

# MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1848.

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Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

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1849.

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# TWENTY-EIGHTH LEGISLATURE.

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No. 24.

SENATE.

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## STATE OF MAINE.



HOUSE OF REPRESENTATIVES, }  
July 17, 1848. }

The committee on the judiciary, to which was referred two reports of the executive council, of May 6th, 1848, in relation to the votes given in by the people of this state on the second Monday of September last, upon questions submitted to them by virtue of the "resolves providing for an amendment of the constitution in relation to pledging the credit of the state, and creating a state debt," passed July 26th, 1847: and also by virtue of the "resolves providing for an amendment of the constitution in relation to the election of governor, senators, and members of the house of representatives," passed August 2d, 1847, have had the same under consideration and ask leave to

### REPORT:

That it appears by one of said reports of council, that the whole number of ballots legally returned as having been given in on the question submitted in said resolves, passed July 26, 1847, viz: "shall the constitution be amended by adding thereto the following words and provisions:—the credit of the state shall not be loaned directly or indirectly in any case; and the legislature shall not cre-

ate any debt or debts, liability or liabilities, on behalf of the state, which shall singly or in the aggregate with previous debts and liabilities, hereafter incurred, at any one time exceed three hundred thousand dollars, except to suppress insurrection, to repel invasion, or for purposes of war; but this amendment shall not be construed to refer to any money that has been or may be deposited with this state by the government of the United States, or to any fund which the state shall hold in trust for any Indian tribe," was twenty-six thousand and three; that the number of said ballots having the word "yes" expressed thereon, was twenty thousand four hundred and twenty-one; that the number of said ballots having the word "no" expressed thereon, was five thousand five hundred and eighty-two. It thereby appearing that a majority of all the votes given in, and legally returned, were in favor of the proposed amendment, and the said proposed amendment has thereby become a part of the constitution of the state.

It further appears by the other of said reports of council, that the ballots legally returned as having been given in on the question submitted in said resolves, passed August 2d, 1847, namely, "shall the constitution be amended as proposed by a resolve of the legislature, providing, that the governor, senators and members of the house of representatives, shall be elected by the 'highest number' instead of 'a majority' of votes," were as follows, namely:

The whole number of ballots legally returned as having been given in on the question of electing governor, was twenty-eight thousand four hundred and twelve.

That the number of said ballots having the word "yes" expressed thereon, was fourteen thousand and twenty-two.

That the number of said ballots having the word "no" expressed thereon, was fourteen thousand three hundred and ninety.

That the whole number of ballots returned as having been given in on the question of electing senators, is twenty-six thousand nine hundred and nineteen.

That the number of said ballots having the word "yes" expressed thereon, is thirteen thousand three hundred and ninety-three.

AMENDMENTS TO THE CONSTITUTION. 3

That the number of said ballots having the word "no" expressed thereon, is thirteen thousand five hundred and twenty-six.

And that the whole number of ballots legally returned as having been given in on the question of electing members of the house of representatives, was twenty-six thousand eight hundred and fifty-two.

That the number of said ballots having the word "yes" expressed thereon, was thirteen thousand seven hundred and thirty-eight.

That the number of said ballots having the word "no" expressed thereon, was thirteen thousand one hundred and fourteen.

It thereby appearing that a majority of all the votes given in and duly returned, were in favor of the proposed amendment so far as it relates to electing members of the house of representatives; and that it has thereby become a part of the constitution of this state.

Your committee therefore ask leave to submit the accompanying resolve.

JAMES T. LEAVITT, *Chairman.*

## STATE OF MAINE.

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RESOLVE declaratory of amendments to the constitution.

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*Resolved,* The senate and house of representatives  
2 concurring, that whereas it appears upon examination  
3 of the reports of the executive council, in relation to  
4 the resolves passed July twenty-sixth, in the year of  
5 our Lord one thousand eight hundred and forty-seven,  
6 entitled “ resolves providing for an amendment of the  
7 constitution in relation to pledging the credit of the  
8 state, and creating a state debt ”; and also in relation  
9 to the resolves passed August second in the year of  
10 our Lord one thousand eight hundred and forty-seven,  
11 entitled “ resolves providing for an amendment of the  
12 constitution in relation to the election of governor,  
13 senators and members of the house of representa-  
14 tives,” that a majority of the people voting on the  
15 questions thereby submitted, is in favor of adopting  
16 the amendment submitted in the first named resolves;

17 and in favor of adopting the amendment, so far as it  
18 relates to electing members of the house of repre-  
19 sentatives, submitted in the last named resolve. It  
20 is therefore declared that the constitution is so far  
21 altered or amended as to read thus :

22 “The credit of the state shall not be directly or  
23 indirectly loaned in any case. The legislature shall  
24 not create any debt, or debts, liability or liabilities,  
25 on behalf of the state, which shall singly, or in the  
26 aggregate, with previous debts and liabilities hereafter  
27 incurred, at any one time exceed three hundred thou-  
28 sand dollars, except to suppress insurrection, to repel  
29 invasion, or for purposes of war ; but this amend-  
30 ment shall not be construed to refer to any money  
31 that has been, or may be deposited with this state  
32 by the government of the United States, or to any  
33 fund which the state shall hold in trust for any Indian  
34 tribe,” and that said amendment has become part of  
35 the constitution.

36 And it is therefore further declared that the consti-  
37 tution is so far altered or amended as to read thus :

38 “The constitution of this state is amended in the  
39 fifth section of the first part of the fourth article, by

40 striking out the words, ‘a majority of all the,’ and  
41 inserting instead thereof, the words, ‘the highest  
42 number of,’ and by striking out the words, ‘a ma-  
43 jority,” where they again occur in the same section,  
44 and inserting instead thereof, the words, ‘the highest  
45 number’; also in the first amendment to the consti-  
46 tution of this state, by striking out the words ‘a ma-  
47 jority of all the,’ and inserting iestead thereof the  
48 words, ‘the highest number of’”—and that said  
49 amendment has become part of the constitution of  
50 this state.”





## STATE OF MAINE.



HOUSE OF REPRESENTATIVES, July 17, 1848.

ORDERED, That 350 copies of the foregoing Report and accompanying Resolve, be printed for the use of the Legislature.

SAMUEL BELCHER, *Clerk.*