

# HOUSE . . . No. 1273

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## The Commonwealth of Massachusetts.

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HOUSE OF REPRESENTATIVES, February 11, 1924.

The committee on Rules, to whom was referred the order (presented by Mr. Shattuck of Boston on February 4) relative to requesting the opinion of the Justices of the Supreme Judicial Court as to the meaning of "legal voter" in connection with the taking of the decennial census, report that the same ought to be adopted.

For the committee,

MARTIN HAYS.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Twenty-Four.

*Whereas*, There is pending before the General Court a bill (House, No. 199) providing for the taking of the decennial census in the year nineteen hundred and twenty-five, in pursuance of the provisions of Articles XXI and XXII of the Amendments to the Constitution of the Commonwealth, which provide that in said census a special enumeration shall be made of the legal voters, and in each city such enumeration shall specify the number of legal voters aforesaid residing in each ward of such city, and further that the enumeration aforesaid shall determine the apportionment of state representatives and senators by the General Court; and

*Whereas*, Doubt exists as to the meaning and scope of the term "legal voters" as used in said provisions of the Constitution and as also contained in said bill providing for the taking of said census, and as to the power of the General Court to define the term "legal voters", and until said doubt is dispelled by a more authoritative determination of the meaning of said words than now exists the General Court cannot intelligently obey the mandate of the Constitution in providing for the taking of said census and of said enumeration of legal voters; therefore be it

*Ordered*, That the opinion of the Justices of the Supreme Judicial Court be required on the following important questions of law:—

1. What is the meaning and scope of the term "legal voters" as used in the articles of the Amendments to the Constitution referred to?

2. Do the words "legal voters" as used in the Constitution mean those persons possessing the qualifications of voters as defined in the Constitution, whether or not duly registered as such; or do they mean those persons who, having such qualifications, have proved them by taking the necessary steps to become duly recorded on lists of registered voters of the several cities and towns?

3. Has the General Court the power, in providing for the enumeration of legal voters, to define those words to mean citizens of the Commonwealth who are duly qualified to vote under the Constitution and laws of the Commonwealth and whose names are duly recorded on lists of registered voters of the several cities and towns?

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HOUSE OF REPRESENTATIVES, February 11, 1924.

Adopted.

JAMES W. KIMBALL,

*Clerk.*

The first part of the report is devoted to a general  
 description of the country and its resources. It  
 is followed by a detailed account of the  
 various industries and occupations of the  
 people. The report then proceeds to a  
 description of the climate and the  
 diseases which are prevalent in the  
 country. It concludes with a list of the  
 principal towns and villages in the  
 district.

The following table shows the population of the  
 district in the year 1871.

Total population 1871