

MAINE STATE LEGISLATURE

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PUBLIC DOCUMENTS

OF THE

STATE OF MAINE

BEING THE

REPORTS

OF THE VARIOUS

**PUBLIC OFFICERS
DEPARTMENTS AND
INSTITUTIONS**

FOR THE TWO YEARS

JULY 1, 1926 - JUNE 30, 1928

PUBLIC DOCUMENTS, 1926-28

(Explanatory Note)

Three reports in this volume cover periods in variance with the given biennium. They are as follows:

1. The report of the Attorney General covers the period from 1924 to 1928.
2. The report of the Bangor State Hospital covers the period from 1919 to 1928.
3. The report of the department of Inland Fisheries and Game covers the fiscal year ending June 30, 1928. No printed report was made for the fiscal year ending in 1927.

STATE OF MAINE

REPORT

OF THE

ATTORNEY-GENERAL

FOR THE TWO YEARS ENDING

JUNE 30, 1926

PRESS OF MERRILL & WEBBER CO.
AUBURN, MAINE

annual registration uses the word "registration" instead of the word "registrations", thus indicating one and not two or more is meant.

Yours very truly,

SANFORD L. FOGG,
Deputy Attorney General.

April 13, 1925.

Hon. Frank W. Ball, Secretary of State, Augusta, Maine.

DEAR SIR: In answer to your question regarding the license required of a show known as a Wild West Show, I beg to advise you that in my opinion it was the intention of the legislature in enacting the act relating to travelling circuses to include what is commonly called wild west shows, which have many of the characteristics that circuses have, such as feats of horsemanship, a tent and many times a ring and presenting performances of such a character that can take place within a circle.

It is my opinion that you will be justified in requiring the show in question to pay a license in accordance with the provisions of Chapter 136 of the Public Laws of 1923.

Yours very truly,

SANFORD L. FOGG,
Deputy Attorney General.

December 17, 1925.

Hon. Frank W. Ball, Secretary of State, Augusta, Maine.

MY DEAR MR. BALL: There seems to be considerable doubt and difference of opinion in many parts of the State as to the meaning and application of Chapter 62 of the Public Laws of 1925, relating to primary elections, especially referring to the manner and time of making enrollment and the duties of boards of registration concerning same.

It has been suggested that, as it is a State-wide matter, this department file with you an opinion stating our understanding of enrollment requirements.

Sections eleven, twelve, thirteen and thirty-eight of Chapter 6 of the Revised Statutes are amended by Chapter 62 of the Public

Laws of 1925. The only radical or material changes made by the new law are;

1. Providing for uniform enrollment in all cities, towns and plantations, thereby making it necessary for the legally qualified voters to be enrolled before voting at a primary election.

2. Requiring such enrollment to be with a board of registration instead of with city or town clerks. (In towns and plantations the municipal officers act as such registration boards.)

3. Making the provisions of said Section 38 applicable to primary elections as well as to political caucuses.

Said Section 38, as amended, provides that "any person who is a legal voter may enroll himself as a member of any political party by filing with the board of registration of voters of the city, town or plantation of which he is a legal voter, a declaration in writing, signed by him, substantially as follows:

"I.....being a legal voter of..... hereby elect to be enrolled as a member of the..... party.

The following statement of name, residence, place of last enrollment, if any, and party of enrollment, if any, is true."

The law does not specify in what manner the voter shall file his declaration, it says in effect that he may enroll himself by filing with the board of registration a declaration in writing signed by him.

It is my opinion that it is not necessary for the voter to appear before the board of registration in order to file his enrollment; he may cause his declaration to be delivered to the board by mail or otherwise, and when the same is received, it becomes the duty of the board to enter his name on the enrollment list, according to his party designation.

The foregoing applies not only to voters who are enrolling for the first time in the precinct or municipality but also to the voter already enrolled who desires to make a new enrollment.

In case of the voter changing his previous enrollment, by making a new one, he will not be allowed to vote at any primary election within the next six months following said enrollment.

From the foregoing, it is evident that a person who is a legal voter may enroll himself as a member of any political party by filing with the board of registration, at any time before the day of a primary election, the aforesaid declaration; voters entitled

to enrollment, may also be enrolled during the primary election after subscribing and making oath before a registration board to the statement as required by Section 39 of Chapter 6 of the Revised Statutes. A suitable number of such statements shall be furnished at each voting place by the city, town or plantation.

In order to avoid possible confusion and delay at the polls, it is advisable for those voters who can conveniently do so, to make their enrollment prior to election day.

Yours very truly,

Sanford L. Fogg,
Deputy Attorney General.

March 23, 1925.

*Rev. E. W. Webber, Superintendent, State School for Girls,
Hallowell, Maine.*

DEAR MR. WEBBER: Section 20, Chapter 144, Revised Statutes as amended by Chapter 130, Section 2, Public Laws of 1917, provides that any girl between the ages of nine and seventeen years, when she is leading an idle or vicious life or is found in manifest danger of falling into habits of vice or immorality may be committed to the custody and guardianship of the officers of the State School for Girls, during her minority unless sooner discharged by process of law.

This Section seems to make it obligatory on the officers of the School to receive the girl committed under this section and retain her during her minority, unless discharged by some legal process, subject, however, to the provisions of Sections 3, 4 and 5 of said Chapter 130, Public Laws of 1917.

Section 3 provides that any incorrigible girl sixteen years of age and over may be transferred to the Reformatory for Women by the Trustees of the School.

Section 4 provides that any girl who is feeble minded when committed or becomes feeble minded after her commitment, may be transferred by the trustees to the Maine School for Feeble Minded.

Section 5 provides that any girl now under the guardianship of the School or who may thereafter be committed there who is insane or who after her commitment becomes insane may be