

# MAINE STATE LEGISLATURE

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March 14, 1947

To Chairman, Board of Selectmen, Orono  
Re: Students' Residence

. . . Article LXI of the Constitution of Maine, prescribing the qualifications of the right to vote in this State, provides as to students attending a college of learning, respecting the establishment of residence for the period prescribed by said section as follows:

"Nor shall the residence of a student at any seminary of learning entitle him to the right of suffrage in the city, town or plantation where such seminary is established."

The interpretation of this provision was passed upon by our Supreme Court in 1884, Chief Justice Peters writing the opinion of the Court, and I am enclosing a quotation in full from the opinion as to that part thereof dealing with the establishment of a residence by a student to entitle him to vote. You will notice after reading this excerpt that no general rule can be laid down, but in each case the facts are to be examined and the determination made whether the person has established a domicile entitling him to be registered as a voter. The Board of Selectmen will have to examine each case, and they are, of course, entitled to question each applicant in relation to all facts upon which they can make a determination whether the student established a residence in the town with intent to make that town his domicile rather than with the idea of returning to his former home or domicile when his course at school is finished. As bearing upon that question, the kind of course that he is pursuing may be pertinent, and also whether such a course would require additional training at some other institution or place and to do so he would move his family to such other place.

Abraham Breitbard  
Deputy Attorney General

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