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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1947 - 1948

September 24, 1947

To the Members of the Westport-Wiscasset Bridge District:

Question has been raised as to the meaning of Section 9 of the Act creating the Westport-Wiscasset Bridge District, Chapter 103 of the Private and Special Laws of 1947. This section in part provides:

> "No sum shall be expended by the district unless and until the district shall have received a license or permit satisfactory to the district from the United States government to construct, operate and maintain said bridge and its highway approaches in, on and over the Back river . . ."

The question is whether the members of the district are justified in incurring the expenses involved in obtaining engineering surveys which are essential in order to apply for a permit from the United States government, to construct and maintain said bridge over said waters.

I am of the opinion that such an expenditure may be made in a sum, however, not to exceed $2500, provided in Section 8, as I believe that the limitation of Section 9 on expenditures to be made by the district before obtaining the permit relates to the construction of the bridge and not to the preliminary steps necessary in order to obtain the permit.

You are therefore advised that you may contract for these engineering surveys.

ABRAHAM BREITBARD
Deputy Attorney General

September 25, 1947

To C. T. Russell, Deputy Commissioner of Labor and Industry
Re: Chapter 25, § 36

Receipt is acknowledged of your memorandum of September 24th, asking for an interpretation of Section 36 of Chapter 25 of the Revised Statutes of 1944, which reads as follows:

> "The proprietor, manager, or person having charge of any mercantile establishment, store, shop, hotel, restaurant, or other place where women or girls are employed as clerks or help therein in this state shall provide chairs, stools, or other contrivances for the comfortable use of such female employees for the preservation of their health and for rest when not actively employed in the discharge of their respective duties. Whoever violates any of the provisions of this section shall be punished by a fine of not less than $10, nor more than $100."

The inquiry is whether a mill where goods are manufactured would come within the provisions of this section.

The word "shop" has been defined in a number of cases as a place of manufacture or repair. Thus, a place used for the manufacture and repair of pianos and a roundhouse were each held to come within the definition of the term "shop" as used in the statutes there considered; but if there is any question about it, it would seem to be answered by the clause, ". . or other place where women or girls are employed as clerks or help. . . ."