

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY-GENERAL

FOR THE TWO YEARS ENDING

NOVEMBER 30, 1914.

WATERVILLE
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1915

REPRESENTATIVE APPORTIONMENT.—RESOLVE
OF 1911 AS APPLIED TO LONG POND, SOMERSET
COUNTY.

15th May 1914.

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

DEAR SIR: Your question as to whether the ballot to be prepared in your department for Long Pond in the County of Somerset should contain the name of any of the representatives to the legislature nominated for the several representative classes in said county is at hand.

A reading of the representative apportionment as made by the Seventy-fifth legislature, Chapter 226, Resolves of 1911, shows that this Plantation was not included by name in any one of the seven classes provided for the County of Somerset, nor was there any language used in the defining of those classes of such general nature as that used in connection with the Counties of Aroostook, Oxford, Penobscot, Piscataquis and Washington, where in each case one class was defined as including several towns and also "all other territory not otherwise classified."

Long Pond not having been included in any particular class either by express name or by a general statement of that nature, it would have no right within the Opinion of the Justices, 33 Maine, 537, to vote for a representative to the legislature from any class in that county. To place the name of a representative on the Long Pond ballot would be an alteration of the representative apportionment contrary as the Opinion of the Justices declares to the express terms of the State Constitution and I should, therefore, advise that the ballot for said Long Pond should contain no such representative.

Very sincerely,

HAROLD H. MURCHIE,

Asst. Attorney General.