

MAINE STATE LEGISLATURE

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October 22, 1941

The Attorney General

William D. Hayes, State ~~Attorney~~ *Carter*

I have your reply of October 17th, to my request for substantiation of statements in your report regarding the Attorney General's department. I have given careful thought to the matter you have spoken of.

Item one, concerning a matter that occurred in the previous administration, I know little about. I was told that the arrangement the County Attorney made resulted in an actual saving to the State, but as to that I have no definite information. However, I will call your attention to the fact that the men employed to make the trip for the purpose of bringing back a prisoner were local police officers of the City of Portland. If the information we have is correct, that it was a real saving to the State through the County Attorney's using the method he did, I fail to see the logic of your criticism. If, on the other hand, the trip was more expensive than it should have been, that is another matter entirely.

Concerning Item number two, there was an error in addition and it is something that is easily corrected.

In connection with Items number three and four, you are assuming to lay down a rule of the common law. For one whose sole knowledge of the law is that extremely limited knowledge that one can get from a perusal of the statutes, such an attempt on your part is dangerous. No one who has not intensive knowledge of the fundamentals of law should assume to interpret legal matters.

The statement in your report in regard to the Attorney General's department, and also in so far as I have obtained information, the statement in regard to General Carter, indicate to me just one thing and that is that at the time you wrote that report you were so tired out that your judgment was not properly functioning. I am glad you got a change to take a vacation. I hope you have recovered your poise. It is extremely unfortunate that your report went out before you took that vacation because I am very certain that, had you written it after you got back you would have couched it in different language.

As one who is sincerely interested in seeing you do a good job for the State, I suggest that if you are still feeling so taut and tense as you were a short time ago you ease up somewhat on your labors until you get straightened out.

Frank I. Cowan
Attorney General

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