

MAINE STATE LEGISLATURE

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March 14, 1939

The Honorable Lewis O. Barrows
Governor of Maine
Augusta, Maine

Dear Governor:

In response to your inquiry as to the power of the Executive Council to reconsider and reverse its findings made in response to a petition and after hearing thereon made at a previous session, without another petition and further hearing, I have to advise you that it cannot be done. Section 51 of Chapter 147 of the Revised Statutes requires that:

"On all petitions to the Governor for pardon or commutation of sentences, written notice thereof shall be given to the county attorney where the case was tried at least three weeks before the time of hearing thereon and three weeks notice in some newspaper printed and published in said county, etc."

At the session of the Council held in accordance with Statute requirements, and after hearing all the facts, rendered its decision, which was final and at the close of its session became a matter of record. Any further consideration of the matter would require a new petition and the regular Statutory notice.

Respectfully yours,

Sanford L. Fogg
Deputy Attorney General

MS:GM