

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**

**R E P O R T**

**OF THE**

**ATTORNEY GENERAL**

**for the calendar years**

**1949 - 1950**

*Answer.* It is my opinion that Section 114 refers to the "wholesale trade," as that term is used in paragraph 2 of Section 114. Then again paragraph 4 of Section 114 classifies a wholesale dealer. In my opinion he would not be permitted to ship soft-shell clams beyond the limits of the state for the "steamer trade" as specified in the new Section 89.

RALPH W. FARRIS  
Attorney General

July 26, 1949

To the Unemployment Compensation Commission

In connection with the payments of benefits to be made under the provisions of Chapter 291 of the Public Laws of 1949, it is my opinion that when a payable claim is filed, after September 1, 1949, for a week of unemployment in which any day in September falls, the benefit payments should be in accordance with the schedule enacted by this chapter.

In other words, as a matter of practical administration, valid continued claims filed on and after September 6, 1949, will be payable at the new statutory rate, this for the reason that no valid claims for the week ending September 3rd can be filed on September 1, 2, or 3, and September 4 and September 5 are holidays.

JOHN S. S. FESSENDEN  
Deputy Attorney General

July 27, 1949

To General George M. Carter

I acknowledge receipt of your memo of July 22nd, attaching communication from the chairman of the board of selectmen of the town of Norway in connection with a request that you return to the town from a previous grant of land for military purposes a strip of land indicated on a plan enclosed with your memo.

It is my opinion that the Commission cannot sell land belonging to the State without legislative authority. . . .

RALPH W. FARRIS  
Attorney General

July 27, 1949

To Carl L. Treworgy, Secretary, Racing Commission

Your memo of July 26th received, asking for a ruling on a case where a pari-mutuel clerk issued more tickets than the customer paid for, the tickets were winners, the customer admitted that he had not paid for the extra tickets, refused to pay for them, but still claimed the winnings on them. You ask if the Mutuel Director is justified in withholding payment on the tickets which were not paid for.

I wish to advise that the Mutuel Director is justified in withholding payment of tickets which were not paid for by the purchaser, if they were issued through error and the customer knew it.

RALPH W. FARRIS  
Attorney General