

MAINE STATE LEGISLATURE

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April 9, 1937

Honorable C. W. Lovejoy
Insurance Commissioner
State House
Augusta, Maine

Dear Sir:

Answering your oral inquiry relative to municipal officers being interested in municipal contracts, I am pleased to call your attention to Sections 60, 61 and 62 of Chapter 5 of the Revised Statutes of 1930. Our Courts have passed on several cases on this matter, the last of which is the case of Tuesan v. Smith reported in 130 Maine, Page 37, in which the Court said:

"Town officials are in a position of trustees for the public. A contract in which such an official is pecuniarily interested and which places him in a situation of temptation to serve his personal interests to the prejudice of the interest of the town, is illegal."

Trusting that the foregoing will give you the information you require, I am

Very truly yours,

Sanford L. Fogg
Deputy Attorney General

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