

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE,

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1837.

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SEVENTEENTH LEGISLATURE.

No. 7.

HOUSE.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
January 26, 1837. }

THE Committee of this House on Contested Elections have had under consideration the cases of *Hendrick W. Judkins* and *Jesse Gilman*, each claiming a seat in this House as Representative from the District of Hodgdon, Houlton, and New-Limerick, together with all the Towns, Plantations and Townships in the County of Washington north of the west Schoodic Lakes, and ask leave to report the following statement of facts and Resolve :

It appeared in evidence to your Committee that the inhabitants of said District qualified to vote for Representative, held a legal meeting on the 14th November, A. D. 1836, for the purpose of electing a Representative to the State Legislature—that the whole number of votes thrown for that purpose were two hundred and ninety-five, 295
Of which number said Judkins had one hundred

and forty-seven,	147
Said Gilman had one hundred and twenty-five,	125
and there were twenty-three scattering votes.	23

It is also in evidence that the Selectmen and Assessors of the several Towns, Townships and Plantations in said

District, met on the 16th of November, A. D. 1836, examined and compared the lists of votes thrown as aforesaid, and certified the whole number to be two hundred and eighty-seven, 287 that Hendrick W. Judkins had one hundred and forty-seven, 147 and was duly elected.

But in arriving at this result the said Selectmen and Assessors rejected *eight* votes thrown by persons residing in two unincorporated and unorganized places called Haynesville and Letter A.—Of which eight votes said Gilman had seven and said Judkins one.

If these votes were *illegally* rejected and should have been received, there was no election on said 14th of November; and if they were *legally* rejected, Hendrick W. Judkins is entitled to a seat in this House.

It is proved to your Committee that said eight persons were not assessed for the support of Government, or in any way taxed for the year 1836, by any adjacent town.—Nor is it in evidence that they were taxed at any previous time. And it does not appear that their names were entered upon the list of voters in Linneus or any adjacent Town.

It is not in evidence that any or either of them between the first and twentieth of May or at any other time, presented a list of his or their rateable polls and estate as it existed on the first day of May, to the Assessors of any adjacent Town, but on the contrary, it appears that no presentation of such list was made, as contemplated by the statute of 1833, or in any other way, to the Assessors of Linneus, where they claimed the right of voting.

It does appear that Linneus had no State and County tax for the year 1836, but that there was a town tax for

that year—that said persons had been permitted to vote in Linneus at some meetings previous to Nov. 14th, but that their right of suffrage had not been objected to until that time, that the selectmen of Linneus received the eight votes separate from the votes of Linneus, and made statement accordingly, to be examined at the meeting of all the Selectmen and Assessors of the several Towns and Plantations aforesaid, where they were rejected, subject to the final action of this House upon their acceptance or rejection.

And it further appears to your committee, by the certificates of the Selectmen of Houlton, New Limerick, Amity and Linneus, being a part of the towns and plantations of said District, that the inhabitants of these towns, qualified to vote for Representative, held a legal meeting on the 5th of December A. D. 1836, for the purpose of choosing a Representative to the State Legislature, and gave in fifty four votes, all of which were for Jesse Gilman—that the Selectmen of these Towns met on the 7th of December 1836, examined and compared the list of votes so thrown on the 5th of December, and certified that Jesse Gilman had fifty four votes—that there were no scattering votes, and they declared themselves of the opinion that said Jesse Gilman was duly elected.

Under this statement of facts your committee are unanimously of opinion that the votes of Haynesville and Letter A. were properly rejected, and that HENDRICK W. JUDKINS is entitled to a seat in this House.

JOHN T. PAINE, Chairman.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
January 26, 1837. }

Resolved, That claim-
ing a seat in this House from the District of Hodg-
don, Houlton, New-Limerick, &c., in the County
of Washington, is constitutionally entitled to the
same.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
JANUARY 26, 1837. }

Read, and ordered to lie on the table, and that five
hundred copies of the Report and Resolve be printed for
the use of the Legislature.

(Extract from the Journal.)

Attest, CHARLES WATERHOUSE, Clerk.