

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

4628

PASSED BY THE

TWENTY-SECOND LEGISLATURE

OF THE

S T A T E O F M A I N E ,

A . D . 1 8 4 2 .

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840, and
March 16, 1842.

AUGUSTA:

Wm. R. SMITH & Co., PRINTERS TO THE STATE.

1842.

RESOLVES

PASSED BY THE

LEGISLATURE OF MAINE,

1842.

Chapter 72.

Resolve in relation to expenses incurred in maintaining an armed civil posse near the frontiers of this state.

Whereas the state of Maine has, since the commencement of the year 1839, been necessarily subjected to great expense in maintaining an armed civil posse, on that portion of her territory claimed by Great Britain, to resist the unlawful intrusion of trespassers and depredators from the neighboring British provinces: and,

Preamble.

Whereas the general government of this union, in the execution of its constitutional obligations to this state, did, in the month of September last, assume to itself the protection and defence of that portion of the state from similar intrusions and depredations; therefore

Resolved, That, considering the character of the aggressions then made on the territory of this state, and the absolute necessity of the measures adopted to repel them, the general government is justly liable for all the expense that has been so incurred from the 24th day of January, 1839, to the month of September above mentioned, the period at which it so assumed the further protection and defence of the said territory.

Resolved, That the governor be requested to cause the accounts of said expenses to be correctly audited and stated with sufficient vouchers; and to take such measures as he may deem expedient to procure the allowance and repayment of the amount thereof, to this state.

Governor to cause the accounts of the civil posse to be audited, &c.

[*Approved March 17, 1842.*]

STATE OF MAINE.

In House of Representatives, }
 January 15, 1842. }

The joint standing committee on the judiciary, to whom was referred the report, accepted by the council and approved by the governor, in relation to the votes given by the people on the second Monday of September last, upon the questions submitted to them by virtue of the "resolve 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," and also by virtue of the resolve submitting to the people the question whether the number of representatives shall be increased or diminished, have had the same under consideration, and ask leave to submit the following

REPORT.

That it appears by the report of the council in relation to amend-

CHAP. 73.

ments to the constitution, that, on the question, "shall the constitution be amended, by adopting the resolve for the amendment of the constitution passed by the last legislature, proposing to elect the governor, members of the legislature and other state officers for the term of two years, and that the legislature shall meet once in two years—The number of ballots returned having the word "yes" expressed thereon was nine thousand and four. The number of ballots having the word "no" expressed thereon was twenty seven thousand two hundred and fifty.

On the question, "shall the constitution be amended by adopting the resolve passed by the last legislature for the amendment of the constitution proposing that the number of representatives shall be established at one hundred and fifty one—The number of ballots returned having the word "yes" expressed thereon was twenty three thousand eight hundred and eighty four. The number of ballots having the word "no" expressed thereon was six thousand six hundred and forty.

Thus it appears by said report of the council that a majority of the inhabitants voting on the question last named aforesaid, are in favor of the amendment proposed by said question, and that it became a part of the constitution of the state.

Your committee therefore submit the accompanying resolve.

Per order of the committee.

H. B. OSGOOD.

Chapter 73.

Resolve declaratory of an amendment to the constitution.

Resolved, The senate and house of representatives concurring, that whereas it appears upon examination of the report of the council in relation to resolves passed April sixteenth, A. D. eighteen hundred and forty one, entitled "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" that a majority of the inhabitants voting on the question submitted by the second resolve in relation to the number of representatives is in favor of said amendment.

§ 2, art. 4, part 1
of the constitu-
tion amended.

It is, therefore, declared that section second, article fourth, part first of the constitution, is so far altered or amended as to read thus, "the house of representatives shall consist of one hundred and fifty one members, to be elected by the qualified electors, for one year from the day next preceding the annual meeting of the legislature. The legislature, which shall first be convened under this constitution, shall on or before the fifteenth day of August, in the year of our Lord, one thousand, eight hundred and twenty one, and the legislature within every subsequent period of at most ten years, and at least five, cause the number of the inhabitants of the state

to be ascertained, exclusive of foreigners not naturalized and indians not taxed. The number of representatives shall, at the several periods of making such enumeration, be fixed and apportioned among the several counties as near as may be, according to the number of inhabitants, having regard to the relative increase of population. The number of representatives shall on said first apportionment be not less than one hundred nor more than one hundred and fifty," and that said amendment has become part of the constitution.

[*Approved March 17, 1842.*]

Chapter 74.

Resolve in favor of Thomas Eames.

Resolved, That there be paid out of the treasury of the state to Thomas Eames, the sum of sixty five dollars, being in full for his services, in watching the state house, in the night time, from the eleventh day of January, until the sixteenth day of March, in the present year, inclusive.

Thomas Eames,
\$65.

[*Approved March 17, 1842.*]

Chapter 75.

Resolve in favor of Nehemiah Allen.

Resolved, That there be allowed and paid out of the treasury of this state to Nehemiah Allen of Addison, eleven dollars, to defray the expenses of his sickness while a member of the house of representatives in 1842.

Nehemiah Al-
len, \$11.

[*Approved March 17, 1842.*]

Chapter 76.

Resolve to provide for the erection of a fence on the public grounds adjoining lands of Isaac Gage and others.

Resolved, That the superintendent of the public buildings is hereby directed to cause to be erected a suitable and sufficient fence, on the state's land in Augusta, adjoining land of Isaac Gage

Superintendent
authorized to
erect a fence on
state land.