

# MAINE STATE LEGISLATURE

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November 10, 1942

Frank A. Farrington, Deputy Attorney General

Harold E. Crawford, Municipal Auditor

In reply to your memorandum of November 3rd, relative to the question of mittimus fee and costs of travel for committing a prisoner to jail, it is my opinion that payment of mittimus fee and costs of travel is not included in the amount necessary to release a respondent.

Section 6 of Chapter 145, R. S. 1930, states that ". . . . may be sentenced to pay said fine and the costs of prosecution, and in default of payment thereof to be imprisoned in accordance with law; but the payment of said fine and costs at any time before the expiration of the imprisonment shall be a full performance of the sentence."

Payment of said fine and costs refers back to the original sentence and at the time of sentence mittimus fee and travel costs for serving the mittimus were not imposed.

Deputy Attorney General

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