

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1947 - 1948

December 15, 1948

Gen. George M. Carter, The Adjutant General
Re: Bath Water District Easement

Referring to your memo of November 23rd, which came during my absence, with attached communication from the Attorney for the Bath Water District, John P. Carey, and diagram covering the matter of a request for an easement from the State relating to the location of a new water line:—

I note that you feel that this request is reasonable, but prefer to have an opinion from this office before answering this communication.

It is my opinion that under Section 24 of Chapter 12 you have authority to grant this easement.

Please have Mr. Carey, attorney for the Bath Water District, draw up the easement which he expects the State to sign, according to the plan enclosed and submit it to this office for approval as to form.

Of course, the grant must be in the name of the State of Maine by the State Military Defense Commission, which is headed by the Governor. . . .

RALPH W. FARRIS
Attorney General

December 15, 1948

To Ernest H. Johnson, State Tax Assessor
Re: Gasoline Tax Refunds

Referring to your memo of November 29th, calling my attention to Section 160 of Chapter 14, R. S. 1944, as amended, which provides that in certain cases 5c of the 6c gasoline tax shall be refunded as thereafter provided:—

Section 166 provides for a refund for vehicles that do not operate on the public highways of this State. It is my opinion that gasoline used in off-highway operation of unregistered farm trucks is subject to the refund provisions of Section 166 of Chapter 14 as referred to in Section 160 of the same chapter. . . .

RALPH W. FARRIS
Attorney General

December 22, 1948

To A. K. Gardner, Commissioner of Agriculture
Re: Apportionment of State Stipend

Your memo of December 21st received, calling my attention to Section 16 of Chapter 27, R. S., as amended by Chapter 366, P. L. 1947, which provides for the apportionment of the stipend among legally incorporated agricultural clubs, societies and fair associations of the State, and requesting me to render a definition of the terms "agricultural clubs, societies, and fair associations," within the meaning of this section.

In my opinion it means those clubs, societies and associations which have become legally incorporated under Chapter 50 of the Revised Statutes and the purposes of which are for the promotion of agriculture and the dissemination of information relative thereto, the awarding of premiums, gratuities