

1
No 22

State of Maine.

Resolved providing for an amendment of the constitution so as to allow soldiers absent from the State to vote for governor, senators, representatives and county officers.

Resolved,

Two thirds of both houses concurring and deeming it necessary, that the following be proposed as amendments to the constitution of this State, which, when approved and adopted in the manner provided by the constitution, shall become a part thereof, viz:

Section one of Article two shall be amended by adding thereto the following words: "No person, however, shall be deemed to have lost his residence by reason of his absence from the State in the military service of the United States, or of this State," ~~and no person shall be deemed to have lost his residence by reason of his absence from the State in the military service of the United States, or of this State~~

Section four of Article two shall be amended by adding thereto the following provisions:

"But citizens of the State absent therefrom in the military service of the United States or of this State, and not in the regular army of the United States, being otherwise qualified electors, shall be allowed to vote on the Tuesday next after the first Monday of November in the year of our Lord one thousand eight hundred and sixty four, for Governor and Senators, and their votes shall be counted and allowed in the same manner, and with the same effect, as if given on the second Monday of September in that year. And they shall be allowed to vote for Governor, Senators, and Representatives, on the second Monday of September annually thereafter forever, in the manner herein provided.

On the day of election a poll shall be opened at every place without this State where a regiment, battalion, battery, company, or detachment of not less than twenty soldiers from the State of Maine, may be found or stationed, and every citizen of said State, of the age of twenty one years, in such military service, shall be entitled to vote as aforesaid; and he shall be considered as voting in the city, town, plantation, and county in this State where he resided when he entered the service. The vote shall be taken by regiments when it can conveniently be done; when not so convenient, any detachment or part of a regiment, not less than twenty in number, and any battery or part thereof numbering twenty or more, shall be entitled to vote wherever they may be. The three

ranking officers of such regiment, battalion, battery, company, or part of either, as the case may be, acting as such on the day of election, shall be supervisors of elections. If no officers, ^{then} three non-commissioned officers according to their seniority, shall be such supervisors. If any officer or non-commissioned officer shall neglect or refuse to act, the next in rank shall take his place. In case ^{or either of them,} there are no officers or non-commissioned officers present, or if ~~present~~ they refuse to act, the electors present, not less than twenty, may choose by written ballot enough of their own number, not exceeding three, ^{to fill vacancies, and the persons so chosen} ~~shall be supervisors of elections.~~ All supervisors shall be first sworn to support the constitution of the United States and of this State, and faithfully and impartially to perform the duties of supervisors of elections. Each is authorized to administer the necessary oath to the others; and certificates thereof shall be annexed to the lists of votes by them to be made and returned into the office of the Secretary of State of this State as hereinafter provided. The polls shall be opened and closed at such hours as the supervisors, or a majority of them, shall direct: Provided, however, that due notice and sufficient time shall be given for all voters in the regiment, battalion, battery, detachment, company, or part of either, as the case may be, to vote. Regimental and field officers shall be entitled to vote with their respective commands. When not in actual command, such officers, and also all general ~~officer~~ and staff officers, and all surgeons, assistant surgeons and chaplains, shall be entitled to vote at any place where polls are open.

The supervisors of elections shall prepare a ballot-box, or other suitable receptacle for the ballots. Upon one side of every ballot shall be printed or written the name of the county, and also of the city, town or plantation of this State in which is the residence of the person proposing to vote. Upon the other side shall be the name or names of the persons to be voted for, and the office or offices which he or they are intended to fill. And before receiving any vote, the supervisors, or a majority of them, must be satisfied of the age and citizenship of the person claiming to vote, and that he has in fact a residence in the County, city, town or plantation which are printed or written on the vote offered by him. If his right to vote is challenged, they may require him to make true answers upon oath to all interrogatories touching his age, citizenship, residence, and right to vote, and shall hear any other evidence offered by him, or by those who challenge his right. They shall keep correct poll-lists of the names of all persons allowed to vote, and of their respective places of residence in this State, and also the number of the regiment and company, ^{or battery,} to which they belong; which lists shall be

certified by them, or by a majority of them, to be correct, and that such residence is in accordance with the indorsement of the residence of each voter on his vote. They shall ~~keep~~ check the name of every person before he is allowed to vote, and the check-mark shall be plainly made against his name on the poll-lists. They shall sort, count and publicly declare the votes at the head of their respective commands, on the day of the election, unless prevented by the public enemy, and, in that case, as soon thereafter as may be; and on the same day of said declaration they shall form a list of the persons voted for, with the number of votes for each person against his name, and the office which he was intended to fill, and shall sign and seal up such list and cause the same, together with the poll-lists aforesaid, to be delivered into the office of the secretary of State aforesaid, on or before the first day of December in the year one thousand eight hundred and sixty four, and on or before the fifteenth day of November annually thereafter forever.

The legislature of this State may pass any law additional to the foregoing provisions, if any shall, in practice, be found necessary, in order ~~to~~ more fully to carry into effect the purpose thereof."

Section five of Article four, part first, shall be amended by inserting after the word "meetings", in the first line, the words, "within this State". The same section shall also be amended by striking out all after the words "town meeting" in the tenth line (as printed in the revised statutes of 1857,) to, and including, the word "election", in the thirteenth line. The same ^{section} ~~section~~ shall also be amended by striking out all ~~after the word "constitution"~~ after the word "constitution" in the twenty first line, and inserting in place thereof the following provisions: "And fair copies of the lists of votes shall be attested by the selectmen and town clerks of towns, and the assessors of plantations, and sealed up in open town and plantation meetings; and the town and plantation clerks respectively, shall cause the same to be delivered into the secretary's office thirty days at least before the first Wednesday of January, annually. And the Governor and Council shall examine the returned copies of such lists, and ^{also} all lists of votes of citizens in the military service returned to the secretary's office as provided in the amendment to Article Second, Section four of this constitution; and twenty days before the said first Wednesday of January annually shall issue a summons to such persons as shall appear to be elected by a plurality of all the votes returned, to attend and take their seats. But all such lists shall be laid before the house of representatives

on the first Wednesday of January annually, and they shall finally determine who are elected."

Section three of Article four, part second, shall be amended by inserting after the word "meetings" in the first line, the words "~~within~~ this State".

Section four of Article four, part second, shall be amended by adding after the word "lists" in the second line, the words, "and also the lists of votes of citizens in the military service, returned into the Secretary's office." The same section shall also be amended, ^{in the last line} by striking out the word "in," and inserting in place thereof the word "for."

Section three of Article five, part first, shall be amended by adding after the words "Senate and House of Representatives," the words "and also the lists of votes of citizens in the military service, returned into the Secretary's office."

Article first of the amendments to the constitution of this State heretofore adopted, shall be amended by striking out all after the word "polls" in the thirteenth line, to and including the word "election" in the twenty first line.

Article ninth of said amendments shall be amended by adding at the end thereof the following provisions: "Sec. 11 But citizens of this State absent therefrom in the military service of the United States or of this State, and not in the regular army of the United States, being otherwise qualified electors, shall be allowed to vote for judges and Registers of Probate, Sheriffs, and all other county officers, on the Tuesday next after the first Monday in November in the year one thousand eight hundred and sixty four, and their votes shall be counted and allowed in the same manner and with the same effect as if given on the second Monday of September in that year. And they shall be allowed to vote for all such officers on the second Monday in September annually thereafter forever. And the ^{votes} ~~ballots~~ shall be ^{given} ~~held~~ at the same time and ~~mode~~ in the same manner, and the names of the several candidates shall be printed or written on the same ballots with those for Governor, Senators and representatives, as provided in the amendment to section four of Article Second of this constitution."

thereupon issue his proclamation making known the fact; and shall
 cause the same to be published, ^{in, which is successively} in the State paper at Augusta, in each of the daily papers published
~~at Bangor, and in each of the daily papers at~~ and
 Portland, and in the Lewiston Daily Journal at Lewiston, for
~~the purpose of an~~

Resolved,
 That the polls shall be opened on the second Monday
 of September next, at nine o'clock ^{in the fore noon} in all the cities, towns and planta-
 tions in this State, and shall be kept open until ^{six o'clock in the afternoon} ~~the polls shall be~~
~~closed~~, and no adjournment or intermission whatever shall take place
 until the same be closed.

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

In Senate March 19 1864
 Read twice and passed to be engrossed. Sdfe
 C. C. Breckinridge Secretary

House of Reps Mar 22. 1864
 Read twice and passed wh
 engrossed in concurren
 H. C. Breckinridge
 Clerk