

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1941--1942

without the permission of the county commissioners. Section 3 of Chapter 308, Public Laws of 1939, Special Session, provides that:

“***before a city or town shall take land for an airport or landing-field, or for the expansion of an airport or landing-field, by eminent domain as hereinbefore provided, it shall secure the consent of the municipal officers of the town or city in which such land is located.”

There does not appear to be any provision of our statutes which enables municipal officers of towns to institute eminent domain proceedings against land in unorganized territory.

Very truly yours,

SANFORD L. FOGG
Deputy Attorney General

March 5, 1941

Archer L. Grover, Esquire
Deputy Commissioner
Inland Fisheries and Game
Augusta, Maine

Dear Sir:

Unfortunately the statutes of Maine do not contain any provision for payment for damage done by deer or moose. The statute of 1935 may have been intended by its author to contain such a provision, but, if so, one sentence, or a part of a sentence, was omitted. The only procedure we have is for a claim to be presented to the legislature and to be put through the claims committee.

In the particular case of Glenda J. Hoy the insurance company can, if it wishes, have a resolve introduced at the next legislature for reimbursing it.

Very truly yours,

FRANK I. COWAN
Attorney General

March 5, 1941

Hon. Bertram E. Packard
Commissioner of Education
Augusta, Maine

Dear Sir:

I have your communication of March 4th, inquiring about the liability of towns and cities for injuries received by students taking part in defense training programs for which funds are furnished by the Federal Government.