

# MAINE STATE LEGISLATURE

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# Public Documents of Maine:

BEING THE

ANNUAL REPORTS

OF THE VARIOUS

PUBLIC OFFICERS AND INSTITUTIONS

FOR THE YEAR

1875.

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VOLUME I.

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AUGUSTA:

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1875.

REPORT

OF THE

ATTORNEY GENERAL

OF THE

STATE OF MAINE.

1874.



AUGUSTA:

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1875.

the "Annie B," until the death of Camp, and then it was murder under *our* laws and within *our* jurisdiction; for the offender is deemed to have committed murder where the death ensued by a *continuance* of the mortal blows inflicted by him. It is my opinion, therefore, that the offence with which Robbins stands charged, falls within the intent and meaning of our statute; that it is cognizable by the courts of this State, and that in case the General Government shall not grant the request of Great Britain for his extradition, it will be the duty of the officers of the law to bring him to trial before the proper tribunal, in the country where the death ensued.

As to the second question submitted, it is my opinion that pending the settlement of the question of extradition, there is no authority by which this State can intervene to take Robbins out of the hands of the United States marshal who now has him in custody for the alleged offence.

The third question submitted, as to the duty of the prosecuting officers of this State in the premises, in case Robbins should not be extradited, is sufficiently answered in what has been said in connection with the first question.

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### STATE OF MAINE.

ATTORNEY GENERAL'S OFFICE, }  
Bangor, July 13, 1874. }

Hon. S. C. HATCH, *Treasurer of State* :

DEAR SIR:—In the matter of the West Waterville tax case, referred to me for my opinion, I have the honor to submit my conclusions :

*First*, That the assessment of \$2,858.72, required by the act of February 12, 1874, is the Tax of 1873, "chargeable (to use the language of the act.) to the town of West Waterville by the act of February 26, 1873, entitled 'an act to incorporate the town of West Waterville;'" and that the same should be assessed upon the polls and estates of 1873.

*Second*, That the warrant of the Treasurer of April 7, 1874, is sufficient in law. The authority of the Treasurer to issue the warrant is conferred by said act of February 12. He cannot

exceed that authority by any recitals of his warrant. The words, "Tax for 1874," and the requirement that the assessors "add to the sum aforesaid the amount of the county and town taxes to be by them assessed," are unauthorized and mere surplusage.

