

MAINE STATE LEGISLATURE

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STATE OF MAINE
DEPARTMENT OF THE ATTORNEY GENERAL
AUGUSTA

COPY

January 2, 1936

Mr. Frederick E. Smith
Norridgewock, Maine

Dear Sir:

Your letter of December 17, addressed to Hon. Frank P. Washburn, has been handed this department for reply.

Section 16 of Chapter 43 of the Revised Statutes provides that,- "Not later than November first in the year in which such corn or other vegetation is grown, a person growing such corn or other vegetation shall plow the land on which such corn or other vegetation is grown in a manner which is satisfactory to the commissioner of agriculture or his duly authorized agent, or shall pull up such stubble and destroy it by burning."

Section 17, as amended by Chapter 45, P. L. 1935, provides a penalty for such violation. It is further provided that the municipal courts and trial justices shall have original jurisdiction concurrent with the superior court of actions for the recovery of penalties imposed by this chapter, and of prosecutions for violations thereof.

It seems to me that any person may make complaint for violations of this chapter to a trial justice or judge of a municipal court who would have jurisdiction to enforce the provisions of the statutes. I do not think it was contemplated by the statute that it was intended that the commissioner must be the complainant.

Very truly yours,

Sanford L. Fogg
Deputy Attorney General

SLF H