

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES,

PASSED BY THE

TWENTIETH LEGISLATURE

OF THE

STATE OF MAINE,

JANUARY SESSION, 1840.

Published by the Secretary of State, agreeably to Resolves of June
28, 1820, and February 26, 1840.

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1840.

RESOLVES
PASSED BY THE
LEGISLATURE OF MAINE.
1840.

[supplied from page 113 of volume]

ERRATA:

**The following leaf is
inserted because one or more pages
in this chapter have errors
noticed and corrected here.**

ERRATA.

- Page 2, eleventh line from the bottom, for "Nathan" read *Nahum*.
3, third line from the bottom, after the word "matters" insert *and things*.
6, at the end of chap. 6, for "January 27," read *January 29*.
15, at the end of chap. 17, for "February 18," read *February 19*.
22, chap. 23, sec. 3, sixth line, for "vehicle" read *vehicle*.
29, third line from the top, for "votes" read *voters*.
29, seventh line from the top, omit the word "by" before "law."
29, sec. 8, tenth line, for "estate" read *estates*.
31, chap. 50, sec. 1, fifth line, omit the word "other" before "refuse."
33, chap. 33, sec. 1, eleventh line, for "mast" read *masts*.
33, second line from the bottom, for "chair-" read *chain*.
47, fourth line from the bottom, for "Northam" read *Northane*.
48, third line from the top, for "Videto" read *Viddeto*.
51, twelfth line from the bottom, between "that" and "all" insert the word *in*.
52, in the enacting clause of chap. 53, for "entaced" read *enacted*.
67, fifteenth line from the bottom, for "thousand" read *thousands*.
68, twenty-third line from the top, for "annully" read *annually*.
111, ninth line from the top, for "such" read *said*.
113, chap. 1, fifth line, omit the word "the" before "advice."
115, fifth line from the bottom, for "certificate" read *certificates*.
122, in the title of chap. 21, for "Jordon," read *Jordan*.
188, eighth line from the bottom, before the word "person" insert *other*.
206, in the title of chap. 77, for "relating" read *relative*.
207, chap. 79, second and third lines, between the words "of" and "State" insert the word *the*.
224, chap. 93, twelfth line, for "relation" read *reference*.

vice the past year, the sums set against their names respectively, amounting in the whole to the sum of twenty-nine thousand, five hundred one dollars and thirty cents, in full discharge of the accounts to which they refer.

[*Approved March 16, 1840.*]

Chapter 54.

Resolve relating to the State Prison debts.

Resolved, That in all cases where a change is made or occurs in the Warden of the Maine State Prison, the successor in office shall be vested with all the powers of his predecessor in the collection and settlement of all the debts and accounts of said Prison in the same manner as though no such change had taken place.

Warden for the time being authorized to settle the debts, &c., of his predecessor.

[*Approved March 16, 1840.*]

Chapter 55.

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

Resolved, That there shall be chosen on the first Monday of November next, ten inhabitants of this State, to be Electors of President and Vice President of the United States; no senator nor representative in Congress, nor person holding any office of trust or profit under the United States shall be eligible, as an Elector.

Ten electors to be chosen on the first Monday of November.

Eligibility.

Resolved, That the people of this State shall assemble on the said day, in town, plantation, city or ward meetings; which meetings shall be notified and held, so far as applicable in the same manner, as is provided by the constitution and laws for the

election of senators in the Legislature of this State, and the voters shall have the like qualifications. And the aldermen and wardens, selectmen, assessors and other officers of the several cities, wards, towns and plantations, respectively, shall have the like powers and be subject to the like obligations and duties as to notifying and holding the said meetings, receiving, sorting, counting, declaring, recording and sealing up the votes; and all the said officers and voters shall be subject to the like penalties for any neglect or misconduct, each voter shall be required to bring in on a single list the names of all persons by him voted for.

Qualification of voters.
Duties and obligations of Aldermen, Selectmen, and Assessors.

Resolved, That it shall further be the duty of the aldermen, selectmen and assessors of the several cities, towns and plantations, respectively, to make return of the lists of the persons voted for, as Electors, with the number of votes for each person against his name, sealed up as aforesaid, to the Secretary of this State on or before the eighteenth day of November next; and the returns of the several towns shall be in substance as follows, viz: At a legal meeting of the inhabitants of the town of ———, in the county of ———, qualified to vote for Electors of President and Vice President of the United States, held on Monday, the second day of November, in the year eighteen hundred and forty, the said inhabitants gave in their votes for such Electors, and the same were received, sorted, counted and declared in open town meeting by the selectmen, who presided, and in the presence of the town clerk, who formed a list of the persons voted for, and made record thereof, with the number of votes for each person on said list against his name as follows, viz:

Return of votes to be made to the Secretary's office by the 18th of November.

Form of return.

For _____ votes.
Signed }
 } Selectmen.
Attest, } Town Clerk.

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

Sec'y of State to furnish suitable blanks for returns.

Resolved, That it shall be the duty of the Secretary of State seasonably to procure at the expense of the State, blank returns of the proper form, for such cities, towns and plantations, and to furnish the several clerks thereof with the same at least thirty days before the said first Monday of November.

Gov. and Council to be in session on the 18th Nov., to examine the returns, &c.

Resolved, That it shall be the duty of the Governor and Council to be in session on the said eighteenth day of November, and to examine the said returns and determine who are elected by a majority of all the votes; but in case there shall not be ten persons, on the lists, so returned, who shall have received a majority of the votes; the Governor and Council shall declare the requisite number of persons to be elected, who shall have the next highest number of votes, respectively; and the Secretary of State shall forthwith transmit to each person found or declared by the Governor and Council to be chosen an Elector, a certificate of such choice.

Secretary to notify Electors.

Electors to meet on the first Tuesday of December.

Resolved, That the said Electors shall meet in the senate chamber, at Augusta, on the first Tuesday of December next, and in case, by reason of death or otherwise, all the ten Electors shall not be present, the Electors present shall, by a majority of votes on that or the next succeeding day elect the requisite number of persons, suitably qualified to supply such deficiency.

Electors shall make and seal up certificates, &c.

Resolved, That the said Electors shall, on the first Wednesday of December next, vote by ballot for one person for President and one person for Vice President of the United States, and shall make and sign three certificates of all the votes by them given, each of which certificates, shall contain two distinct lists, one of the votes given for President and the

other of the votes given for Vice President, and the Electors shall seal up the same and certify on each certificate, that a list of the votes of the State of Maine, for President and Vice President of the United States is contained therein; the said Electors or a major part of them, shall also under their hands appoint a person to take charge of one of the said certificates and deliver the same at the city of Washington to the President of the Senate of the United States, before the first Wednesday of January next; they shall also forward by mail forthwith one other of the said certificates directed to the President of the United States, at the said city of Washington; and they shall also cause the remaining certificate to be delivered as soon as may be, to the Judge for the District Court of the United States for the District of Maine.

Electors shall appoint a person to take charge of one of the certificates and deliver the same to the President of the Senate at Washington.

Shall forward one certificate by mail to the President, and deliver the other certificate to the Judge of the District Court.

Resolved, That the said Electors shall be paid for their travel and attendance at the same rate as members of the Legislature, and the Governor is hereby authorized to draw his warrant on the Treasurer of the State for the amount thereof.

[*Approved March 16, 1840.*]

Chapter 56.

Resolve relating to the military expenditures of the State, in the protection of the Northeastern Frontier.

Resolved, That it shall be the duty of the Acting Quarter Master General, under the direction of the Commander-in-Chief, to make up the accounts of the State against the United States, for military expenditures incurred in the protection of the Northeastern Frontier; and that the Governor be authorized to take the necessary measures to procure the allowance, by the general government, of the claims of the State for the expenditures aforesaid.

A. Q. M. Gen. to make up accounts of the State.

Gov. to procure the allowance, &c.

[*Approved March 16, 1840.*]