

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.

RHODE ISLAND.
STATE OF MAINE.

The joint select committee, to which was referred the governor's message, transmitting a communication from his excellency, THOMAS W. DORR, governor of the state of Rhode Island and Providence Plantations, have had the same under consideration and ask leave to

R E P O R T :

That from the accounts of affairs in the state of Rhode Island, it is believed that the long existing difficulties concerning the nature of its state government, are, happily, about to be settled in an amicable manner, so that little expression in relation to them is demanded at our hands, other than of congratulation, that the principle of universal suffrage has, at length, been acknowledged by the authorities under the charter government, and the spirit of manly forbearance been exercised by the people on both sides.

The bill of rights, which is the pride of this state, declares, that "all power is inherent in *the people*; all *free* governments are founded in *their* authority, and instituted for *their* benefit, *they* have therefore an unalienable and indefeasible right to institute government, and to alter, reform, or totally change the same, when *their* safety and happiness require it." In the language of our declaration of independence, "prudence, indeed, will dictate, that governments long established should not be changed for light and transient causes; and accordingly, all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed." And in the forms of nearly all our state governments, the wants of the people are so well provided for and their rights so well secured by the freedom of suffrage and frequent elections, which hold officers to a strict accountability to the people, that it may be considered morally impossible that the exigency can occur when the people of any one of them will be called upon to exercise their inherent rights for the purpose of abolishing and instituting governments without the agency of the authorities.

But by the foregoing extract from our bill of rights, (the doctrine of which we are bound to think commands the almost unanimous assent of the people of this state,) we understand, that the action of a majority of *all* the people, without appeal to, or interference by, the constituted authorities, is alone sufficient to abolish and institute governments; that as constitutions are above the authorities and the laws, so are the people above constitutions. And it follows, that when it is manifest to the general government, that an absolute majority of the whole people of any state in the union, have, in any manner, deliberately abolished their form of government, and instituted a new one that is not inconsistent with the constitution of the United States, it is the duty of the general government to recognize the authorities established under it. A doctrine contrary to that here avowed, would seem to us, necessarily to involve the possibility of the people being in perpetual subjection to

irresponsible power ; a doctrine which we think cannot obtain in the mind of any man who assents to the principles on which are based our republican institutions.

Entertaining these views, and enjoying the blessings which a republican form of government affords, while we refrain from saying aught that might tend to inflame the passion so lately allayed, we pronounce that it affords us lively satisfaction to learn, that the contest which lately threatened the peace of a large portion of this Union, has ended in the promised establishment of free suffrage which shall be undisturbed, in our sister state.

Respectfully submitted.

EPHRAIM K. SMART, *Chairman.*