

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

STATE OF MAINE

---

REPORT

OF THE

ATTORNEY GENERAL

---

for the calendar years

1941--1942

Section 30 of Article II, Chapter 216, Public Laws of 1931, provides that the Board of Equalization “. . . shall consist of the State Tax Assessor as Chairman, serving without additional salary, and two associate members, one of whom shall be of the minority party not otherwise connected with the State government or local government thereof . . .”.

In view of the wording of the statute quoted, it is the opinion of this department that Mr. Williams may not be Mayor of Augusta and also a Member of the Equalization Board, and that his resignation would be in order when he becomes Mayor.

Deputy Attorney General

January 13, 1943

From:

Frank A. Farrington, Deputy Attorney General

To:

Harry V. Gilson, Commissioner of Education

*Subject: Amended Census of Freeman Township, Franklin County*

In a memorandum dated January 8th, you ask for an opinion as to the validity of an amended census for Freeman Township as of April 1st, 1941, compiled for the purpose of ascertaining a school tax in accordance with the provisions of Chapter 19, Revised Statutes of 1930, as amended.

You enclose as paper #1, the original census and later amendment in accordance with later information to correct errors in the original census; paper #2, copy of school tax as assessed by the State Tax Assessor; paper #3, letter from Mr. Ralph M. Simmons; paper #4, paper from E. E. Carville; affidavits and other papers marked exhibit #5; paper #6, showing result of investigation by Mr. DeCosta, School Agent.

In the opinion of this department, since there appear to be 200 persons resident of Freeman Township, the amended census is valid for the purpose of ascertaining school tax in accordance with the provisions of Chapter 19, Revised Statutes of 1930.

We are returning, herewith, all those papers enclosed with your memorandum.

Deputy Attorney General

January 14, 1943

To:

Alfred W. Perkins, Commissioner

Insurance

From:

The Attorney General

*Policy Form 1650, Modern Woodmen of America*

I have your memorandum of January 13th. The Supreme Court of the United States in the case of *Modern Woodmen of America v. Mixer*, 267 U. S. 544, 69 Law Ed. 783, used the following language: