

# MAINE STATE LEGISLATURE

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February 4, 1937

Hon. Frank P. Washburn  
Commissioner of Agriculture  
Augusta, Maine

Dear Mr. Washburn:

I acknowledge receipt of your letter of January 26, in which you inquire relative to the stipends for agricultural fairs, and the payment of sheep damage claims.

I will give you my opinion relative to the state stipend in a few days as I wish a little more time to consider that important matter.

A careful reading of Chapter 50 of the Public Laws of 1931 has lead me to the conclusion that if on account of a disagreement the matter is referred to referees, in the proceedings before the referees both the number of sheep killed and the value of the sheep are subjects for consideration by the referees, they are charged with determining the amount of damage and it would seem to me very obvious that this amount could not be determined until they have made a finding of their own as to the number and the value. It would not seem proper for the referees to find that all sheep missing from an owner's flock had been killed by dogs and wild animals, but that they should require some direct evidence of such killing before making a finding as to the number.

The suggestions which you made relative to a change of the statute regarding the personnel of the referees seems to me to have considerable merit.

Very truly yours,

Franz U. Burkett  
Attorney General

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