

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1941--1942

and may prevent the commission of certain types of misdemeanors such as stretching out a hand to prevent a rock from being thrown through a window, or restraining an assailant from striking another person. In such cases, however, there is no protection for the man acting as peacemaker if he uses more violence than the facts warrant, or if he is mistaken when he thinks the person he restrains is in the act of or about to commit a crime, and good intentions are no defense.

Therefore, in the suppression of riots and mob action, the private citizen should, in general, act only when he is commanded to do so by a properly constituted officer. Otherwise we might have the case of a conflict between two mobs rather than an orderly suppression of crime by a properly disciplined body or group of citizens.

I trust this gives you the information you desire.

Very truly yours,

Attorney General
State of Maine

May 29, 1941

J. A. Mossman
State Controller
Augusta, Maine

Dear Sir:

I have your memorandum of May 27th calling attention to a requested opinion in connection with Carlton Bridge Special Maintenance Account.

It is improper practice for the State to pay interest on any sums ordered refunded by the Legislature unless there is definite instruction from the Legislature or an order of court. In connection with the Carlton Bridge Account, I can see in the Legislative Act of 1939, no authority whatsoever for paying to the railroad company interest on the money refunded.

Very truly yours,

FRANK I. COWAN
Attorney General

June 5, 1941

Marie J. Tibbetts
Legislative Reference Librarian
Maine State Library

Dear Madam:

I have your letter of June 3rd, asking in regard to the disposal of Maine Reports, Laws and Statutes in Judge Dunn's library.