

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1943--1944

and turn it over to the department with which he is connected.

I think that by the amendment to which I have referred, the law has been sufficiently clarified so that there should be no misunderstanding as to the disposition of witness fees. In the cases where by rule or regulation the officer is required to turn the money over to his department, he understands the disposition to be made of these fees.

ABRAHAM BREITBARD

Deputy Attorney-General

March 15, 1944

Roscoe L. Mitchell, M. D., Director, Bureau of Health

I have your memorandum of March 8th asking for an interpretation of Section 187-B of the Public Laws of 1935, Chapter 83. The word "dormitory" which appears in said section can apply only to a building used primarily for sleeping quarters. The courts have permitted the word "dormitory," when used in a statute, to cover such a building, even though food may be prepared and eaten in one part of the building. The Missouri courts have extended the use of the word so that they have said that the fact that there are rooms used for athletic exercises does not bar the building in which these rooms appear as incidentals from being classed as dormitories.

Your question, "Would summer recreational camps operated by the Girl Scouts, Boy Scouts and similar organizations be included in the above exception and exempt from the license requirements, etc.?" said exemption being "dormitories of charitable, educational or philanthropic institutions," must, in the form in which the question is asked, be answered in the negative. A summer recreational camp may have dormitories and as a matter of fact the cabins or tents occupied by the patrons are such. When, however, as usually happens, there is a separate building for the preparation and serving of meals, that separate building comes within the provisions of the statute and must be licensed.

FRANK I. COWAN

Attorney-General

March 15, 1944

Hon. Sumner Sewall, Governor of Maine

I have the memo of March 9th asking in regard to the Judicial Council. This was set up by act of the Governor on May 20, 1932. Such a council had been recommended by the Association of Municipal Judges. Governor Gardiner reports that he consulted with the Chief Justice and others and as a result of the conference appointed eleven outstanding men of the State, headed by the Chief Justice. Under date of December 19, 1932, the Council made a report to the Governor suggesting that uniform jurisdiction among the municipal courts of the State be established and going further and recommending the establishment of a District Court system in the various counties. The recommendation further provided that the Chief Justice of the State should have general supervision of the work of the District Courts. Several other recommendations were made and several bills were submitted to