

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

OF THE

SEVENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE

**1913**

Including Acts and Resolves of the Special Session held  
in 1912.

---

Published by the Secretary of State, agreeably to Resolves of  
June 28, 1820, February 18, 1840, and March 16, 1842.

---

AUGUSTA  
KENNEBEC JOURNAL PRINT  
1913

## STATE OF MAINE.

BY THE GOVERNOR.

## A PROCLAMATION.

Our laws relating to the conduct of elections, the making of returns to the Governor and Council, the tabulating of such returns and the declaration of the result thereof are uncertain in their wording and inadequate in substance. There is no provision in our statutes for an official inspection or recount of ballots or even for the depositing of such ballots in a place of safety. These defects in the law become startlingly apparent after the special election of last September. They afforded opportunity for overriding the will of the people as expressed at the polls. It is imperative that before we enter into another State-wide election a careful and thorough revision of these important laws should be made by the Legislature.

In order to comply with the requirements both of our State law and the act of Congress concerning the division of the State into Congressional districts it is necessary that the Legislature should pass a re-districting bill before we again elect representatives to the national Congress.

The situation with regard to the prohibitory law and its enforcement is the cause of universal complaint and criticism. No thinking man in Maine is satisfied with present conditions. Those who are pleased with the law are dissatisfied with the manner in which it is enforced. Others regard the law itself as impracticable and incapable of State-wide enforcement. The problem is vital and pressing. The Legislature should find a means to solve it, or, at least, should be able to submit to popular vote some one or more possible solutions of it.

In consideration whereof, I, Frederick W. Plaisted, Governor of the State of Maine, by virtue of the power vested in me by the constitution, convene the Legislature of this State, hereby requiring the senators and representatives to assemble in their respective chambers, at the Capitol, in Augusta, on Wednesday, the 20th day of March, 1912, at 10 o'clock in the forenoon, in order to receive such communications as may then be made to them and to consult and determine on such measures as they may consider will best promote the welfare of this State.

In testimony whereof, I have hereunto set my hand and caused the seal of the State to be affixed.

Done at Augusta, this 29th day of December,  
in the year of our Lord 1911, and of the  
Independence of the United States of  
America the 136th.

FREDERICK W. PLAISTED.

By the Governor.

Attest :

CYRUS W. DAVIS,

*Secretary of State.*

---

STATE OF MAINE.

BY THE GOVERNOR.

A PROCLAMATION.

Whereas, Sections 16 and 17, Part Third, of Article 4 of the Constitution of the State of Maine, as amended, provide as follows :

“Sect. 16. No act or joint resolution of the Legislature, except such orders or resolutions as pertain solely to facilitating the performance of the business of the Legislature, of either branch, or of any committee or officer thereof, or appropriate money therefor or for the payment of salaries fixed by law, shall take effect until 90 days after the recess of the Legislature passing it, unless in case of emergency (which with the facts constituting the emergency shall be expressed in the preamble of the act), the Legislature shall, by a vote of two-thirds of all the members elected to each house, otherwise direct. An emergency bill shall include only such measures as are immediately necessary for the preservation of the public peace, health or safety; and shall not include (1) an infringement of the right of home rule for municipalities, (2) a franchise or a license to a corporation or an individual to extend longer than one year, or (3) provision for the sale or purchase or renting for more than five years of real estate.”

“Sect. 17. Upon written petition of not less than 10,000 electors, addressed to the Governor and filed in the office of the Secretary of State within 90 days after the recess of the Legislature, requesting that one or more acts, bills, resolves or resolutions, or part or parts thereof, passed by the Legislature, but not then in effect by reason of the provisions of the preceding section, be referred to the people, such acts, bills, re-

solves, or resolutions or part or parts thereof as are specified in such petition shall not take effect until 30 days after the Governor shall have announced by public proclamation that the same have been ratified by a majority of the electors voting thereon at a general or special election. As soon as it appears that the effect of any act, bill, resolve, or resolution or part or parts thereof has been suspended by petition in manner aforesaid, the Governor by public proclamation shall give notice thereof and of the time when such measure is to be voted on by the people, which shall be at the next general election not less than 60 days after such proclamation, or in case of no general election within six months thereafter the Governor may, and if so requested in said written petition therefor, shall order such measure submitted to the people at a special election not less than four nor more than six months after his proclamation thereof."

And whereas, at a special session of the Legislature beginning March 20, 1912, an act was passed entitled "An Act to provide for the use of uniform ballot boxes and for the preservation of ballots cast at elections."

And whereas, written petitions have been filed in the office of the Secretary of State, in accordance with the provisions of Section 17, Part 3, of Article 4 of the Constitution as herein quoted, requesting that said act be referred to the people.

Now, therefore, I, Frederick W. Plaisted, Governor of the State of Maine, in accordance with the provisions of the Constitution, declare that said act has been suspended, and hereby designate the second Monday of September, being the ninth day of said month, in the year of our Lord one thousand nine hundred and twelve, as the time when such measure shall be voted on by the people, said date being concurrent with the date of the next general election.

In witness whereof, I have caused the seal of the State to be hereunto affixed at Augusta, this eighth day of July, in the year of our Lord one thousand, nine hundred and twelve, and of the Independence of the United States of America the one hundredth and thirty-seventh.

[L. s.]

FREDERICK W. PLAISTED.

By the Governor.

CYRUS W. DAVIS,

*Secretary of State.*

STATE OF MAINE.

BY THE GOVERNOR.

A PROCLAMATION.

Whereas, at a special session of the Legislature beginning March 20th, 1912, an act was passed entitled "An Act to provide for the use of Uniform Ballot Boxes and for the Preservation of Ballots cast at elections."

And whereas, said act was referred to the people under the constitutional provisions for referendum, as set forth in Sections 16 and 17, Part Third, of Article Four of the Constitution of the State of Maine, as amended, and was voted upon at the general election held the second Monday of September, being the ninth day of said month, in the year of our Lord one thousand nine hundred and twelve, in accordance with a proclamation issued by the Governor on the eighth day of July of the present year.

And whereas, the lists of votes cast in the cities, towns and plantations in the State upon said measure have been examined by the Governor and Council and found to be as follows: to wit: seventy-two thousand eight hundred and sixteen votes in favor of said measure and thirty-three thousand eight hundred and eighty-four votes opposed to said measure.

Now, therefore, I, Frederick W. Plaisted, Governor of the State of Maine, by authority of Section 19, Part Third, of Article Four of the Constitution of the State of Maine, as amended, do issue this proclamation, and declare said measure adopted, to take effect and become a law in thirty days after the date hereof.

1912

1912

[L. S.]

1912

1912

1912

1912

In witness whereof, I have caused the seal of the State to be hereunto affixed, at Augusta, this thirtieth day of September, in the year of our Lord one thousand nine hundred and twelve, and of the Independence of the United States of America the one hundred and thirty-seventh.

FREDERICK W. PLAISTED.

By the Governor.

CYRUS W. DAVIS,

*Secretary of State.*