

HOUSE...No. 152.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, March 8, 1859.

The Committee on Federal Relations, to whom was referred the Amendment of the Constitution concerning naturalized citizens, report the accompanying Resolves, submitting the said Amendment of the Constitution to the people for their approval and adoption.

Per Order,

H. C. RICE.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Fifty-Nine.

RESOLVE

Concerning the Amendment to the Constitution.

Resolved, That the following article of Amendment of the Constitution, having been agreed to by the last and present general courts, and published in the manner required by the constitution, be submitted to the people for their ratification and adoption:—

ARTICLE OF AMENDMENT.

No person of foreign birth shall be entitled to vote, or shall be eligible to office, unless he shall have resided within the jurisdiction of the United States for two years subsequent to his naturalization, and shall be otherwise qualified, according to the Constitution and laws of this Commonwealth: *provided*, that this amendment shall not affect the rights which any person of foreign birth possessed at the time of the adoption thereof: and *provided, further*, that it shall not affect the rights of any child of a citizen of the United States born during the temporary absence of the parent therefrom.

Resolved, That the people shall be assembled for the purpose aforesaid, in their respective cities and towns, in meetings to be legally warned, and held on Monday, the ninth day of May

next, at which meetings all the inhabitants, qualified to vote for senators and representatives in the general court, may give in their votes, by ballot, for or against said article of amendment; and the same officers shall preside in the said meetings as in the meetings for the choice of senators and representatives, and shall in open meeting, receive, sort, count, and declare the votes of the inhabitants, for and against the same; and the said votes shall be recorded by the clerks of said cities and towns, and true returns thereof shall be made out, under the hands of the mayor and aldermen of the several cities, and of the selectmen or a major part of them, and of the clerks of the said cities and towns, respectively, and sealed up and delivered to the sheriff of the county, within three days after the said meeting, to be by him transmitted to the office of the secretary of the Commonwealth, within seven days after receiving the same; or the said mayors and aldermen, and selectmen, respectively, shall themselves transmit the same to the said office within ten days after the said meetings: *provided*, that in the several cities, the meetings held under this resolve shall be conducted according to the provisions of the Acts establishing the same, and of the several Acts in addition thereto. The said meetings shall be deemed to be legally warned or notified, if due notice thereof be given on or before the second day of May next previous thereto.

Resolved, That every person qualified to vote as aforesaid, may express his opinion on said article of amendment, without expressing in his ballot the contents of said article, but the form of said ballot shall be as follows: "Amendment to the Constitution, Yes or No." And if said article shall appear to be approved by a majority of the persons voting thereon, it shall be deemed and taken to be ratified and adopted by the people.

Resolved, That his excellency the governor and the council, shall forthwith open and examine the votes returned as aforesaid; and if it shall appear that said article of amendment has been approved by a majority of the persons voting thereon, according to the votes returned and certified as aforesaid, the same shall be enrolled on parchment and deposited in the sec-

retary's office as a part of the constitution of this Commonwealth, and shall be published in immediate connection therewith, numbered according to its numerical position, with the articles of amendment of the constitution heretofore adopted, in all future editions of the laws of this Commonwealth, printed by public authority.

Resolved, That his excellency the governor be, and he hereby is, authorized and requested to issue his proclamation forthwith, after examination of the votes returned as aforesaid, writing said article of amendment and announcing that said article has been duly adopted and ratified by the people of this Commonwealth and has become a part of the constitution thereof, and requiring all magistrates and officers, and all citizens of the said Commonwealth to take notice thereof, and govern themselves accordingly; or that the said article of amendment has been rejected, as the case may be.

Resolved, That a printed copy of these resolves, including the said article of amendment, and blank forms of the returns of votes on said article, shall be transmitted, as soon as may be, by the secretary of the Commonwealth, to the mayors and aldermen of the several cities, and to the selectmen of the several towns of this Commonwealth.