

MAINE STATE LEGISLATURE

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STATE OF MAINE
DEPARTMENT OF THE ATTORNEY GENERAL
AUGUSTA

December 4, 1935

Hon. Francis H. Bate
County Attorney
Winthrop, Maine

My dear County Attorney:

In answer to your request of November 25, relating to the alleged irregularities affecting the administration of the E. R. A. in Kennebec County,-- the situation is a novel one in the State of Maine and, from the facts in so far as they are available, the question of jurisdiction is not free from doubt. Of course, it is a question of law and in my opinion should be decided by the Court.

After a lengthy conference with the District Attorney John D. Clifford, I am of the opinion that because of the seriousness of the alleged offense and the widespread interest of the people in determining the truth of the alleged facts, that you should present to the Grand Jurors of Kennebec County at the next term of your Court, the report of the Federal Inspectors that the matter may thus reach the Court for a decision on the question of law yet undecided in this State.

I commend you for the care with which you have proceeded and your refusal to be rushed into a hasty decision in a matter of so much importance. I shall stand ready to render you any assistance that you feel would be helpful.

Very respectfully yours,

(Signed) Clyde R. Chapman
Attorney General

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Augusta, Maine

November 25, 1935

Honorable Clyde R. Chapman
Attorney General of Maine
State House
Augusta, Maine

My dear Attorney General:

Federal investigators in connection with the so-called Maine E.R.A. turned over to me recently, as County Attorney for Kennebec County, certain information in the form of affidavits relative to irregularities in the administration of this set up as affecting Kennebec County.

I have rather carefully examined this information and I am of the opinion that in some instances there is basis for criminal action, and I am prepared to take this action, and will do so at such time as I can be reasonably assured that our State has jurisdiction.

As I regard this matter to be of more than ordinary importance I feel that before coming to any final decision I should submit this question of jurisdiction to you and have the benefit of your counsel and assistance in the matter.

I, therefore, respectfully request this assistance of you, and further that I may have the benefit of a ruling from your department upon this somewhat troublesome point.

Very respectfully yours,

(Signed) Francis H. Bate

FHB: EMP