

# CONSTITUTION OF MAINE

## 1820

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WE the people of Maine, in order to establish justice, ensure Preamble. tranquillity, provide for our mutual defence, promote our common welfare, and secure to ourselves and our posterity the blessings of Liberty, acknowledging with grateful hearts the goodness of the Sovereign Ruler of the Universe in affording us an opportunity, so favorable to the design; and, imploring his aid and direction in its accomplishment, do agree to form ourselves into a free and independent State, by the style and title of the State of Maine, and do ordain and establish the following Constitution for the government of the same.

### ARTICLE I.

#### DECLARATION OF RIGHTS.

SECT. 1. All men are born equally free and independent, and have certain natural, inherent and unalienable Rights, Natural rights. among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and of pursuing and obtaining safety and happiness.

SECT. 2. All power is inherent in the people; all free All power inherent in the people. 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.

SECT. 3. All men have a natural and unalienable right to Freedom of worship. worship Almighty God according to the dictates of their own consciences, and no one shall be hurt, molested or restrained in his person, liberty or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience, nor for his religious professions or sentiments, provided he does not disturb the public peace, nor obstruct others in their religious worship;—and all persons demeaning All religious sects equal. themselves peaceably, as good members of the State, shall be

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Elections on the first Wednesday of January may be adjourned from day to day.

SECT. 4. And in case the elections, required by this Constitution on the first Wednesday of January annually, by the two Houses of the Legislature, shall not be completed on that day, the same may be adjourned from day to day, until completed, in the following order: the vacancies in the Senate shall first be filled; the Governor shall then be elected, if there be no choice by the people; and afterwards the two Houses shall elect the Council.

Every civil officer may be removed by impeachment or address.

SECT. 5. Every person holding any civil office under this State, may be removed by impeachment, for misdemeanor in office; and every person holding any office, may be removed by the Governor with the advice of the Council, on the address of both branches of the Legislature. But before such address shall pass either House, the causes of removal shall be stated and entered on the journal of the House in which it originated, and a copy thereof served on the person in office, that he may be admitted to a hearing in his defence.

Tenure of office.

SECT. 6. The tenure of all offices, which are not or shall not be otherwise provided for, shall be during the pleasure of the Governor and Council.

Valuation.

SECT. 7. While the public expences shall be assessed on polls and estates, a general valuation shall be taken at least once in ten years.

Real Estate to be taxed according to its value.

SECT. 8. All taxes upon real estate, assessed by authority of this State, shall be apportioned and assessed equally, according to the just value thereof.

ARTICLE X.

SCHEDULE.

Meeting of first Legislature.

SECT. 1. The first Legislature shall meet on the last Wednesday in May next. The elections on the second Monday in September annually shall not commence until the year one thousand eight hundred and twenty one, and in the mean time the election for Governor, Senators and Representatives shall be on the first Monday in April, in the year of our Lord one thousand eight hundred and twenty, and at this election, the same proceedings shall be had as are required at the elections, provided for in this Constitution on the second Monday in September annually, and the lists of the votes for the Governor and Senators shall be transmitted, by the town and plantation clerks respectively, to the Secretary of State *pro tempore*, seventeen days at least before the last Wednesday in May next, and the President of the Convention shall, in presence of the Secretary of State, *pro tempore* open and examine the attested copies of said lists, so returned for Senators, and shall have all

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the powers, and be subject to all the duties, in ascertaining, notifying, and summoning the Senators, who appear to be elected, as the Governor and council have, and are subject to, by this Constitution: *Provided*, He shall notify said Senators fourteen days at least before the last Wednesday in May, and vacancies shall be ascertained and filled in the manner herein provided; and the Senators to be elected on the said first Senators apportioned, Monday of April, shall be apportioned as follows:

- The County of York shall elect three.
- The County of Cumberland shall elect three.
- The County of Lincoln shall elect three.
- The County of Hancock shall elect two.
- The County of Washington shall elect one.
- The County of Kennebec shall elect three.
- The County of Oxford shall elect two.
- The County of Somerset shall elect two.
- The County of Penobscot shall elect one.

And the members of the House of Representatives shall be elected, ascertained, and returned in the same manner as herein And representatives. provided at elections on the second Monday of September, and the first House of Representatives shall consist of the following number, to be elected as follows:

**COUNTY OF YORK.**

York.

The towns of York and Wells may *each* elect two representatives; and each of the remaining towns may elect one.

**COUNTY OF CUMBERLAND.**

Cumberland.

The town of Portland may elect three representatives; North-Yarmouth, two; Brunswick, two; Gorham, two; Freeport and Pownal, two; Raymond and Otisfield, one; Bridgton, Baldwin and Harrison, one; Poland and Danville, one; and each remaining town one.

**COUNTY OF LINCOLN.**

Lincoln.

The towns of Georgetown and Phipsburg, may elect one representative; Lewiston and Wales, one; St. George, Cushing and Friendship, one; Hope and Appleton Ridge, one; Jefferson, Putnam and Patricktown plantation, one; Alna and Whitfield, one; Montville, Palermo, and Montville plantation, one; Woolwich and Dresden, one; and each remaining town one.

**COUNTY OF HANCOCK.**

Hancock.

The town of Bucksport may elect one representative; Deer Island, one; Castine and Brooksville, one; Orland and Penobscot, one; Mount Desert and Eden, one; Vinalhaven and Isleborough, one; Sedgwick and Bluehill, one; Goulds-

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borough, Sullivan and plantations No. 8 and 9 north of Sullivan, one; Surry, Ellsworth, Trenton and plantation of Mariaville, one; Lincolnville, Searsmont and Belmont, one; Belfast and Northport, one; Prospect and Swanville, one; Frankfort and Monroe, one; Knox, Brooks, Jackson and Thorndike, one.

Washington.

COUNTY OF WASHINGTON.

The towns of Steuben, Cherryfield and Harrington, may elect one representative; Addison, Columbia and Jonesborough, one; Machias, one; Lubec, Dennysville, Plantations No. 9, No. 10, No. 11, No. 12, one; Eastport, one; Perry, Robinston, Calais, Plantations No. 3, No. 6, No. 7, No. 15, and No. 16, one.

Kennebec.

COUNTY OF KENNEBEC.

The towns of Belgrade and Dearborn may elect one representative; Chesterville, Vienna and Rome, one; Wayne and Fayette, one; Temple and Wilton, one; Winslow and China, one; Fairfax and Freedom, one; Unity, Jopand 25 mile pond plantation, one; Harlem and Malta, one; and each remaining town one.

Oxford

COUNTY OF OXFORD.

The towns of Dixfield, Mexico, Weld and Plantations Nos. 1 and 4, may elect one representative; Jay and Hartford, one; Livermore, one; Rumford, East Andover and Plantations Nos. 7 and 8, one; Turner, one; Woodstock, Paris and Greenwood, one; Hebron and Norway, one; Gilead, Bethel, Newry, Albany and Howard's gore, one; Porter, Hiram and Brownfield, one; Waterford, Sweden and Lovell, one; Denmark, Fryeburg and Fryeburg addition, one; Buckfield and Sumner, one.

Somerset.

COUNTY OF SOMERSET.

The town of Fairfield may elect one representative; Norridgwock and Bloomfield, one; Starks and Mercer, one; Industry, Strong and New-Vineyard, one; Avon, Phillips, Freeman and Kingfield, one; Anson, New-Portland, Embden, and Plantation No. 1, one; Canaan, Warsaw, Palmyra, St. Albans and Corinna, one; Madisen, Solon, Bingham, Moscow and Northhill, one; Cornville, Athens, Harmony, Ripley, and Warrenstown, one.

Penobscot.

COUNTY OF PENOBSCOT.

The towns of Hampden and Newburg may elect one representative; Orrington, Brewer, and Eddington and Plantations adjacent on the east side of Penobscot river, one; Bangor,

Orono and Sunkhaze Plantation, one; Dixmont, Newport, Carmel, Hermon, Stetson, and Plantation No. 4, in the 6th range, one; Levant, Corinth, Exeter, New-Charlestown, Blakesburg, Plantation No. 1 in 3d range, and Plantation No. 1 in 4th range, one; Dexter, Garland, Guilford, Sanger-ville, and Plantation No. 3, in 6th range, one; Atkinson, Sebec, Foxcroft, Brownville, Williamsburg, Plantation No. 1, in 7th range, and Plantation No. 3, in 7th range, one.

And the Secretary of State *pro tempore* shall have the same powers, and be subject to the same duties, in relation to the votes for Governor, as the Secretary of State has, and is subject to, by this Constitution: and the election of Governor shall, on the said last Wednesday in May, be determined and declared, in the same manner, as other elections of Governor are by this Constitution; and in case of vacancy in said office, the President of the Senate, and Speaker, of the House of Representatives, shall exercise the office as herein otherwise provided, and the Counsellors, Secretary and Treasurer, shall also be elected on said day, and have the same powers, and be subject to the same duties, as is provided in this Constitution; and in case of the death or other disqualification of the President of this Convention, or of the Secretary of State *pro tempore*, before the election and qualification of the Governor or Secretary of State under this Constitution, the persons to be designated by this Convention at their session in January next, shall have all the powers and perform all the duties, which the President of this Convention, or the Secretary *pro tempore*, to be by them appointed, shall have and perform.

Powers and duties of Secretary of State *pro tem.* in relation to the votes.

**SECT. 2.** The period for which the Governor, Senators and Representatives, Counsellors, Secretary and Treasurer, first elected or appointed, are to serve in their respective offices and places, shall commence on the last Wednesday in May, in the year of our Lord one thousand eight hundred and twenty, and continue until the first Wednesday of January, in the year of our Lord one thousand eight hundred and twenty two.

Duration of the first Legislature

**SECT. 3.** All laws now in force in this state, and not repugnant to this Constitution, shall remain, and be in force, until altered or repealed by the Legislature, or shall expire by their own limitation.

Laws now in force continue until repealed.

**SECT. 4.** The Legislature, whenever two thirds of both houses shall deem it necessary, may propose amendments to this Constitution; and when any amendment shall be so agreed upon, a resolution shall be passed and sent to the selectmen of the several towns, and the assessors of the several plantations, empowering and directing them to notify the inhabitants of their respective towns and plantations, in the manner prescribed by law, at their next annual meetings in the month of September, to give in their votes on the question, whether such

Constitution how it may be amended.