

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1941--1942

holds himself out to practice medicine or surgery, or any branch thereof in any of the ways aforesaid, or who uses the title "Doctor" or the letters "Dr." or the letters "M. D." in connection with his name, contrary to the provisions of this section, shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars for each offense, or by imprisonment for three months, or by both fine and imprisonment; the prefixing of the title "Doctor" or the letters "Dr." or the appending of the letters "M. D." by any person to his name, or the use of the title of doctor or physician in any way by any person not duly registered as hereinbefore described shall be prima facie evidence that said person is holding himself out to practice medicine or surgery" etc.

Our Legislature has never enlarged upon the provisions of said section 15 to permit the use of the title of doctor or physician otherwise than as above provided, and such use, except in the case of honorary degrees or other degrees granted by a reputable college or university, is restricted to doctors of medicine and osteopathy as defined in said section.

Very truly yours,

FRANK I. COWAN
Attorney General

November 25, 1941

Oscar Fellows, Esquire
Bangor, Maine

My dear Oscar:

Your letter of November 21, addressed to General Cowan, came this morning. I am sorry to inform you that the General is in Farmington where the Wheeler murder trial is going on.

In the General's absence I am pleased to call your attention to 43 Corpus Juris, Pages 876 and 877, Sections 1576 to 1582, inclusive, and especially to Page 887, Section 1613, and Page 902, Section 1652. These indicate to me that a teacher is an employee and not an officer of the city or town. It is possible that some of the many citations under Section 1613 may give you the information you seek.

The case of Goud v. Portland, 96 Me., 126, while not in point, recognizes the difference between a public officer and a mere employee.

Very truly yours,

SANFORD L. FOGG
Deputy Attorney General