

# MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

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HOUSE

NO. 18

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House of Representatives, Jan. 21, 1919.

Referred to Committee on Legal Affairs and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Garcelon of Auburn.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND  
NINE HUNDRED AND NINETEEN

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RESOLVE, Proposing an amendment to section five, article four, part first, of the Constitution, as amended by the twenty-third amendment, relative to Absent Voting.

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Resolved: Two-thirds of the legislature concurring, that  
2 the following amendment to the constitution of the State of  
3 Maine be proposed:

Section five, article four, part first, of the constitution of  
2 Maine as amended by the twenty-third amendment, is hereby  
3 further amended by striking out the word "present" in the  
4 fifth and thirty-fourth lines thereof, so that said section as  
5 amended shall read as follows:

Sect. 5. The meetings within this state for the choice of  
2 representatives shall be warned in due course of law by  
3 the selectmen of the several towns seven days at least be-  
4 fore the election, and the selectmen thereof shall preside  
5 impartially at such meetings, receive the votes of all the  
6 qualified electors, sort, count and declare them in open town  
7 meeting, and in the presence of the town clerk, who shall  
8 form a list of the persons voted for, with the number of  
9 votes for each person against his name, shall make a fair  
10 record thereof in the presence of the selectmen and in  
11 open town meeting. And the towns and plantations or-  
12 ganized by law, belonging to any class herein provided,  
13 shall hold their meetings at the same time in the respective  
14 towns and plantations; and the town and plantation meet-  
15 ings in such towns and plantations shall be notified, held  
16 and regulated, the votes received, sorted, counted  
17 and declared in the same manner. And the assess-  
18 ors and clerks of plantations shall have all the  
19 powers, and be subject to all the duties, which  
20 selectmen and town clerks have, and are subject to  
21 by this constitution. And fair copies of the lists of  
22 votes shall be attested by the selectmen and town clerks  
23 of towns, and the assessors of plantations, and sealed up in  
24 open town and plantation meetings; and the town and plan-  
25 tation clerks respectively shall cause the same to be delivered  
26 into the secretary's office thirty days at least before the first  
27 Wednesday of January biennially. And the governor and

28 council shall examine the returned copies of such lists, and  
29 also all lists of votes of citizens in the military service, re-  
30 turned to the secretary's office, as provided in article second,  
31 section four, of this constitution ; and twenty days before the  
32 said first Wednesday of January, biennially, shall issue a  
33 summons to such persons as shall appear to be elected by  
34 a plurality of all the votes returned, to attend and take  
35 their seats. But all such lists shall be laid before the house  
36 of representatives on the first Wednesday of January bi-  
37 ennially, and they shall finally determine who are elected.  
38 The electors resident in any city may, at any meeting duly  
39 notified for the choice of representatives, vote for such  
40 representatives in their respective ward meetings, and the  
41 wardens in said wards shall preside impartially at such  
42 meetings, receive the votes of all qualified electors, sort,  
43 count and declare them in open ward meetings, and in the  
44 presence of the ward clerk, who shall form a list of the  
45 persons voted for, with the number of votes for each per-  
46 son against his name, shall make a fair record thereof in the  
47 presence of the warden, and in open ward meetings ; and a  
48 fair copy of this list shall be attested by the warden and  
49 ward clerk within twenty-four hours after the close of the  
50 polls. And the electors resident in any city may at any  
51 meetings duly notified and holden for the choice of any  
52 other civil officers for whom they have been required here-  
53 tofore to vote in town meeting, vote for such officers in their  
54 respective wards, and the same proceedings shall be had by

55 the warden and ward clerk in each ward, as in the case of  
56 votes for representatives. And the aldermen of any city  
57 shall be in session within twenty-four hours after the close  
58 of the polls in such meetings, and in the presence of the city  
59 clerk shall open, examine and compare the copies from the  
60 lists of votes given in the several wards, of which the city  
61 clerk shall make a record, and return thereof shall be made  
62 into the secretary of state's office in the same manner as  
63 selectmen of towns are required to do.'

Resolved, That the aldermen of cities, the selectmen of  
2 towns, and the assessors of the several plantations in this  
3 state are hereby empowered and directed to notify the in-  
4 habitants of their respective cities, towns and plantations  
5 in the manner prescribed by law, at the next biennial meet-  
6 ings in the month of September, to give in their votes upon  
7 the amendment proposed in the foregoing resolution, and  
8 the question shall be: "Shall the constitution be amended  
9 as proposed by a resolution of the legislature allowing  
10 voters absent from voting districts on the day of election, to  
11 vote?"

And the inhabitants of said cities, towns and plantations  
2 shall vote by ballot on said question, those in favor of the  
3 amendment expressing it by the word "Yes" upon their  
4 ballots and those opposed to the amendment by the word  
5 "No" upon their ballots, and the ballots shall be received  
6 sorted, counted, and declared in open ward, town and  
7 plantation meetings, and returns made to the office of the

8 secretary of state in the same manner as votes for governor  
9 and members of the legislature, and the governor and coun-  
10 cil shall count the same, and if it shall appear that a ma-  
11 jority of the inhabitants voting on the question are in favor  
12 of the amendment, it shall thereupon become a part of the  
13 constitution, and the governor shall forthwith make known  
14 the fact by his proclamation.

Resolved, That the secretary of state shall prepare and  
2 furnish to the several cities, towns and plantations ballots  
3 and blank returns in conformity with the foregoing resolves  
4 accompanied by a copy thereof.