

MAINE STATE LEGISLATURE

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May 10, 1938

Mr. Frank A. Winslow
The Courier-Gazette
Rockland, Maine

Dear Frank:

The Secretary of State was correct in telling Mr. Winslow that, having failed to file Primary papers for the Democratic nomination, there is nothing that can be done about it now as far as the getting of his name on the Primary ballot is concerned.

The easiest way for him to get his name on the Democratic ballot for that office at the September election, is to have a sufficient number of Democrats write in his name in the proper blank on the Democratic Primary ballot. Prior to 1931, no definite number of such written-in names was required, but by Chapter 75, Public Laws of 1931, the statutes were amended and it is now the law that in order to be nominated and thus entitled to a place on the election ballot a candidate must receive at least as many votes as would be required to place his or her name on the Primary Election ballot by petition; so that Mr. Winslow, in order to get on the Democratic Election ballot as a Democratic candidate, must get at least as many written-in votes on the Democratic Primary ballot as are required of a Democratic candidate for a county wide office to have on his Primary petitions.

Failing to obtain enough written-in votes, as above outlined, his name could be placed on the Election ballot by a convention or a caucus of the Democratic party as provided in Sections 20 or 26 of Chapter 7 of the Revised Statutes.

The Election ballots will not be made up and sent to the printer until July 15, so that if he fails to get the required number of written-in votes there is about a month during which the Democratic party could have a caucus or a convention and certify his name in accordance with the two sections I have quoted above.

If I can be of any further assistance to you at any time please call upon me.

With kindest personal regards,

Very truly yours,

Francis U. Burkett
Attorney General