

# MAINE STATE LEGISLATURE

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# RESOLVES

OF THE

TWELFTH LEGISLATURE

OF THE

# STATE OF MAINE,

PASSED AT THE SESSION

WHICH COMMENCED ON THE FOURTH DAY OF JANUARY, AND ENDED ON  
THE NINTH DAY OF MARCH, ONE THOUSAND EIGHT  
HUNDRED AND THIRTY-TWO.

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PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

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AUGUSTA:

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1832.

## STATE OF MAINE.

The joint select Committee, to whom was referred an order of the House of Representatives of the 17th of February, inst. directing them to ascertain the most practicable method of choosing Electors of President and Vice President and members of Congress, and also whether legislation, upon the subject is expedient before the passage of the apportionment Bill, in Congress, ask leave to report, That they are unanimously of opinion that it is inexpedient to provide for the choice of members of Congress at the present session of the Legislature, unless the apportionment Act is received in season to district the State, for that purpose, and the best information which they have obtained inclines them to believe, that such will not be the case, without protracting the session to an unreasonable length. The Committee are unable to perceive any sufficient reason for delaying the session for this purpose, inasmuch as the Congressional elections have on a former occasion been deferred and may, at this time, with perfect safety be deferred until after the meeting of the next Legislature, which will avoid the necessity of incurring an expense of several thousand dollars and yet leave ample opportunity to the citizens of the State to secure a full representation in the next Congress of the United States, by providing at a succeeding Legislature for such elections to take place in March or April, A. D. 1833, in accordance with the course pursued by several of our sister States.

As the Electors of President and Vice President must be chosen before the time fixed for the meeting of the next Legislature, it becomes necessary to provide for the mode of selecting them, or resort to an extra session solely for that purpose. Your Committee are unanimously of opinion, that the latter mode is inexpedient and unnecessary, and that the people would hardly justify their servants in subjecting the State to a wasteful expenditure of many thousand dollars, in calling together the different branches of the Government solely for the purpose of providing for the choice of Electors, when that object can be satisfactorily accomplished at the present session, without incurring any very considerable expense. One State after another has abandoned the District system in the choice of Electors until Maine is believed to be the only State in the Union which adheres to this ancient custom. Maryland, New York, New Hampshire and our parent State have with great unanimity adopted the general ticket system, in the choice of Electors. Indeed it seems to be the policy of all the States to present an undivided electoral ticket in favor of some one individual for President of the United States. Notwithstanding these considerations your Committee feel great respect for the system which has been long adopted and practised upon, in this State, and although there are serious objections to its continuance, after every other State in the Union have adopted measures to throw their whole weight on the one side or the other, yet it has many things to recommend it to the citizens

of our State; and your Committee do not hesitate to say if the apportionment Act were at hand they should now recommend to District the State for the choice of Electors of President and Vice President. But under existing circumstances, a majority of the Committee with a view to economy in the expenses of the Government and to prevent the necessity of an extra Session of the Legislature which would otherwise in their opinion be unavoidable, have reluctantly come to the conclusion that the interest of the State demands us to provide for the choice of Electors of President and Vice President, by General Ticket and in accordance with these views ask leave to present a Bill and Resolve which is herewith submitted.

NATH'L GROTON, *Per Order.*

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### Chapter 65.

Resolve providing for the choice of Electors of President and Vice President.

Approved March 6, 1832.

*Resolved,* That on the first Monday of November next, there shall be chosen at large, out of the whole State, as many Electors of President and Vice President of the United States, as this State shall be entitled to have, according to the ratio to be fixed upon by the present Congress. One of said Electors shall be chosen from each County, in case the State shall be entitled to so great a number; and the remainder, if any, shall be chosen from some of the larger Counties, provided that not more than two shall be chosen from any one County.

*Resolved,* That it shall be the duty of the Governor, upon receiving the apportionment Act of Congress, immediately to issue his Proclamation, directed to the Selectmen of the several towns and the assessors of the several plantations, informing them what number of Electors the State shall be entitled to, by virtue of said Act.

*Resolved,* That it shall be the duty of such Selectmen and Assessors, in the manner prescribed by law, for calling town and plantation meetings, to cause the inhabitants of their respective towns and plantations, duly qualified to vote for Representatives to the Legislature of this State, to assemble on Monday the fifth day of November next, to give in their written votes to the said Selectmen and Assessors, whose duty it shall be to preside in said meetings, for as many Electors as shall by law be assigned to this

State as aforesaid, not being Senators or Representatives or persons holding any office of trust or profit under the United States. And said Selectmen or Assessors, or the major part of them, shall in open town or plantation meeting, sort and count the votes, and form a list of the persons voted for, with the number of votes for each person against his name, and shall make a public declaration thereof in said meeting, and shall, in presence of the inhabitants, seal up copies of said list, and transmit the same to the office of the Secretary of State, of this State, on or before the twentieth day of November next, at which time, it shall be the duty of the Governor and Council to be in Session, and to examine said returns and determine and declare who is elected, by a majority of all the votes; and in case the requisite number of persons shall not have received a majority of all the votes, it shall be the duty of the Governor and Council to ascertain from said returns the person or persons, as the case may be, who have the highest number of votes, and to declare the said person or persons, having such plurality of votes, to be duly elected.

*Resolved,* That it shall be the duty of the Secretary of State, forthwith to transmit to each person, chosen to be an Elector as aforesaid, a certificate of his election. And it is hereby made and declared to be the duty of said Electors, chosen as aforesaid, to meet on the first Tuesday of December next, at the Senate Chamber in Augusta; and in case of the death or absence of any of the Electors, or in case there be from any cause, a deficiency of the number of Electors, to which the State shall be entitled; the said deficiency shall immediately, be supplied by a majority of votes of the Electors present. And the said Electors, on the first Wednesday of December next, shall by vote, ballot for one person for President, and one person for Vice President of the United States. And said Electors for their travel and attendance shall be paid from the Treasury of the State, the same compensation allowed to members of the Legislature.

*Resolved,* That if the Selectmen of any town or Assessors of any plantation shall neglect to transmit the list of votes of said town or plantation, by the time above appointed for that purpose, or refuse or neglect to do any of the duties required by this Resolve, each of said Selectmen and Assessors, so refusing or neglecting, shall forfeit and pay to the use of the State a sum not exceeding two hundred or less than fifty dollars.

*Resolved,* That the return of votes for Electors, given

as before prescribed, shall be, in substance, in the following form: viz.

At a legal meeting of the inhabitants of the  
of . . . . . in the County of . . . . . qualified by  
the Constitution to vote for Senators and Representatives  
in the Legislature of the State, holden on the fifth day of  
November in the year of our Lord one thousand eight hun-  
dred and thirty two, the said inhabitants gave in their votes  
for Electors of President and Vice President, for this State;  
and the same were received, sorted, counted and declared  
in open town (or plantation) meeting by the Selectmen (or  
Assessors) who presided, and in the presence of the Clerk,  
who formed a list of the persons voted for, and made a  
record thereof as follows: viz.

For

} SELECTMEN,  
{ (OR ASSESSORS.)

ATTEST, . . . . . Town (or Plantation) Clerk.

*Resolved*, That it shall be the duty of the Secretary of  
State to procure and seasonably to furnish blank returns  
in the form aforesaid to the several towns and plantations  
in the State.

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## Chapter 66.

An additional Resolve in favor of Francis Joseph.

Approved March 6, 1832.

*Resolved*, That the pension granted to Francis Joseph,  
Governor of the Passamaquoddy tribe of Indians by a Re-  
solve passed the twenty fourth day of February one thou-  
sand eight hundred and thirty one, be paid to him through  
the hands of the Agent of said tribe in clothing, provision  
and such things as in the opinion of said Agent his wants  
may require. And said Agent is hereby required to render  
a fair and correct account of the expenditure of the same  
to the Governor and Council of this State.