

# 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

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REPORT

OF THE

# ATTORNEY-GENERAL

FOR THE TWO YEARS ENDING

JUNE 30, 1928

April 28, 1927.

*Hon. Ralph O. Brewster, Governor of Maine, Augusta, Maine.*

MY DEAR GOVERNOR:

In re Trustees of Juvenile Institutions.

In answer to your recent inquiry regarding the membership of the aforesaid Board, I have the pleasure to inform you that under the provisions of Chapter 144, Section 1 of the Revised Statutes, it is provided in substance, that the government of the State School for Boys and of the State School for Girls is vested in a board of Trustees, consisting of five men and one woman, inhabitants of the state, who shall be known as Trustees of Juvenile Institutions, and that the Governor, with the advice and consent of the Council, shall annually appoint a member of said Board to hold office for a term of six years. I fail to find any amendments to the aforesaid section.

It appears that on the present board there are four men and two women, which is clearly not in accordance with the provisions of the aforesaid statute.

I, therefore, suggest that a man be appointed to take the place on the Board of Lilla Elliot at the expiration of her term of office, which appears to be May 6, 1927.

Respectfully yours,

SANFORD L. FOGG,  
*Deputy Attorney General.*

April 29, 1927.

*Hon. Ralph O. Brewster, Governor of Maine, Augusta, Maine.*

DEAR GOVERNOR BREWSTER: In the matter of form for written assent of land owners under the provisions of Section 4 of Chapter 158 of the resolves passed by the 83rd legislature, entitled, Resolve, Appropriating money to aid in building a highway from Eustis in Franklin County to the boundary line between the State of Maine and the Dominion of Canada, at a place near the village of Woburn, in said Canada, I would suggest a form which would be in substance as follows:

"April, 1927.

To the Treasurer of State of Maine:

In accordance with the provisions of Chapter 158 of the Resolves of the State of Maine as passed by the Eighty-third Legislature entitled: Resolve Appropriating Money to Aid in Building a Highway from Eustis in Franklin County to the Boundary line between the State of Maine and the Dominion of Canada, at a place near the Village of Woburn, in said Canada, and particularly as provided in Section four thereof, the undersigned hereby files within ninety days after final adjournment of said legislature written assent to said resolve and binds herself (itself) (himself) to all of the terms thereof."

Respectfully yours,

RAYMOND FELLOWS,  
*Attorney General.*

May 10, 1927.

*Hon. Ralph O. Brewster, Governor of Maine, Augusta, Maine.*

DEAR GOVERNOR BREWSTER: Under Chapter 1, Section 6, subdivision III, "Words giving authority to three or more persons authorize a majority to act when the enactment does not otherwise determine." I do not find that Chapter 195, Public Laws of 1917, "otherwise determines".

Under said Chapter 195 the Board of Prison Commissioners consists of three members, and the Warden, Chaplain and Physician of the prison are appointed by the Commission to hold office during its pleasure.

If there is any question in the minds of the Prison Commission in relation to the validity of any act or appointment by the Commission while there were only two members of the Commission and pending the qualification of the third member, it would be a very simple matter for the Commission to take a vote at its first full Board meeting, although it is the opinion of this department that such action is not necessary where the "majority" have already acted.

Respectfully yours,

RAYMOND FELLOWS,  
*Attorney General.*