

# MAINE STATE LEGISLATURE

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July 20, 1948

To Fred M. Berry, State Auditor  
Re: Audit, on Petition

I received your memo of July 13th, enclosing a letter and petition received from Willie Walker, requesting an audit of the books and records of Allagash Plantation for the fiscal years ending March 21, 1947 and February, 1948. You state in your memo that it was explained to the taxpayers of the plantation that any petition filed with your office should bear the signature of the town clerk, certifying that those signing the petition were at least 10% of the legally qualified voters, but that the taxpayer who mailed you this petition states in his letter that the town clerk refused to certify to those names. You ask for the proper procedure under these circumstances.

I would advise not to audit these books unless you are certain that at least 10% of the legally qualified voters are represented on this petition.

It appears that we are in the position, on the audit of the Squirrel Island Village Corporation, of not having a sufficient number of voters on the petition. I note in the Village Corporation report that they voted not to pay the State for the audit of the corporation books made by your department.

I think from now on the only safe procedure would be to have the town clerk or the corporation clerk certify that the petition contains the names of at least 10% of the legally qualified voters of the town, plantation or village corporation. The letter of Willie Walker, addressed to Mr. Singer, states that the petition contains the names of 40 legal voters in the town of Allagash; which does not mean anything.

As he states, the petition does not bear the town clerk's signature, because she refuses to certify to it, although she admits that the signatures are those of legal voters. It may be possible that they are signatures of legal voters, but no one has officially checked them, and no one has certified that the petition contains the names of at least 10% of the legal voters. If the voters who are interested cannot secure a certificate from the town clerk, there must be something wrong with the list of alleged voters who signed this petition.

I am returning the petition and Mr. Walker's letter, so that you may request further certification of the names and signatures, to the effect that the list contains at least 10% of the legal voters of the town of Allagash.

Ralph W. Farris  
Attorney General

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