

MAINE STATE LEGISLATURE

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EIGHTY - SEVENTH LEGISLATURE

Legislative Document

No. 54

S. P. 138

In Senate, January 17, 1935.

Referred to Committee on Judiciary, sent down for concurrence and 500 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Fernald of Waldo.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-FIVE

**RESOLVE, Proposing that Judges and Registers of Probate be Appointed
Rather than Elected.**

Constitutional amendment. Resolved: Two-thirds of the legislature concurring, that the following amendment to the constitution of this state be proposed:

Article VI, Section 7 of the constitution; relating to judges and registers of probate, amended. Section 7 of Article VI of the constitution, as amended by Article XXIII, is hereby amended to read as follows:

'Sec. 7. Judges of probate shall be ~~elected by the people of their respective counties by a plurality of the votes given in at the biennial election, on the second Monday of September~~ **appointed by the governor with the consent of the council for a term of seven years commencing on the first day of January next after their ~~election~~ appointment, and when so appointed shall in turn appoint a register of probate to serve at their pleasure.'**

Form of question and date when amendment shall be voted upon. Resolved: That the aldermen of cities, the selectmen of towns and the assessors of the several plantations of this state, are hereby empowered and directed to notify the inhabitants of their respective cities, towns, and

plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives, on the 2nd Monday in September following the passage of this resolve, to give in their votes upon the amendment proposed in the foregoing resolution, and the question shall be:

“Shall the constitution be amended as proposed in a resolution of the legislature providing for the appointment by the governor of judges, and registers of probates by judges of probate rather than their election ”

And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the amendment voting “Yes” upon their ballots and those opposed to the amendment voting “No” upon their ballots, and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings, and return made to the office of the secretary of state in the same manner as votes for governor and members of the legislature and the governor and council shall count the same and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amendment, the governor shall forthwith make known the fact by his proclamation and the amendment shall thereupon as of the date of said proclamation become a part of the constitution.

Secretary of state shall prepare ballots. Resolved: That the secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing resolve accompanied by a copy thereof.