

Information useful at the Polls.

QUALIFICATIONS OF VOTERS.

No person can vote at the coming STATE ELECTION, unless he possesses *all* the following qualifications:—

1. His name must be on the check list where his vote is presented, and the presiding officers must find and check his name before his vote is received. Pub. St. c. 7, s. 9. But to this rule there is one exception,—in certain cases where the name of a person was on the list for last year, but has been omitted by mistake from the list for this year, such person may be allowed to vote on presenting to the election officers at the polls a certificate from the board charged with the preparation of the voting list. St. 1882, c. 268.
2. He must be a citizen. Pub. St. c. 6, s. 1.—3d Amendment to Constitution of Massachusetts. Persons of foreign birth are not citizens, unless they have been duly naturalized. U. S. Rev. St. ss. 2165-2174.
3. He must be able to read the Constitution of Massachusetts in the English language, and to write his own name. This rule, however, does not apply to any person prevented by a physical disability from complying with its requirements, nor to any person who had in 1857 a right to vote, or who was then of the age of sixty years or upwards. 20th Amendment to Constitution of Massachusetts.
4. He must be at least twenty-one years of age. Pub. St. c. 6, s. 1.—3d Amendment to Constitution of Massachusetts.
5. He must not be under guardianship as a spendthrift or as an insane person. Pub. St. c. 6, s. 1.—3d Amendment to Constitution of Massachusetts.
6. He must not be a pauper. Pub. St. c. 6, s. 1.—3d Amendment to Constitution of Massachusetts.—Opinions of Justices, 11 Pickering's Reports, pp. 538, 540, and 124 Massachusetts Reports, p. 596. The receipt of "military aid," so called, is no disqualification for voting. Pub. St. c. 30, s. 19.
7. He must have paid a tax assessed upon him in this State for either the year 1882 or the year 1883. Pub. St. c. 6, s. 1.—3d Amendment to Constitution of Massachusetts.—Opinion of Justices, 5 Metcalf's Reports, p. 591.
8. He must have been a resident in the State for a year preceding the election. Pub. St. c. 6, s. 1.—3d Amendment to Constitution of Massachusetts.
9. He must be a resident, on the day of the election, of the city or town where he claims the right to vote, and he must have been such a resident for the preceding six months. Pub. St. c. 6, s. 1.—3d Amendment to Constitution of Massachusetts.
10. In a *city*, he must have been, on May 1st, 1883, assessed or liable to assessment in the *ward* in which his vote is offered. Pub. St. c. 6, s. 20.

MANNER OF VOTING.

All ballots must be "presented for deposit in the ballot-box by the voter in person in a sealed envelope, or opened and unfolded, and so that the presiding officers can know that only one ballot is presented." Pub. St. c. 7, s. 12.

The statute provisions relative to the material, style, size, and form of ballots, are to be found in Pub. St. c. 7, s. 14; but it is there expressly provided that no ballot shall be refused, or omitted in the count, because of its failure to conform to the statute requirements.

In Boston, it is required that "every person offering to vote shall give his name and residence, and the same shall be announced in a loud and distinct tone of voice by one of the inspectors" St. 1878, c. 243, s. 19.

CHALLENGING OF VOTERS.

Any citizen may challenge a voter. The challenger must, before the suspected person's vote is received, state to the officer about to receive it that he challenges that person's right to vote, and must give the reason why the vote offered is illegal.

When a voter is challenged in a *city*, "the warden or presiding officer shall require the name and residence of the person so offering to vote to be written upon the ballot so offered and challenged, either by himself or by some one in his behalf, and the warden or presiding officer shall add thereto the name of the person challenging the same and the cause assigned therefor, before such ballot shall be received; and, if such ballot shall be offered sealed, the writing as aforesaid may be upon the envelope covering the same, and the warden or presiding officer, in the presence of the clerk and at least one inspector, shall mark and designate such ballot by writing thereon the name of the person by whom it was cast, before it is counted, and at the close of the election the same shall be returned to the envelope in which it was deposited." Pub. St. c. 7, s. 22.

When a voter is challenged in a *town* at an election for officers other than town officers, it is the duty of the selectmen, if they receive the challenged ballot, to "require the name and residence of the person so offering to vote to be written upon the ballot, either by himself or by some one in his behalf, and they shall add thereto the name of the person challenging the same and the cause assigned therefor, before such ballot is received; and, if such ballot is offered sealed, the writing as aforesaid may be upon the envelope covering the same, and the selectmen shall mark and designate such ballot by writing thereon the name of the person by whom it was cast, before it is counted, and at the close of the election the same shall be returned to the envelope in which it was deposited." Pub. St. c. 7, s. 23.

PENALTIES.

Whoever wilfully votes at the election, knowing that he is not a qualified voter, is liable to a fine of not more than \$100. Pub. St. c. 7, s. 55. "Wilfully," in this statute, means designedly, purposely, with the intent to claim and exercise the right of suffrage. *Commonwealth v. Bradford*, 9 Metcalf's Reports, pp. 268, 270.

Whoever wilfully aids or abets any one, who is not legally qualified, in voting or attempting to vote, is liable to a fine of not more than \$50. Pub. St. c. 7, s. 62.

Whoever wilfully gives a false answer to the selectmen or moderator presiding at the election, is liable to a fine of not more than \$100. Pub. St. c. 7, s. 59.

Whoever votes or attempts to vote upon any name other than his own, or knowingly gives more than one ballot, is liable to not less than three months nor more than one year in the house of correction. Pub. St. c. 7, s. 57.

Whoever aids or abets any person in the commission of either of the offences last mentioned is liable to a fine of not more than \$1,000, or to imprisonment in the house of correction for not more than one year. Pub. St. c. 7, s. 58.

Whoever is disorderly in a meeting held for an election is liable to a fine of not more than \$20. Pub. St. c. 7, s. 63.

Whoever wilfully or negligently violates any of the above-cited statute provisions, relative to the challenging of voters, is liable to a fine of not less than \$20, nor more than \$200, or to imprisonment in the jail for a term not exceeding one year. Pub. St. c. 7, s. 24.

10th OCTOBER, 1883.