is taken for highways.

Description of land to be recorded.

Damages.

SECTION 3. This act shall take effect upon its passage.

Approved April 26, 1898.

AN ACT TO ESTABLISH THE SALARY OF THE ASSISTANT CLERK OF COURTS FOR THE COUNTY OF BRISTOL. Chap.376

Be it enacted, etc., as follows:

SECTION 1. The salary of the assistant clerk of courts for the county of Bristol, including his travelling expenses, shall be eighteen hundred dollars a year, to be so allowed from the first day of January in the year eighteen hundred and ninety-eight.

Assistant clerk of courts for Bristol county.

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

Approved April 26, 1898.

AN ACT TO AUTHORIZE THE TOWN OF NANTUCKET TO APPROPRIATE MONEY FOR CERTAIN PUBLIC PURPOSES. Chap.377

Be it enacted, etc., as follows:

SECTION 1. The town of Nantucket may, at any town meeting called for the purpose, appropriate not exceeding one thousand dollars annually for the purpose of advertising the advantages of the town, and for providing amusements or entertainments of a public character.

May appropriate money for certain purposes.

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

Approved April 26, 1898.

AN ACT TO PROVIDE FOR THE EXAMINATION OF VOTING AND COUNTING MACHINES, AND FOR THE USE OF THE SAME. Chap.378

Be it enacted, etc., as follows:

SECTION 1. The secretary, the treasurer and the auditor of the Commonwealth, shall hereafter, in addition to the

Secretary, treasurer and auditor to

examine voting machines, etc.

To determine times and conditions of examination, etc.

Cities and towns may purchase approved voting machines, etc.

Proviso.

duties now imposed upon them by law with regard to ballot boxes, examine voting and counting machines and apparatus.

SECTION 2. An examination of voting and counting machines or apparatus shall be made by said officials at such times, under such conditions and after such public notice as they shall determine, and they shall certify their approval of such machines as, in their judgment, furnish convenient, simple and satisfactory means of voting and of ascertaining the true result thereof with facility and accuracy, special regard being had to the prevention and detecting of double voting; but no machine shall be approved which does not secure to the voter a degree of secrecy in voting equal to that afforded by the use of the official ballot as provided by law. No machine except such as is approved in accordance with the provisions of this section shall be used at any election or caucus in this Commonwealth; nor shall any such machines be used except in accordance with the provisions of this act.

SECTION 3. Any city or town may, by a majority vote of the legal voters thereof present and voting thereon at a legal meeting held not less than ten days before the annual city election in a city and the annual town meeting in a town, determine upon, purchase and order the use of one or more voting and counting machines, approved as provided in the preceding section, at elections of state, city or town officers in said city or town; and thereafter at all elections of state, city or town officers in said city or town, until otherwise ordered by the board of aldermen in a city and the board of selectmen in a town, said 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 shall also be used at caucuses whenever in a town or a ward of a city fifty voters, members of the political party whose caucus is to be held, shall sign and file such request with the city or town clerk, except that in the city of Boston the request shall be filed with the board of election commissioners: *provided, however*, that in the city of Boston the power to determine upon voting and counting machines shall be vested in the board of election commissioners, and the power to purchase and order such machines as above provided shall be vested in the board of aldermen of said city.

SECTION 4. Whenever voting and counting machines are purchased and approved the persons of whom such machines are purchased shall give to the secretary of the Commonwealth a bond, with sufficient sureties, to keep such machines in good working order for two years at their own expense.

Persons of whom machines are purchased to give bond, etc.

SECTION 5. It shall be the duty of the officials named in section one of this act to make regulations for the use of the machines approved by them, and to prepare and furnish suitable instructions for the guidance of voters in cities or in towns where such machines are used.

Instructions to be furnished, etc.

SECTION 6. Chapter four hundred and sixty-five of the acts of the year eighteen hundred and ninety-three and chapter four hundred and ninety-eight of the acts of the year eighteen hundred and ninety-six are hereby repealed.

Repeal.

SECTION 7. This act shall take effect upon its passage.
Approved April 26, 1898.

AN ACT RELATIVE TO COUNTING BALLOTS AND TO CAUCUS OFFICERS. *Chap. 379*
Be it enacted, etc., as follows:

SECTION 1. Section twenty-two of chapter five hundred and seven of the acts of the year eighteen hundred and ninety-five, as amended by section twenty-three of chapter five hundred and thirty of the acts of the year eighteen hundred and ninety-seven, is hereby amended by inserting after the word "voters", in the third line, the words: — and within three feet of the rail, — so as to read as follows: — *Section 22.* Immediately after the polls are declared closed, but not before, the ballots shall be counted in full view of the voters and within three feet of the rail. When the total result and counting of ballots has been ascertained the presiding officer shall make public announcement thereof in open meeting, and shall in open meeting, cause the clerk of the caucus to enter in words at length in the record book, provided for his use by the city or town clerk, the total number of names checked on the voting list, the total number of ballots cast, the names of all persons voted for, the number of votes received for each person, and the title of the delegation or office for which he was proposed. Each clerk of a caucus shall forthwith make a copy of the record so made by him, certify and seal the same, and transmit the same with the record book to the city or town clerk, as hereinafter provided. The clerk shall then, in the presence of those who

1895, 507, § 22, etc., amended.

Counting of ballots, etc.

Clerk to make copy of record, seal up ballots, etc.