

# MAINE STATE LEGISLATURE

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July 6, 1944

To J. J. Allen, State Controller  
Re: Photographic Copies of Records

I have your memo in regard to microfilming of records. In the second paragraph you quote me as expressing the opinion that our statute is not effective until ruled upon by the courts.

I didn't intend to convey quite that impression. What I said was that we should go slow about destroying original records and should hesitate considerably about being certain that photographic copies can be put in evidence prior to a ruling of the Law Court on the subject. On being questioned as to what I meant, I stated that absolute reliance cannot be placed on a statute until we find how the courts will interpret it.

P. L. 1943, Chapter 73, seems to me sufficiently clear and positive in its language. I believe the court will say that it fully permits the introduction of photographic copies of records; but in the absence of a positive decision by our own local courts, we cannot be sure.

The decisions of the courts as reported in the brief which you filed with me will, when the question arises, be treated with respect by our court, but they are not binding on us.

Frank I. Cowan  
Attorney General

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