

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1947 - 1948

“(2) If illegal, what penalties are likely?”

Answer. A fine may be imposed of not less than \$10 nor more than \$1000, and an offender may be further punished by imprisonment for 30 days on the first offense, 60 days on the second, and 90 days on the third. Also the automobile may be seized, as this is a game of chance, which is prohibited by statute. Anything that involves a lucky winner is a violation under Section 18 of Chapter 126.

“(3) Can the procedure be legalized by selling tickets to a dance or other entertainment and giving the car to the lucky ticket holder?”

I do not feel that it is fair to ask the Attorney General to provide opinions for evading the law.

I will say that the admission tickets are subject to a tax by the Federal Government, and if door prizes are given, the drawing would be investigated by the Internal Revenue Department.

RALPH W. FARRIS
Attorney General

April 26, 1948

To E. E. Roderick, Deputy Commissioner of Education

Re: Liability of parents evading the compulsory school attendance law

I have your memo of April 6th, which we discussed in my office on April 23rd, when I advised you that there seems to be no statutory provision covering the matter contained in your memorandum.

Where the parents of children of school age take their children to the Aroostook potato fields in harvesting season, they take them out of the jurisdiction of their legal residence temporarily.

I do not see where the compulsory attendance statute could authorize the Department of Education to take any action. There is no statute which would permit prosecution of parents for removing their children to another town to earn money during the harvesting season in Aroostook.

RALPH W. FARRIS
Attorney General

April 30, 1948

To A. M. G. Soule, Chief, Division of Inspection,

Department of Agriculture

Re: Produce Dealers Supply Co.

I have your memo of April 30th relating to the provisions of Sections 225-231 inclusive of Chapter 27, relating to the branding of potatoes; also two exhibits you left in my office—one, a ten-lb. bag labeled

10 lbs. net

U. S. Grade No. 1

MONARCH
BRAND
MAINE
POTATOES
Produce Dealers Supply Co.
Presque Isle, Maine