

MAINE STATE LEGISLATURE

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STATE OF MAINE.

REPORT

OF THE

ATTORNEY-GENERAL

FOR THE TWO YEARS ENDING

NOVEMBER 30, 1908.

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would seem as if this custom, so long established, must have been so well known to the legislatures that their various acts have been passed upon the implied understanding, at least, that the custom should so continue. We believe that the salaries may be properly paid in accordance with the advice herein given.

DEPUTY FISH WARDEN.—FORM OF OATH.

Hon. James Donahue, Commissioner Sea and Shore Fisheries, Rockland, Maine:

DEAR SIR:—Your inquiry is noted as to the form of oath of a deputy warden, appointed under chapter 41, R. S., (relating to sea and shore fisheries).

The statute in question requires said deputy wardens to be "sworn." Turning now to R. S., chapter 1, section 6, paragraph XXII, I quote as follows:

"The words "sworn," "duly sworn" or "sworn according to law," used in a statute, record, or certificate of administration of an oath, refer to the oath required by the constitution or laws in the case specified, and include every necessary subscription to such oath."

Under all the circumstances I should recommend that the oath noted in the constitution be taken as provided in the paragraph just quoted. As doubtless you are aware the oath can be taken and subscribed before a magistrate in your county, commissioned by the governor for the purpose of taking such oaths. See R. S., chapter 57, sections 37-40.

FORTNIGHTLY WAGES.—ENFORCEMENT OF STATUTE.

Hon. George E. Morrison, State Factory Inspector, Biddeford, Maine:

DEAR SIR:—I have the honor to acknowledge receipt of your favor making inquiry as to the enforcement of the law against persons for failure to comply with R. S., chapter 40, section 57, requiring the payment of wages fortnightly.

R. S., chapter 40, section 57, reads as follows: