

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)

STATE OF MAINE

REPORT

OF THE

ATTORNEY-GENERAL

FOR THE TWO YEARS ENDING

NOVEMBER 30, 1914.

WATERVILLE
SENTINEL PUBLISHING COMPANY

1915

POLITICAL PARTIES.—NOMINATION BY PARTY OF MEMBERS OF ANOTHER PARTY AT PRIMARY ELECTION.

1st April, 1914.

Hon. Joseph E. Alexander, Secretary of State, Augusta, Maine.

DEAR SIR: AS to whether members of a political party can nominate as one of the candidates of that party and have his name appear on their party ballot at the primary election, a member of some other political party, I have examined the text of the so-called primary law and am of the opinion that such a proceeding is proper.

The language may not be absolutely free from doubt but we think the only reasonable interpretation of it is that the political belief of the candidate is of no consideration. It is the political belief of the signers of the petition that must appear in order to determine on which ballot the name shall be placed and to make it a strictly party nomination. We do not think it was intended to limit the right of the members of a party to nominate any citizen they please whatever his political faith may be.

The words "political party which he represents" in the fifth section apply to the candidate, but we think it means just that, viz: the party which he is to represent at the primary election and, if there nominated, then as its candidate at the polls. It is not the party to which he belongs. One may be selected to represent a political party as its candidate without belonging to it, and, herein, we think, lies the distinction.

Very sincerely,

SCOTT WILSON,

Attorney General.