

MAINE STATE LEGISLATURE

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December 9, 1943

Oscar L. Whalen, Esq.
County Attorney, Washington County
Eastport, Maine.

Dear Oscar,

I have your letter of December 7th in regard to fees of deputy sheriffs.

This office interprets P. L. 1943, Ch. 274, as being an amendment to those parts of R. S. Ch. 126, Sec. 4 as are expressly covered, and as an addition where not expressly covered. Warrants and criminal subpoenas are neither expressly amended nor are they referred to in the new law. An "order of service issued by or from any court" apparently refers to orders in cases of (1) Petitions for separate support and counsel fees; (2) Petition for amendment to a divorce decree; (3) Mandamus actions and the like where there is no return day set by statute.

It seems to me that the new act has not changed the fees in service of warrants and subpoenas in criminal cases. (In connection with the latter, attention is called to the fact that at the top of page 1533 of the Revised Statutes is a provision for the payment of more than \$1. for service of criminal subpoenas. I believe the deputies do not want that taken out of the law, as it would be if the 1943 act applies.)

Sincerely yours,

Frank I. Cowan
Attorney General

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