

MAINE STATE LEGISLATURE

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Charles F. Rice

DOCUMENTS

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THE LEGISLATURE,

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1840.

AUGUSTA:

WM. R. SMITH & CO., PRINTERS TO THE STATE.

1840.

TWENTIETH LEGISLATURE.

NO. 24.

HOUSE.

RESOLVE

PROVIDING FOR

THE CHOICE OF ELECTORS.

[WM. R. SMITH & Co.....Printers to the State.]

STATE OF MAINE.

RESOLVE providing for the choice of Electors of President and Vice President of the United States.

RESOLVED, That there shall be chosen on 2 the first Monday of November next, ten inhab- 3 itants of this State, to be Electors of President 4 and Vice President of the United States; no 5 Senator nor Representative in Congress, nor 6 other person holding any office of trust or profit 7 under the United States shall be eligible as an 8 Elector.

RESOLVED, That the people of this State shall 2 assemble on the said day, in town, plantation, 3 city and ward meetings, which meetings shall 4 be notified and held, so far as applicable, in the 5 same manner, as is provided by the Constitution 6 and laws for the election of Senators in the 7 Legislature of this State; and the voters shall 8 have the like qualifications and the Aldermen

9 and Wardens, Selectmen, Assessors and other
10 officers of the several cities, wards, towns and
11 plantations, respectively, shall have the like
12 powers and be subject to the like obligations and
13 duties as to notifying and holding the said meet-
14 ings, receiving, sorting, counting, declaring,
15 recording and sealing up the votes; and all the
16 said officers and voters shall be subject to the
17 like penalties for any neglect or misconduct.
18 Each voter shall be required to bring in on a
19 single list the names of all persons by him voted
20 for.

RESOLVED, That it shall further be the duty
2 of the Aldermen, Selectmen and Assessors of
3 the several cities, towns and plantations, respec-
4 tively, to make return of the lists of the persons
5 voted for, as Electors, with the number of votes
6 for each person against his name, sealed up as
7 aforesaid, to the Secretary of this State, on or
8 before the eighteenth day of November next;
9 and the return of the several towns shall be in
10 substance as follows, viz :

11 At a legal meeting of the inhabitants of the
12 town of ——— in the County of ——— quali-
13 fied to vote for Electors of President and Vice

14 President of the United States, held on Monday
 15 the second day of November, in the year eight-
 16 teen hundred and forty, the said inhabitants
 17 gave in their votes for such Electors, and the
 18 same were received, sorted, counted and declared
 19 in open town meeting by the Selectmen, who
 20 presided, and in the presence of the Town
 21 Clerk, who formed a list of the persons voted
 22 for, and made record thereof, with the number
 23 of votes for each person on said list against his
 24 name, as follows, viz :

25 For _____, _____, _____ votes.

26	Signed,	A. B	} <i>Selectmen.</i>
27		C. D.	
28		E. F.	

29 Attest, G. H., *Town Clerk.*

30 And the returns from the several cities and
 31 plantations shall be in similar form, with such
 32 variations as their different organization may
 33 require.

RESOLVED, That it shall be the duty of the
 2 Secretary of State, seasonably to procure at
 3 the expense of the State, blank returns of the
 4 proper form, for such cities, towns and planta-
 5 tions, and to furnish the several Clerks thereof

6 with the same, at least thirty days before the
7 said first Monday of November.

RESOLVED, That it shall be the duty of the
2 Governor and Council, to be in session on the
3 said eighteenth day of November, and to exam-
4 ine the said returns and determine who are
5 elected by a majority of all the votes; but in
6 case there shall not be ten persons, on the lists,
7 so returned, who shall have received a majority
8 of the votes, the Governor and Council shall
9 declare the requisite number of persons to be
10 elected, who shall have the next highest number
11 of votes, respectively; and the Secretary of
12 State shall forthwith transmit to each person
13 found or declared by the Governor and Council
14 to be chosen an Elector, a certificate of such
15 choice.

RESOLVED, That the said Electors, shall
2 meet in the Senate Chamber, at Augusta, on
3 the first Tuesday of December next, and in
4 case, by reason of death or otherwise, all the
5 ten Electors shall not be present, the Electors
6 present shall, by a majority of votes, on that or
7 the next succeeding day, elect the requisite
8 number of persons, suitably qualified, to supply
9 such deficiency.

RESOLVED, That the said Electors shall, on
2 the first Wednesday of December next, vote by
3 ballot for one person for President and one per-
4 son for Vice President of the United States,
5 and shall make and sign three certificates, of all
6 the votes by them given, each of which certifi-
7 cates, shall contain two distinct lists, one of the
8 votes given for President and the other of the
9 votes given for Vice President, and the Electors
10 shall seal up the same and certify on each cer-
11 tificate, that a list of the votes of the State of
12 Maine, for President and Vice President of the
13 United States is contained therein. The said
14 Electors, or a major part of them, shall also
15 under their hands appoint a person to take
16 charge of one of the said certificates and deliver
17 the same at the city of Washington to the
18 President of the Senate of the United States,
19 before the first Wednesday of January next;
20 they shall also forward by mail forthwith one
21 other of the said certificates directed to the
22 President of the United States, at the said city
23 of Washington; and they shall also cause the
24 remaining certificate to be delivered, as soon as
25 may be, to the Judge for the District Court of
26 the United States, for the District of Maine.

RESOLVED, That the said Electors shall be
2 paid for their travel and attendance at the same
3 rate as members of the Legislature, and the
4 Governor is hereby authorized to draw his war-
5 rant on the Treasurer of the State for the
6 amount thereof.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 26, 1840. }

This Resolve having been twice read, was laid on the table, and three hundred copies ordered to be printed for the use of the Legislature.

[Extract from the Journal.]

ELBRIDGE GERRY, *Clerk.*