

SENATE.....No. 7.

The Committee of both Houses, to whom were referred the Returns of votes from the city of Boston, and the several Towns and Districts of the Commonwealth, upon the proposed Article of Amendment of the Constitution, which was submitted to the people for their adoption and ratification or rejection, pursuant to the provisions of a Resolve of the seventh of March, one thousand eight hundred and thirty one, have attended to the duty assigned them, and ask leave to

REPORT :

That they have opened and carefully examined all the said returns of votes which they found had been duly transmitted to the secretary's office, from the city of Boston, and the several towns and districts of the Commonwealth, upon the said proposed Article of Amendment to the Constitution. The Committee found that no returns had been made to the said office from the towns of Granville and Southwick, in the county of Hampden,—from the town of Ward, in the county of Worcester,—from the towns of Freetown and Mansfield in the county of Bristol, from the town of Wareham, in the county of Plymouth, from the town of Chatham in the county of Barnstable, and from the towns of Edgartown and Tisbury in Duke's County. The Committee

also found that the returns from the town of West Cambridge, in the County of Middlesex, and from the town of Lanesborough in the county of Berkshire, were not made within the time prescribed by the said Resolve, and those returns have been rejected by the Committee. They also found, that the returns from the town of Buckland, in the county of Franklin, and from the town of Quincy in the county of Norfolk, were not signed by the selectmen of said towns; and that the returns from the town of Braintree in the county of Norfolk, and from the town of Fairhaven, in the county of Bristol, were not signed by the respective clerks of said towns, as required by the said resolve. These returns have also been rejected; but their rejection does not in any wise affect the general result. And upon a careful computation, the Committee find that the aggregate of all the votes duly and correctly returned, for and against the said article of amendment, is twenty five thousand seven hundred and eleven; of which nineteen thousand four hundred and thirty four are returned as yeas, and in favour of the adoption and ratification of the said Article of Amendment, and six thousand two hundred and seventy seven as nays, and against the adoption and ratification thereof. It appears, therefore, by the said returns, (a schedule whereof accompanies this report,) that the said article of amendment has been approved and ratified by a majority of the qualified voters of this Commonwealth, voting thereon, as required by the Constitution; and the said Article of Amendment has accordingly become a part of the Constitution of this Commonwealth, to go into operation on the first day of October next.

Therefore, in order to provide for the due enrolment

and preservation of the said Article of Amendment, and the regular and authentic promulgation of the same, to the people of this Commonwealth, the Committee recommend to the Legislature the passing of the Resolve which accompanies this Report, all which is respectfully submitted.

ASAHEL STEARNS, *Chairman.*

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RESOLVE

For the due enrollment and promulgation of the tenth Article of Amendment to the Constitution of this Commonwealth.

Whereas, the specific Article of Amendment, hereafter recited, was proposed in the General Court of this Commonwealth, elected and returned in the year of our Lord eighteen hundred and twenty nine, as an Amendment to the Constitution of the said Commonwealth, and was agreed to by a majority of the Senators and two thirds of the House of Representatives present and voting thereon and was thereupon entered upon the journals of the two houses, with the yeas and nays taken thereon; and was afterwards referred to the General Court elected and returned for the year eighteen hundred and thirty, and published as by the Constitution is required; And Whereas the said specific Article of Amendment was also agreed to by a majority of the Senators and two thirds of the House of Representatives of the last mentioned General Court present and voting thereon; And the said Article of Amendment was afterwards duly submitted to the people of the Commonwealth, in order that, if the same should be approved and ratified by a majority of the qualified voters, at meetings legally warned and held for that purpose, the same might become a part of the Constitution of this Commonwealth; And Whereas, it appears by the returns of the votes duly made and transmitted to the Secretary's office, from the City of Boston and the several towns and districts of the Commonwealth, that at meetings legally

warned and held for that purpose, in the said City, towns and districts, on the eleventh day of May last, the said specific Article of Amendment has been duly approved and ratified by a majority of the qualified voters of the said Commonwealth voting thereon, as required by the Constitution; and the said Article of Amendment has accordingly become a part of the Constitution of this Commonwealth, to go into operation on the first day of October next, to wit.

ARTICLE OF AMENDMENT.

“The political year shall begin on the first Wednesday of January, instead of the last Wednesday of May, and the General Court shall assemble every year on the said first Wednesday of January, and shall proceed at that session to make all the elections and do all the other acts which are by the Constitution, required to be made and done at the session which has heretofore commenced on the last Wednesday of May. And the General Court shall be dissolved on the day next preceding the first Wednesday of January, without any proclamation or other act of the Governor. But nothing herein contained shall prevent the general Court from assembling at such other times as they shall judge necessary, or when called together by the Governor. The governor, lieutenant governor and Counsellors shall also hold their respective offices for one year next following the first Wednesday of January, and until others are chosen and qualified in their stead.

The meeting for the choice of governor, lieutenant governor, senators and representatives shall be held on the second Monday of November in every year; but meetings may be adjourned, if necessary, for the choice

of representatives, to the next day, and again to the next succeeding day, but no further. But in case a second meeting shall be necessary for the choice of representatives, such meetings shall be held on the fourth Monday of the same month of November.

All the other provisions of the Constitution respecting the elections, and proceedings of the members of the General Court, or of any other offices or persons whatever that have reference to the last Wednesday of May as the commencement of the political year shall be so far altered as to have like reference to the first Wednesday of January.

This article shall go into operation on the first day of October next following the day when the same shall be duly ratified and adopted as an amendment of the Constitution; and the governor, lieutenant governor, counsellors, senators, representatives, and all other State officers who are annually chosen, and who shall be chosen for the current year when the same shall go into operation, shall hold their respective offices until the first Wednesday of January then next following, and until others are chosen and qualified in their stead, and no longer. And the first election of the governor, lieutenant governor, senators and representatives, to be had in virtue of this article, shall be had conformably thereunto, in the month of November following the day on which the same shall be in force and go into operation pursuant to the foregoing provision.

All the provisions of the existing Constitution inconsistent with the provisions herein contained, are hereby wholly annulled."

Resolved, That the above recited article of Amendment shall be enrolled on parchment, and deposited in the Secretary's office, as a part of the Constitution and Fundamental Law of this Commonwealth, and shall be published in immediate connexion therewith, as the tenth article of Amendment thereto, in all future editions of the laws of this Commonwealth printed by public authority. And in order that the said article of Amendment may be duly promulgated, without delay, to the people of this Commonwealth be it further

Resolved, That His Excellency the Governor be, and he hereby is, authorized and requested to issue his Proclamation, reciting the said article of Amendment and announcing that the same has been duly adopted and ratified by the people of this Commonwealth, and has become a part of the Constitution thereof, to go into operation on the first day of October next; and requiring all magistrates and officers, and all the citizens of the said Commonwealth to take notice thereof, and govern themselves accordingly.