

MAINE STATE LEGISLATURE

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February 17, 1943

W. C.

F. Harold Dubord, Esq.
101 Main Street
Waterville, Maine.

Dear Harold,

I have your letter of February 7th in regard to Mr. and Mrs. Clarence A. Secor. You will note in the copy of Mr. Holland's letter to me that he said, "Said party is a resident of the state of Massachusetts and so far as I have any knowledge has never resided in this state altho his wife is a native of this city; said party is paying his poll tax this year in this City."

Your letter of February 7th would indicate that Mr. Secor had never established a legal residence in Massachusetts and that he wishes to establish a residence in Maine. You indicate further that Mr. Secor had his name placed on the tax list of the City of Waterville in April 1943 and you believe he paid his poll tax in 1943 in Waterville. You further state that his name is not on the voting list in any other State. You state further that he has filed an affidavit with the Board of Assessors which has been filed more than six months.

I recall a case in the Maine Reports involving a theological student who came from Washington County in Maine, if I remember correctly, left home at the age of nineteen, went to Massachusetts, and thereafter earned his own living. Some years later he went to Waterville and put himself through Colby College. I think he was in the class of 1882. If I remember correctly, in the year 1879 he had his name placed on the voting list of the City of Waterville and voted there until his name was struck off the list in 1882. He brought suit against the appropriate officials of the city of Waterville for striking his name from the list, and my recollection is that he obtained a nominal judgment against them. The Court stated that the man had a right to establish a home somewhere. The reason for striking his name from the list, I believe, was that they had made the discovery that he was a college student and felt it was their duty under the Constitution.

On your statement of fact, it seems to me that the Board of Registration of Waterville can very properly place the names of Mr. and Mrs. Secor on the list of voters.

Sincerely,

Frank I. Cowan
Attorney General

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