
By Mr. Crane of Boston, petition of Charles Francis Mahoney for legislation to ascertain and carry out the will of the people relative to the calling and holding of a constitutional convention. Constitutional Law.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Two.

AN ACT TO ASCERTAIN AND CARRY OUT THE WILL OF THE PEOPLE
RELATIVE TO THE CALLING AND HOLDING OF A CONSTITUTIONAL
CONVENTION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. For the purpose of ascertaining the will of the
2 people of the commonwealth with reference to the calling and
3 holding of a constitutional convention, the secretary of the com-
4 monwealth shall cause to be placed on the official ballot to be
5 used at the biennial state election in the year nineteen hundred
6 and sixty-two the following question:—“Shall there be a con-
7 vention to revise, alter or amend the constitution of the common-
8 wealth?” The votes upon said question shall be received,
9 sorted, counted, declared and transmitted to the secretary of
10 the commonwealth, laid before the governor and council, and by
11 them opened and examined, in accordance with the laws relating
12 to votes for state officers so far as they are applicable. The
13 governor shall, by public proclamation, on or before the first
14 Wednesday in January in the year following said state election
15 make known the result by declaring the number of votes in the
16 affirmative and the number in the negative; and if it shall appear
17 that a majority of said votes is in the affirmative, it shall be
18 deemed and taken to be the will of the people that such conven-
19 tion be called and held to revise, alter or amend the constitu-
20 tion, and in his proclamation the governor shall call upon the
21 general court and the people to choose and elect delegates to the
22 convention in the manner prescribed by this act.

1 SECTION 2. The number of delegates to be chosen and elected
2 to the convention shall be one hundred and twenty, of whom
3 ten shall be chosen by ballot of the representatives on or before
4 the first Monday in May in the year nineteen hundred and sixty-
5 three, all of whom shall be, at the time chosen, members of the
6 house of representatives and no more than six of whom shall be
7 of the same political party; ten shall be chosen by ballot of the
8 senators on or before the said day, all of whom shall be, at the
9 time chosen, members of the senate and no more than six of
10 whom shall be of the same political party; twenty shall be elected
11 at large in the manner prescribed by this act; and eighty shall
12 be elected by the forty senatorial districts of the commonwealth
13 existing on the effective date of this act, to wit, two by each
14 district, in the manner prescribed by this act.

1 SECTION 3. Nomination of candidates for election at large or
2 by senatorial districts for the office of delegate to the consti-
3 tutional convention shall be made by nomination papers without
4 party or political designation, which shall be signed in the ag-
5 gregate by not fewer than twenty-five hundred voters for each
6 candidate at large and by not fewer than five hundred voters
7 resident in a senatorial district for each candidate for delegate
8 from that senatorial district. Said papers shall be filed on or
9 before five o'clock in the afternoon on the first Tuesday in March
10 in the year nineteen hundred and sixty-three. No member of
11 the general court on the first Tuesday in March aforesaid shall
12 be a candidate for election as a delegate at large or by a senatorial
13 district. No person shall be a candidate for delegate both at
14 large and from a senatorial district. If nomination papers for
15 nomination for delegate both at large and from a senatorial dis-
16 trict are filed in behalf of a candidate, and if, within seventy-two
17 hours after five o'clock in the afternoon of the first Tuesday in
18 March aforesaid, he withdraws one nomination, the remaining
19 nomination shall be valid. No person shall be a candidate for
20 delegate from a senatorial district in which he does not reside.

1 SECTION 4. If in the commonwealth at large, or in any sena-
2 torial district, the number of persons nominated by nomination
3 papers equals or exceeds three times the number to be elected
4 delegates as provided by section two, a non-partisan prelimi-

5 nary election shall be held in the commonwealth, or in such
6 senatorial district, on the first Tuesday of April in the year
7 nineteen hundred and sixty-three. At such preliminary election,
8 twice the number of persons to be elected delegates shall be
9 chosen from those nominated by nomination papers, and those
10 so chosen shall be deemed nominated as candidates for dele-
11 gates. The names of those nominated by nomination papers and
12 those nominated as candidates in the preliminary election where
13 such election was necessary shall appear on the ballot at a special
14 election of delegates to the constitutional convention, to be held
15 in all cities and towns of the commonwealth on the first Tuesday
16 in May in the year nineteen hundred and sixty-three.

1 SECTION 5. At the special election of delegates to the con-
2 stitutional convention, and at the preliminary election held under
3 the provisions of section four, every person then entitled to vote
4 for state officers shall have the right to vote for ten delegates at
5 large and for one delegate from his or her senatorial district. The
6 number of delegates of each class for which the voter has the
7 right to vote shall appear on the official ballot. The names of
8 candidates for the office of delegate in each class shall be printed
9 upon the official ballot in the order in which they may be drawn
10 by the secretary of the commonwealth, whose duty it shall be
11 to make such drawing before each election and to give each
12 candidate an opportunity to be present at such drawing per-
13 sonally or by one representative. No party or political designa-
14 tion shall appear on said ballot.

1 SECTION 6. The persons chosen and elected delegates shall
2 meet in convention in the State House in Boston on the second
3 Monday in July in the year nineteen hundred and sixty-three.
4 They shall be the judges of the returns and election of their own
5 members, and may adjourn from time to time and hold sessions
6 in other places within the commonwealth; and sixty-one of the
7 persons chosen and elected shall constitute a quorum for the
8 transaction of business. They shall be called to order by the
9 governor, and shall proceed to organize themselves in conven-
10 tion, by choosing a president and such other officers and such
11 committees as they may deem expedient, and by establishing
12 rules of procedure; and when organized they may take into

13 consideration the propriety and expediency of revising, altering
14 or amending the present constitution of the commonwealth.
15 Every revision, alteration or amendment made and adopted by
16 said convention shall be submitted to the people for their ratifi-
17 cation and adoption in such manner as the convention shall
18 direct; and if ratified and adopted by the people in the manner
19 so directed, the constitution shall be deemed and taken to be
20 revised, altered or amended accordingly; and if not so ratified
21 and adopted the present constitution shall be and remain the
22 constitution of the commonwealth.

1 SECTION 7. The convention shall be provided, at the expense
2 of the commonwealth, with suitable quarters and facilities for
3 exercising its functions. It shall establish the compensation of
4 its officers and members, which shall not exceed one thousand
5 dollars for each member of the convention as such. It shall,
6 subject to the approval of the governor, provide for such other
7 expenses of its officers and members and for its session as it shall
8 deem expedient, and may cause to be prepared and issued a
9 statement briefly setting forth such arguments as the conven-
10 tion may see fit relative to any revision, alteration, amendment
11 or rearrangement of the constitution adopted by it. The gover-
12 nor is authorized to draw his warrant on the treasury for any
13 of the foregoing expenses.

1 SECTION 8. The provisions of section twenty-one and twenty-
2 two of chapter thirty of the General Laws shall not apply to the
3 salary of delegate to the constitutional convention authorized
4 by the people pursuant to this act.

1 SECTION 9. If the public proclamation pursuant to section
2 one of this act shall declare that a majority of the votes is in the
3 affirmative, the governor shall, on the second Wednesday in
4 January in the year nineteen hundred and sixty-three, appoint a
5 special commission, which shall be known as the Massachusetts
6 constitutional convention preparatory commission and shall be
7 composed of five learned and discreet persons. No more than
8 three of the members of said commission shall be members of
9 the same political party. The governor shall designate one of
10 the members to act as chairman. If any vacancy shall occur in

11 the membership of said commission the governor shall forthwith
12 appoint a successor. The commission shall compile and render
13 accessible, in convenient form and arrangement, such informa-
14 tion, data and material as may aid the convention in the dis-
15 charge of its duties. Each member of the commission shall re-
16 ceive as compensation the sum of five thousand dollars. In the
17 discharge of its duties, the commission may incur such expenses
18 for research, legal, clerical, printing, travel and other purposes
19 as the governor may approve, not to exceed in all the sum of
20 seventy-five thousand dollars. The provisions of the law relat-
21 ing to civil service shall not apply to persons employed by said
22 commission. The commission shall be provided with suitable ac-
23 commodations in the state house or in other premises owned or
24 leased by the commonwealth and shall have the same right of
25 access to the state library as the members of the general court.

1 SECTION 10. The secretary of the commonwealth is hereby
2 directed to transmit forthwith printed copies of this act to the
3 selectmen of each town and the mayor of each city within the
4 commonwealth; and whenever the governor shall issue his procla-
5 mation, calling upon the people to elect delegates, the secretary
6 shall also, immediately thereafter, transmit printed copies of
7 said proclamation, attested by him, to the selectmen and mayors.

1 SECTION 11. All laws relating to nominations and nomina-
2 tion papers, and to primaries, elections and corrupt practices
3 therein shall, so far as is consistent herewith, apply to the nomi-
4 nation of candidates for delegates to the convention, and to the
5 preliminary and special election provided for by this act.

1 SECTION 12. This act shall take effect upon its passage.

1. The first thing I noticed when I stepped
 out of the car was the smell of the
 city. It was a mix of old and new,
 of history and progress. The air was
 thick with the scent of the past, but
 also with the promise of the future.
 I had heard that the city was a
 place of contrasts, a place where the
 old and the new coexisted in a
 delicate balance. And now I was
 here, in the heart of it all. The
 streets were wide and grand, lined
 with tall buildings that reached
 towards the sky. The architecture was
 a blend of styles, from the classical
 to the modern. It was a city that
 had grown and changed over the
 years, but always with a sense of
 continuity. I had come to a place
 that was both familiar and new, a
 place that had shaped the lives of
 millions of people. I was here, in
 the heart of it all, and I was
 ready to explore it all.

2. The second thing I noticed was the
 sound of the city. It was a symphony
 of noise, a constant hum of activity.
 The streets were filled with the
 sound of cars, of people, of life.
 It was a sound that was both
 chaotic and harmonious, a sound that
 was the heartbeat of the city. I
 had heard that the city was a place
 of energy, a place where the
 spirit of the city was always
 alive. And now I was here, in
 the heart of it all, and I was
 ready to experience it all.

3. The third thing I noticed was the
 sight of the city. It was a sight
 that was both beautiful and
 awe-inspiring. The buildings were
 tall and grand, reaching towards
 the sky. The streets were wide and
 grand, lined with tall buildings
 that reached towards the sky. The
 architecture was a blend of styles,
 from the classical to the modern.
 It was a city that had grown and
 changed over the years, but always
 with a sense of continuity. I had
 come to a place that was both
 familiar and new, a place that had
 shaped the lives of millions of
 people. I was here, in the heart
 of it all, and I was ready to
 explore it all.

4. The fourth thing I noticed was the
 taste of the city. It was a taste
 that was both delicious and
 comforting. The food was a mix
 of old and new, of history and
 progress. The air was thick with
 the scent of the past, but also
 with the promise of the future. I
 had heard that the city was a
 place of contrasts, a place where
 the old and the new coexisted in
 a delicate balance. And now I was
 here, in the heart of it all, and I
 was ready to experience it all.

5. The fifth thing I noticed was the
 feel of the city. It was a feel that
 was both warm and welcoming.
 The people were friendly and
 helpful, always ready to assist
 you. The air was thick with the
 scent of the past, but also with
 the promise of the future. I had
 heard that the city was a place
 of contrasts, a place where the
 old and the new coexisted in a
 delicate balance. And now I was
 here, in the heart of it all, and I
 was ready to experience it all.

6. The sixth thing I noticed was the
 sight of the city. It was a sight
 that was both beautiful and
 awe-inspiring. The buildings were
 tall and grand, reaching towards
 the sky. The streets were wide and
 grand, lined with tall buildings
 that reached towards the sky. The
 architecture was a blend of styles,
 from the classical to the modern.
 It was a city that had grown and
 changed over the years, but always
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