

peace, be privileged from arrest on the days of election, during their attendance at, going to, and returning therefrom.

3. No elector shall be obliged to do duty in the militia on any day of election, except in time of war or public danger.

4. The election of governor, senators, and representatives shall be on the second Monday of September, annually, for ever.

ARTICLE 3.

Distribution of Powers.

§ 1. The powers of this government shall be divided into three distinct departments, *the legislative, executive, and judicial.*

2. No person or persons, belonging to one of these departments, shall exercise any of the powers properly belonging to either of the others, except in the cases herein expressly directed or permitted.

ARTICLE 4.—PART THE FIRST.

Legislative Power—House of Representatives.

§ 1. The legislative power shall be vested in two distinct branches ; a house of representatives and a senate, each to have a negative on the other : and both to be styled, the *Legislature of Maine* : and the style of their acts and laws shall be, "*Be it enacted by the Senate and House of Representatives in Legislature assembled.*"

2. The house of representatives shall consist of not less than one hundred, nor more than two hundred members, to be elected by the qualified electors for one year from the next day preceding the annual meeting of the legislature—which shall first be convened under this constitution, shall, on or before the fifteenth day of August, in the year of our Lord one thousand eight hundred and twenty-one, and the legislature within every subsequent period of at most ten years, and at least five, cause the number of the inhabitants of the state to be ascertained, exclusive of foreigners not naturalized, and Indians not taxed. The number of representatives shall, at the several periods of making such enumeration, be fixed and apportioned among the several counties, as near as may be, according to the number of inhabitants, having regard to the relative increase of population. The number of representatives shall, on said first apportionment, be not less than one hundred nor more than one hundred and fifty ; and whenever the number of representatives shall be two hundred, at the next annual meetings of elections, which shall thereafter be had, and at every subsequent period of ten years, the people shall give in their votes whether the number of representatives shall be increased or diminished ; and if a majority of votes are in favour thereof, it shall be the duty of the next legislature thereafter to increase or diminish the number by the rule hereinafter prescribed.

3. Each town having fifteen hundred inhabitants may elect one representative ; each town having three thousand seven hundred and fifty may elect two ; each town having six thousand seven hundred and fifty may elect three ; each town having ten thousand five hundred may elect four ; each town having fifteen thousand may elect five ; each town having twenty thousand two hundred and fifty may elect six ;