

# MAINE STATE LEGISLATURE

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STATE OF MAINE

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REPORT

OF THE

ATTORNEY GENERAL

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for the calendar years

1943--1944

prescribed by statute in effect at that time. No provision of the law of that date or in the act passed in 1943 permits a lesser amount to be paid for a fraction of a year; but on or before January 1 of 1944 and continuing thereafter until the law is changed, the osteopaths in Maine will be obliged to pay the license fees for either a new license or a renewal in accordance with Chapter 131. The use of the word "renewal" in Chapter 131 does not change or modify anything hereinbefore written.

JOHN G. MARSHALL  
Deputy Attorney-General

September 23, 1943

Harrison C. Greenleaf, Commissioner      Institutional Service

In answer to your communication of September 21st relative to the use of some of the inmates at the South Windham Reformatory for employment outside the Reformatory grounds and particularly for the use of their labor in harvesting and processing of corn in the Gorham area, it would appear that the following things should be considered as necessary before affirmatively adopting a program of this kind.

First, in view of the fact that the last legislature reported unfavorably on a proposal to permit the usage of this kind of labor in the State, and the fact that there is no express provision in our law for using the inmates of penal institutions for labor in private undertakings, it would appear to be absolutely necessary to have an Executive Order under the War Powers Act by the Chief Executive of the State, covering this situation.

Secondly, there are certain constitutional limitations relative to servitude, and to obviate any violation here in such an undertaking, it will be absolutely necessary to have a written declaration by any inmate engaged in this endeavor, stating that he has volunteered to do the work and that he has been in no way forced, or ordered, to do so as a part of his penal service, and that it was in no way against his will.

Thirdly, any inmate or inmates permitted to work under such a program inaugurated pursuant to the foregoing suggestions should at all times be under the constant jurisdiction and supervision of an authorized guard of the institution in which these individuals are legally confined.

FRANK I. COWAN  
Attorney-General

September 27, 1943

William D. Hayes, State Auditor      Audit

*Cancellation of Bonds of State Employees and Officials leaving the  
Employment of the State*

After a conference with Mr. Cowan, the Attorney-General, about the method of handling the cancellation of bonds of State employees and officials, the following is the recommendation of the Attorney-General's Department to all Departments.