

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, 1928

August 4, 1927.

H. D. Crie, Director, Sea & Shore Fisheries Commission, Rockland Maine.

DEAR MR. CRIE: I have had so many inquires relative to renewals and revocation of lobster licenses, that I think I ought to write you supplementing my letter to you of October 23rd, last.

The legislature of 1921, by Chapter 98, amended Section 17 of Chapter 45, so that no person, firm or corporation is entitled to a renewal of a license that has expired where there has been any violation of the law, for a period of one year from the date of the conviction.

Section 20 of Chapter 45, as amended by Chapter 98, Laws of 1921, relates to a license revoked by the Director of Sea and Shore Fisheries Commission. After revocation no person is entitled *of right* to receive a license for a period of one year, although I have no doubt that for cause the Commission might restore a license revoked within a shorter period.

If you remember correctly, my letter to you of last October was in answer to your telephone inquiry as to which law took precedence—the law as it appears in the revision of the statutes of 1916, or the amendments, and I intended to convey to you my conclusion that the amendments control. This letter is to call your attention, however, to the fact that there is a distinction made in regard to renewals and revocations.

Yours very truly,

RAYMOND FELLOWS,
Attorney General.

January 26, 1927.

Hon. Edgar C. Smith, Secretary of State, Augusta, Maine.

DEAR SIR: Under Chapter 51, Section 107 of the Revised Statutes, every foreign corporation other than "a bank, savings bank, trust company, surety company, savings deposit company, insurance company or public service company", shall before doing business in this state, appoint a resident of the State as its true and lawful attorney etc., and under Section 108, it shall file with

the Secretary of State, a copy of its charter, by-laws, etc.

These provisions of the statute apply to corporations that are not engaged in banking, surety, insurance or public service.

A company that intends to do a banking business within the meaning of Chapter 193, Public Laws of 1925, is within the jurisdiction of the Bank Commissioner.

If the Commercial Credit Corporation limits its activities to the purchase of chattel mortgages, contracts and leases and does not in any manner "solicit, receive or accept money or its equivalent on deposit", or in any other manner violate Section 2 of Chapter 52 of the Revised Statutes, as amended by Chapter 193 of the Laws of 1925, it would not be "deemed to be doing a banking business."

Yours very truly,

RAYMOND FELLOWS,

Attorney General.