

MAINE STATE LEGISLATURE

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April 14, 1938

Hon. Elbert D. Hayford
State Auditor
Augusta, Maine

Dear Mr. Hayford:

You wrote me on March 4, inquiring about certain deposits of unclaimed moneys deposited with the counties under the provisions of Chapter 78 of the Revised Statutes. I am sorry that this letter from you was mislaid and that I did not reply to it sooner.

In answer to your questions, there is no general provision of law that requires money thus deposited with the county to be separately deposited.

Answering your second question, it is not within your province as auditor operating under the provisions of Chapter 206, Public Laws 1937, to require that these amounts be segregated and separately deposited.

I have a feeling that the next legislature should provide that these funds, the same as cemetery funds, should be separately deposited in savings banks so that they might be available for the persons who may thereafter rightfully be entitled to them. Such an act would undoubtedly be in line with the general idea of protection of county funds embodied in the audit law under which you are operating. That is, Chapter 206, Public Laws of 1937.

I have made a note of this matter and if you want to you and I will prepare something to submit to the next legislature.

Very truly yours,

Franz U. Burkett
Attorney General

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