

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**

**REPORT**

**OF THE**

**ATTORNEY GENERAL**

**for the calendar years**

**1945-1946**

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expended in part performance of these two contracts aforesaid. The remainder of the contracts remains to be done, and the State has obligated itself through the commissioner and the Governor and Council to carry out the terms of this contract.

RALPH W. FARRIS  
Attorney General

December 12, 1946

To Maine State Boxing Commission

This department acknowledges receipt of your letter of December 12th in which you ask the following question:

“Is it necessary for a boxing promoter to obtain a permit from the local city or town government where he intends to promote boxing exhibitions for the public, in addition to his license as granted for that locality by this Commission? In this particular instance, the location in question is the City of Rockland.”

On October 23rd this department, upon inquiry from the city solicitor of another municipality involving this same question, ruled as follows:

“It is my opinion that Section 7 of Chapter 78, R. S. 1944, which was enacted in Chapter 282, Section 8 of the Public Laws of 1939 and which gave the Boxing Commission sole direction, control and jurisdiction over all boxing contests and empowered it to promulgate rules and regulations necessary therefor, impliedly repealed whatever authority the City of ..... may have had prior to 1939. . .”

ABRAHAM BREITBARD  
Deputy Attorney General

December 12, 1946

To Hon. Horace Hildreth, Governor of Maine

Re: Resignation of a Member of the House of Representatives

With relation to the communication addressed to Your Excellency under date of December 6th and received by you on December 9th from James R. Pratt, Representative-elect of the class district of Harrison, Otisfield and Windham, stating that he declines the office and also tenders his resignation as a member of the 92nd Legislature:

Since his term in the 92nd Legislature expires on December 31st, it is unnecessary to take any action on that.

As to his membership in the 93rd Legislature, I think he may resign his seat, thereby creating a vacancy. As framed, the letter merely expresses a desire to resign, but I think we may well treat it as a resignation of the seat in the Legislature to be assembled on January 1st.

In addition to tendering his resignation to the Governor, he should also tender it to the selectmen of the Town of Windham, as that is the oldest town in this representative district and its municipal officers fix the date of the election and notify the selectmen of the other towns in that district.