

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE,

1855.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840, and March 16, 1842.

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1855.

RESOLVES

OF THE

STATE OF MAINE.

1855.

Chapter 270.

CHAP. 270.

Resolve for the purchase and distribution of the Maine Register.

Resolved, That the secretary of state be authorized to purchase a sufficient number of copies of the Maine Register, for eighteen hundred and fifty-five, prepared by George Adams, to supply the several cities, towns and plantations, in this state with one copy each; *provided,* the amount shall not exceed the sum of four hundred dollars; and the governor is authorized to draw his warrant therefor.

Maine Register, secretary of state authorized to purchase, &c.

Proviso.

[Approved March 17, 1855.]

Chapter 271.

Resolve in favor of certain members of the legislature.

Resolved, That there be paid out of the treasury to John Hinkley, forty-three dollars; to Algenon S. Austin, forty-five dollars; to T. H. Cushing, twelve dollars; to Hezekiah Gerrish, thirteen dollars; to James M. Stone, ten dollars; to Thomas J. Pratt, ten dollars; to Ebenezer Greenlief, eight dollars; it being for expenses incurred by them on account of sickness, while attending as members of the house of representatives, during the present session.

Certain members of the legislature, in favor of.

[Approved March 17, 1855.]

Chapter 272.

Resolve in favor of Alvin Barden.

Resolved, That forty-seven dollars be paid from the treasury of the state to Alvin Barden, for expenses of sickness and loss of time, incurred while serving as juror in Penobscot county, he having been attacked with the varioloid.

Alvin Barden, in favor of.

[Approved March 17, 1855.]

Chapter 273.

Resolves providing for an amendment of the constitution relating to the elective franchise.

Resolved, Two-thirds of both branches of the legislature concurring that the constitution of this state shall be amended in the

Amendatory to the constitution.

CHAP. 273. eighth section of the first part of the fifth article, by inserting after the words "judicial officers" in second line of said section, the words "except judges of probate and municipal and police courts," and by striking out the words "attorney general, the sheriffs, registers of probate," in second and third lines thereof, and by inserting after the words "provided for" in the seventh line of said section, the words "except the land agent."

Art. 6 amended. The sixth article shall be amended by inserting the following sections at the end of said article :

Judges and registers of probate. **SECT. 7.** Judges and registers of probate shall be elected by the people of their respective counties, by a plurality of the votes given in at the annual election, on the second Monday of September, and shall hold their offices for four years, commencing on the first day of January next after their election. Vacancies occurring in said offices by death, resignation or otherwise, shall be filled by election in manner aforesaid, at the September election, next after their occurrence; and in the meantime, the governor, with the advice and consent of the council, may fill said vacancies by appointment, and the persons so appointed shall hold their offices until the first day of January thereafter.

Vacancies, how filled.

Judges of municipal and police courts. —how elected. —term of office. —vacancies, how filled.

SECT. 8. Judges of municipal and police courts shall be elected by the people of their respective cities and towns, by a plurality of the votes given in at the annual meeting in March or April, and shall hold their offices for four years from the Monday following the day of their election. Vacancies in said offices shall be filled by elections at the next annual meeting in March or April; and in the meantime, the governor, with the advice and consent of the council, may fill said vacancies by appointment, until the Monday following said annual meeting.

Sect. 3, Art. 7, amended. The third section of the seventh article shall be amended by striking out the words "appointed by the governor and council," and inserting instead thereof, the words "chosen annually by joint ballot of the senators and representatives in convention."

Art. 9 amended. The ninth article shall be amended by inserting at the end thereof the following sections :

Sheriffs. **SECT. 9.** Sheriffs shall be elected by the people of their respective counties, by a plurality of the votes given in on the second Monday of September, and shall hold their offices for two years from the first day of January next after their election. Vacancies shall be filled in the same manner as is provided in the case of judges and registers of probate.

Land agent and attorney general. **SECT. 10.** The land agent and attorney general shall be chosen annually by joint ballot of the senators and representatives in con-

vention. Vacancies in said offices occurring when the legislature is not in session, may be filled by appointment by the governor, with the advice and consent of the council.

And in all cases of elections provided for in this resolve, the first elections shall take place on the days and times herein prescribed, occurring next after the amendment providing for such elections shall have been declared by the legislature to have been adopted as a part of the constitution.

Elections.

Resolved, That the aldermen of cities and selectmen of the several towns and the assessors of the several plantations in the state are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations in the manner prescribed by law, at the annual meeting in September next, to give in their votes upon the amendments proposed in the foregoing resolve; and the question shall be, shall the constitution be amended as proposed by a resolve of the legislature providing that the judges of probate, registers of probate, sheriffs and municipal and police judges shall be chosen by the people, and also providing that the land agent, attorney general and adjutant general shall be chosen by the legislature, as the secretary of state, state treasurer and councilors now are; and the inhabitants of said cities, towns and plantations shall vote by ballot on said questions of electing said officers, separately, those in favor of said amendments respectively expressing it by the word "yes" upon their ballots, and those opposed to the amendments respectively expressing it by the word "no" upon their ballots; and the ballots shall be received, sorted, counted, and declared in open ward, town and plantation meetings, and lists shall be made out of the votes by the aldermen, selectmen and assessors, and clerks of the several cities, towns and plantations, and returned to the office of secretary of state, in the same manner as votes for senators; and the governor and council shall count the same and make return thereof to the next legislature; and if a majority of the votes are in favor of any of said amendments, the constitution shall be amended accordingly.

Duty of aldermen, selectmen and assessors to notify electors.

Votes, how given.

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

[Approved March 17, 1855.]