

# MAINE STATE LEGISLATURE

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February 14, 1941

Benjamin W. Ela, Commissioner  
City of Eastport  
Eastport, Maine

Dear Mr. Ela:

I wish you would convey to the municipal officers and the good people of Eastport, the fact that we are very anxious to cooperate with them in their desire for an election to fill the vacancy which exists in the Legislature.

It has seemed to me that the suggestions that have been made heretofore by the Secretary of State, and by the Governor, and by myself should have been sufficiently clear so that no misunderstanding should arise. The people should follow the general election law. Let your city council, the members of which constitute the municipal officers, vote to have an election on some certain day, and then have them notify the Governor and the Secretary of State that they have selected such a day for an election. That sets the State machinery in motion. The Governor will then issue a Proclamation certifying that there is a vacancy, and will set a time for a primary election. The whole thing can then be gone through and Eastport can have its representative.

These things take considerable time, and it is my suggestion, although it is not my business to say what shall be done, that your municipal officers select a date not earlier than the 24th of March for the election and actually the 31st of March might be better, although I realize that will mean an extra week during which the city will not have a representative down here.

I believe that if they should vote next Monday, February 17th, to have an election on March 24th the Secretary of State will have time enough to get the ballots out and go through the formalities. However, the statute provides that the election officials after a primary shall have seven days

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in which to get in their returns to the Governor and Council and those returns must be canvassed here. That can result in a delay, and might result in a delay that would make the election impossible on the date set. Therefore, for practical reasons it might be wiser to select ~~March~~ 31st as the date of your election.

Very truly yours,

Frank I. Cowan  
Attorney General

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