

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1943--1944

sional conduct within their statute, authorizing revocation or suspension of a dentist's license. I have not the slightest doubt that our court would hold that operating with this dental concern as proposed in the description of an interview which Dr. sent to you, is unprofessional conduct and that you have full right to revoke the license of any dentist in the State of Maine who coöperates in any such activity.

Very truly yours,

FRANK I. COWAN

Attorney-General

September 11, 1943

David H. Stevens, Assessor

Bureau of Taxation

Payment of Poll Taxes to Jackman Plantation

Reference is to your memorandum of September 10th.

It is my opinion that the State Tax Assessor would be justified in making refunds to Jackman Plantation of poll taxes paid by electors registered in Jackman, who vote in the voting precinct maintained at Rockwood.

The Legislature, by Chapter 19, P. L. 1935, authorized the setting up of this polling place as part of the machinery for Jackman. The fact that the voter does not actually cast his ballot within the territorial limits of Jackman should have no bearing on the refund of poll taxes.

FRANK A. FARRINGTON

Deputy Attorney-General

September 15, 1943

William D. Hayes, Auditor

Audit

In answer to your question about the right of the Governor and Council to accept a surety company bond where the statute provided for two sureties, I call your attention to Chapter 60 of the Revised Statutes, Section 160, which provides that any company with a paid-up capital of not less than \$250,000, duly incorporated and organized for the purpose of transacting business as surety on obligations of persons, that has complied with the requirements of the law which would permit such company to transact business in the State, may be accepted as surety upon the bond of any person or corporation required by the laws of the State to execute a bond, and if such surety company shall furnish satisfactory evidence of its ability to provide all the security required by law, no additional surety may be exacted.

The legislature has left the matter of approving certain bonds with the Governor and Council. The legislature must have intended that these officials would demand a bond with surety or sureties that would guarantee the best fulfilment of the obligation. In my opinion, a surety company qualified to do business in the State of Maine would furnish the best guaranty of such an obligation. I would not say that the Governor and Council would be right in refusing in all cases to accept a bond containing individual sureties; yet where there is the slightest