

MAINE STATE LEGISLATURE

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January 15, 1938

Hon. George J. Stebbins
Commissioner Inland Fisheries and Game
Augusta, Maine

Dear Sir:

Inquiry has just come to this department from your office with reference to the jurisdiction of Trial Justices within the several counties in prosecution for violations of the fish and game laws.

The answer to this inquiry is contained in section 101 of chapter 38 of the Revised Statutes which is as follows: "Trial justices, police and municipal courts within their counties shall have original and concurrent jurisdiction with the superior court in all prosecutions under any provision of this chapter".

It is further provided in chapter 84 of the Public Laws of 1931, that: "Any warden of the department of inland fisheries and game making an arrest for any violation of any provision of this chapter at a point more than fifty miles distant from the nearest trial justice, police or municipal court having jurisdiction, may accept the personal recognizance of the prisoner in the sum of not exceeding one hundred dollars for his appearance before the nearest trial justice, police or municipal court on a specified date and on deposit in money to the amount of said recognizance", etc.

The foregoing supersedes any and all former enactments relative to jurisdiction of the subject matter.

Very truly yours,

Sanford L. Fogg
Deputy Attorney General

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