

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**This document is from the files of the Office of
the Maine Attorney General as transferred to
the Maine State Law and Legislative Reference
Library on January 19, 2022**

May 2, 1912

To Cyrus W. Davis, Secretary of State
Re: Women - Registers of Probate

. . . While the law appears to be plain that a woman would not be eligible to fill the office of register of probate, I do not know of any authority which the secretary of state has to pass upon the eligibility of candidates who present themselves to be voted for at the primary election. It would seem to me that the only proper course would be to place on the primary ballot the names of all candidates who present themselves in accordance with the primary law regardless of eligibility. The question of eligibility is one for the Courts to determine and would properly come before the Court in case of the election of a person whose eligibility was questioned.

To adopt any other construction of the law would be to put upon your office a duty and a responsibility which I know you would not wish to assume, unless compelled to do so, and, so far as I can see, there is no statute placing that burden upon you.

William R. Pattangall
Attorney General