

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE.

1875.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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RESOLVES

OF THE

STATE OF MAINE.

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Resolves providing for certain amendments to the constitution of the State of Maine.

*Resolved*, Two-thirds of both houses of the legislature concurring, that the following be proposed as amendments to the constitution of the State of Maine, to wit :

Election of senators by plurality vote.

Senators, election of.

Senators shall be elected by a plurality of the votes given in by the qualified electors.

Sections four and five of article four, part second, of the constitution, are amended, by striking out the word "majority," wherever it occurs in said sections, and inserting instead thereof the word 'plurality.'

Relating to special legislation and corporations.

Amend article four, part third, of the constitution, by adding thereto the following sections :

Special legislation

'Section 13. The legislature shall, from time to time, provide, as far as practicable, by general laws, for all matters usually appertaining to special or private legislation.'

'Section 14. Corporations shall be formed under general laws, and shall not be created by special acts of the legislature, except for municipal purposes, and in cases where the objects of the corporation cannot otherwise be attained ; and, however formed, they shall forever be subject to the general laws of the state.'

Power of governor to pardon.

Power of governor to pardon.

Article five, part first, section eleven, shall be amended, by striking out of said section all after the word "reprieves," and by adding thereto the following : 'Commutations and pardons, except in cases of impeachment, upon such conditions, and with such restrictions and limitations as may be deemed proper, subject to such regulations as may be provided by law, relative to the manner of applying for pardons. And he shall communicate to the legislature, at each session thereof, each case of reprieve, remission of penalty, commutation or pardon granted, stating the name of the convict, the crime of which he was convicted, the sentence and its date, the date of the reprieve, remission, commutation, or pardon, and the conditions, if any, upon which the same was granted.'

Appointment of judges of municipal and police courts.

The constitution shall be amended, by striking out section eight of article six, and inserting the following :

Judges of municipal and police courts, appointment of.

'Section 8. Judges of municipal and police courts shall be appointed by the executive power, in the same manner as other judicial officers, and shall hold their offices for the term of four years ; *provided however*, that the present incumbents shall hold their offices for the term for which they were elected.'

## Taxation.

Section eight of article nine shall be amended, by inserting after the word "real," the words 'and personal,' so that the section as amended shall read as follows :

'Section 8. All taxes upon real and personal estate, assessed by authority of this state, shall be apportioned and assessed equally, according to the just value thereof.'

Said article shall be further amended, by adding the following :

'Section 9. The legislature shall never, in any manner suspend or surrender the power of taxation.'

## Abolishing land agency.

Section ten of article nine, of the amendments, is hereby amended, by striking out the words "land agent and."

## Constitutional conventions.

Article four, part third, shall be amended by adding thereto section nine, as follows :

'The legislature shall, by a two-thirds concurrent vote of both branches, have the power to call constitutional conventions, for the purpose of amending this constitution.'

## Bribery at elections.

The legislature may enact laws excluding from the right of suffrage, for a term not exceeding ten years, all persons convicted of bribery at any election, or of voting at any election, under the influence of a bribe.

## Codification of the amended constitution.

Article 10. Section six of article ten shall be amended, by striking out the same, and inserting instead thereof the following :

'Section 6. After the amendments proposed herewith shall have been submitted to popular vote, the chief justice of the supreme judicial court shall arrange the constitution, as amended, under appropriate titles, and in proper articles, parts and sections, omitting all sections, clauses, and words not in force, and making no other changes in the provisions or language thereof, and shall submit the same to the legislature at its next session. And the draft, and arrangement, when approved by the legislature, shall be enrolled on parchment and deposited in the office of the secretary of state ; and printed copies thereof shall be prefixed to the books containing the laws of the state. And the constitution, with the amendments made thereto, in accordance with the provisions thereof, shall be the supreme law of the state.'

Section 7. Sections one, two and five, of article ten of the existing constitution, shall hereafter be omitted in any printed copies thereof prefixed to the laws of the state ; but this shall not impair the validity of acts under those sections ; and said section five shall remain in full force, as part of the constitution, accord-

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ing to the stipulations of said section, with the same effect as if contained in said printed copies.

Proposed amend-  
ments to be sub-  
mitted to a vote  
of the people.

*Resolved*, That the aldermen of the several 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 the month of September next, to give in their votes upon the questions whether the amendments proposed in the foregoing resolve, to the constitution of the state, shall be made; and the questions submitted to said inhabitants shall be as follows, to wit:

Form of questions

Shall the constitution of the State of Maine be amended, as proposed by resolves of the legislature, approved on the twenty-fourth day of February, in the year of our Lord one thousand eight hundred and seventy-five, to wit: (Here insert all the above named proposed amendments, *seriatim et verbatim*.)

Ballots, how  
received.

*Resolved*, That the aldermen of the several cities, the selectmen of the several towns, and the assessors of the several plantations, in this state, at the general election to be held in this state on the second Monday of September next, shall provide, at each poll in the state, a separate box to receive the ballots of the electors in relation to said amendments; and each elector may present a ballot on which shall be printed or written, or partly printed and partly written, in the form following, namely: For all the propositions on this ballot which are not cancelled with ink or pencil, and against all which are so cancelled.

—form of.

For the proposed amendment in relation to

Election of senators by plurality vote.

For the proposed amendment relating to

Special legislation and corporations.

For the proposed amendment in relation to

Power of governor to pardon.

For the proposed amendment in relation to

Appointment of judges of municipal and police courts.

For the proposed amendment in relation to

Taxation.

For the proposed amendment in relation to

Abolishing land agency.

For the proposed amendment in relation to

Constitutional conventions.

For the proposed amendment in relation to

Bribery at elections.

For the proposed amendment in relation to

Codification of the amended constitution.

—how counted.

Each of said ballots shall be counted as a vote for each proposition thereon not cancelled with ink or pencil, and against each

proposition so cancelled. And the ballots shall be received, sorted, counted, declared and recorded in open ward, town and plantation meeting, and lists of the votes shall be made by the aldermen, selectmen, assessors and clerks of the several cities, towns, wards and plantations, and returned to the office of the secretary of state, in the same manner as votes for governor. 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, such amendments shall be declared by proclamation of the governor to be adopted, and the constitution shall be so amended, to take effect on the first Wednesday of January, in the year of our Lord one thousand eight hundred and seventy-six.

Votes, return of.

—how counted and declared.

Amendments, when to take effect.

*Resolved,* That the secretary of state shall cause printed ballots to be prepared, in the form hereinbefore prescribed; and said ballots, and also proper blanks for the return of the votes, shall be furnished to the aldermen of the several cities, the selectmen of the several towns, and the assessors of the several plantations in this state, at the same time and in the same manner as blank returns for the votes for governor, and shall be kept at every poll during the time of voting, in sufficient quantities for the use of the electors; and one of said printed ballots shall be posted up with every warrant for calling the meeting for said general election, in every place where such warrant is required to be posted up.

Secretary of state to provide ballots and blanks.

Printed ballots to be posted with each warrant.

*Resolved,* That the secretary of state be directed to seasonably prepare and furnish to the municipal officers of the several cities, towns and plantations in the state, blank warrants, in due form, for the calling the next annual meeting in the month of September next, containing proper articles for the election of all officers required by law to be voted for, and also proper articles setting forth the proposed amendments to the constitution of the state, as named in the first resolve.

Secretary of state to provide blank warrants.

*Resolved,* That the secretary of state shall publish these resolves, in the same manner and at the same time that the public acts of the legislature are required to be published.

Resolves, publication of.

Approved February 24, 1875.

### Chapter 99.

Resolve authorizing the state librarian to furnish the state college of agriculture and the mechanic arts with the Maine reports.

*Resolved,* That the state librarian is hereby authorized and directed to furnish the state college of agriculture and the

College of agriculture, to furnish with Me. reports.