

MAINE STATE LEGISLATURE

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Acts and Resolves

As Passed by the

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

1919

Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

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foregoing resolution, and the question shall be: "Shall the constitution be amended as proposed by a resolution of the legislature granting to the governor, by the consent and advice of the council, the power to remove sheriffs who do not faithfully and efficiently perform the duties imposed upon them by law, and to appoint another sheriff in his place for the remainder of the term for which such removed sheriff was elected?"

And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the amendment expressing it by the word "Yes" upon their ballots and those opposed to the amendment by the word "No" upon their ballots, and the ballots shall be received, sorted, counted, and declared in open ward, town and plantation meetings, and returns made to the office of secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amendment, the same shall thereupon become a part of the constitution, and the governor shall forthwith make known the fact by his proclamation.

Resolved: That the secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing resolves accompanied by a copy thereof.

(The thirty-eighth amendment was proposed to the people by a resolve of the seventy-eighth legislature, approved March 19, 1917, and having been favorably voted upon by the people at a special election held September 10, 1917, was by proclamation of the governor, declared a part of the constitution, September 25, 1917.)

Chapter 116, Resolves of 1917

Resolve, Proposing an Amendment to Section Three of Part One of Article Four of the Constitution in Regard to the Apportionment of Representatives in the Event of Merger of Towns and Cities.

Resolved: Two-thirds of the legislature concurring, that the following amendment to the constitution of this state be proposed for action of the legal voters, to wit: By inserting in the eighth line of section three of part first of article four of the constitution, after the words "but no town shall ever be entitled to more than seven representatives," the words "except that in the event of the merger of towns or cities, the new town or city shall be allowed the combined representation of the former units," so that said section as amended shall read as follows:

'Section 3. Each town having fifteen hundred inhabitants, may elect one representative; each town having three thousand seven hundred and fifty may elect two; each town having six thousand seven hundred and fifty may elect three; each town having ten thousand five hundred may elect four; each town having fifteen thousand may elect five; each town

having twenty thousand two hundred and fifty may elect six; each town having twenty-six thousand two hundred and fifty may elect seven; but no town shall ever be entitled to more than seven representatives, except that in the event of the merger of towns or cities, the new town or city shall be allowed the combined representation of the former units; and towns and plantations duly organized not having fifteen hundred inhabitants, shall be classed as conveniently as may be into districts containing that number, and so as not to divide towns, and each such district may elect one representative; and when on this apportionment the number of representatives shall be two hundred, a different apportionment shall take place upon the above principle; and in case the fifteen hundred shall be too large or too small to apportion all the representatives to any county, it shall be so increased or diminished as to give the number of representatives according to the above rule and proportion; and whenever any town or towns, plantation or plantations not entitled to elect a representative shall determine against a classification with any other town or plantation, the legislature may, at each apportionment of representatives on the application of such town or plantation, authorize it to elect a representative for such portion of time and such periods, as shall be equal to its portion of representation; and the right of representation so established, shall not be altered until the next general apportionment.'

Resolved: That the aldermen of cities, the selectmen of towns and the assessors of the several plantations in this state are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives, on the second Monday in September following the passage of this resolve, to give in their votes upon the amendment proposed in the foregoing resolution, and the question shall be: 'Shall the constitution be amended as proposed by a resolution of the legislature, allowing representation in the house of representatives to remain as formerly in the event of the merger of towns or cities?' And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the amendment expressing it by the word "Yes" upon their ballots and those opposed to the amendment by the word "No" upon their ballots, and the ballots shall be received, sorted, counted, and declared in open ward, town and plantation meetings, and returns made to the office of secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amendment, it shall thereupon become a part of the constitution, and the governor shall forthwith make known the fact by his proclamation.

Resolved: That the secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing resolves accompanied by a copy thereof.

(The thirty-ninth amendment was proposed to the people by a resolve of the seventy-eighth legislature, approved March 19, 1917, and having been favorably voted upon by the people at a special election held September 10, 1917, was by proclamation of the governor, declared a part of the constitution, September 25, 1917.)

STATE OF MAINE

RATIFICATION OF NATIONAL PROHIBITION AMENDMENT

In the Year of Our Lord One Thousand Nine Hundred and Nineteen

A Resolve Ratifying Proposed Amendment to the Constitution of the United States, Prohibiting "The Manufacture, Sale, or Transportation of Intoxicating Liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof."

Resolved, Whereas, the Sixty-fifth Congress of the United States of America at the second session begun and held at the city of Washington the third day of December, one thousand nine hundred and seventeen adopted a Joint Resolution proposing an amendment to the Constitution of the United States, to wit:

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), that the following Amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the Legislatures of the several States as provided by the Constitution:

'ARTICLE _____

'Section 1. After one year from the ratification of this article the manufacture, sale or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

'Sec. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

'Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.'

Therefore, Resolved that the legislature of the State of Maine hereby ratifies and adopts this proposed Amendment to the Constitution of the