

MAINE STATE LEGISLATURE

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August 4, 1914

To Hon. J. E. Alexander, Secretary of State
Re: His Duty in regard to Nomination Papers

Relative to the question submitted by you some few days ago concerning the Progressive nomination for representative to the legislature from Aroostook County in the Van Buren class, I understand that the papers of Thibodeau were received prior to the papers of Michaud, both sets being in proper form and having the necessary number of signatures.

This question has arisen in the past in instances of independent nominations and it arose at one time during the term of Attorney General Pattangall. The practice in the office of secretary of state has always been to accord the nomination to the party first filing his papers and this practice was confirmed by Attorney General Pattangall in an oral opinion to Secretary of State Cyrus W. Davis in the year 1912. No writing setting forth that opinion is on file, but Mr. Pattangall confirmed the same to me and there seems no sound basis for making a change at this time.

Mr. Roland E. Clark, Progressive State Committeeman of Aroostook County consulted with me on this point and while he claimed that there might be certain facts which would give a basis for the refusal of the Thibodeau papers, he was in entire accord with the view that the papers being in due form when received should be recorded by you and should so stand unless contention of Michaud were sustained in Court. Any order of Court on this matter you will, of course, be forced to obey.

Roscoe T. Holt
Assistant Attorney General