

MAINE STATE LEGISLATURE

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DOCUMENTS

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OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1841.

Augusta:
SEVERANCE AND DORR, PRINTERS TO THE STATE.

1841.

TWENTY-FIRST LEGISLATURE.

NO. 27.

HOUSE.

R E P O R T

O F T H E

J O I N T S E L E C T C O M M I T T E E

U P O N P E T I T I O N S F O R

A M E N D M E N T S T O T H E C O N S T I T U T I O N .

S E V E R A N C E & D O R R , P r i n t e r s t o t h e S t a t e .



REPORT.

STATE OF MAINE.

The Joint Select Committee, to which was referred sundry petitions, votes of towns and memorials, for amendments to the Constitution, have had the same under consideration, and ask leave to

REPORT:

That the petitioners are numerous and highly respectable, and unite in asking for two amendments to the Constitution; but are not uniform in a variety of other amendments that are suggested.

They uniformly ask for a reduction in the number of the House of Representatives, and that the Legislature should only sit once in two years. The reasons given for these amendments are that legislation is now expensive; that the passage of the revised laws may leave little room for amendment until after a fair trial; that frequent elections produce excitement and foster a spirit of discontent. They consider that a less number of Representatives would do the public business as well as the present number, and that the session once in two years would be no longer than an annual session.

The Committee, after maturely considering the subject, agreed to report Resolves for amending the Constitution so as to establish the number of Representatives at one hundred and thirty, to be apportioned by the next Legislature; and that the

4 **AMENDMENTS TO THE CONSTITUTION.** [April

Legislature should meet biennially instead of annually, and to elect the Governor and other State officers to hold their offices for two years instead of one year, to conform to the change in the meeting of the Legislature.

All which is respectfully submitted.

JOHN OTIS, Per order.

STATE OF MAINE.

RESOLVES providing for amendments to the Constitution, in relation to the meeting of the Legislature, the number of Representatives, and the term of office of the Governor and other State officers.

RESOLVED, That the Constitution of this State
2 be amended, in article second, section fourth; ar-
3 ticle fourth, section fifth, part first; article fourth,
4 section fifth, part second; article fourth, section
5 first, part third; article fifth, section second, part
6 second; article fifth, section first, part third; ar-
7 ticle fifth, section first, part fourth; article ninth,
8 section fourth; and article tenth, section fourth;
9 by substituting, in each of said articles and sec-
10 tions, the word *biennial* for the word "annual";
11 and article fifth, section second, part first, shall be
12 amended, by substituting the words *two years* for
13 "one year," and *next after the biennial election*
14 for "in each year"; and article fifth, section sec-
15 ond, part first, shall be amended, by substituting
16 *two years* for "one year," and *biennial* for "an-
17 nual"; so that each of the officers named in said
18 sections shall be elected for, and hold their offices,

19 two years, instead of one year, and the Legislature
20 meet biennially, instead of annually.

RESOLVED, That section second, article fourth,
2 part first, of the Constitution, shall be amended,
3 by substituting the words *one hundred and thirty*
4 for "not less than one hundred nor more than two
5 hundred," before the word "members" in said
6 section, so as to establish the number of Repre-
7 sentatives for the State at the number of one hun-
8 dred and thirty; and the latter part of said sec-
9 tion, being the words and sentences following—
10 "and whenever the number of Representatives
11 "shall be two hundred, at the next annual meet-
12 "ings of elections, which shall thereafter be had,
13 "and at every subsequent period of ten years, the
14 "people shall give in their votes, whether the
15 "number of Representatives shall be increased or
16 "diminished, and if a majority of votes are in
17 "favor thereof, it shall be the duty of the next
18 "Legislature thereafter to increase or diminish the
19 "number by the rule hereinafter prescribed,"
20 shall not be a part of the Constitution; but one
21 hundred and thirty Representatives shall be ap-
22 portioned, according to the rule in the Constitution,
23 by the next Legislature.

RESOLVED, That the aldermen of cities, select-
2 men of the several towns, and assessors of the
3 several plantations in this State, are hereby em-

4 powered and directed to notify the inhabitants of
5 their respective cities, towns, and plantations in
6 the manner prescribed by law, at the annual meet-
7 ing in September next, to give in their votes upon
8 the amendments proposed in each of the above
9 Resolves; and the questions shall be submitted
10 separately, in words following—“ Shall the Con-
11 “ stitution be amended, by adopting the first Re-
12 “ solve for the amendment of the Constitution,
13 “ passed by the Legislature, proposing to elect the
14 “ Governor, members of the Legislature, and
15 “ other State officers, for the term of two years,
16 “ and that the Legislature shall meet once in two
17 “ years?” “ Shall the Constitution be amended,
18 “ by adopting the second Resolve passed by the
19 “ Legislature, for the amendment of the Constitu-
20 “ tion, proposing that the number of Representa-
21 “ tives shall be established at one hundred and
22 “ thirty?” And the ballots shall be given in sep-
23 arately upon each question, those in favor of either
24 of said amendments voting “ Yes,” and those op-
25 posed voting “ No,” upon each amendment; and
26 the ballots shall be received in separate boxes, be
27 sorted, counted and declared, and lists made out
28 of the votes by the clerks, and returned to the
29 office of the Secretary of State, in the same man-
30 ner as votes for Senators; and the Governor and
31 Council shall count the same, and make return

32 thereof to the next Legislature; and if a majority
33 of votes are in favor of either of said amendments,
34 it shall become a part of the Constitution; and if
35 there is a majority in favor of both, then both
36 amendments shall become a part of the Constitu-
37 tion.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
April 12, 1841. }

ORDERED, That the foregoing Report and Resolves be laid
on the table, and 1000 copies be printed for the use of the
Legislature.

[Extract from the Journal.]

ATTEST:

GEO. C. GETCHELL, *Clerk.*