

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**STATE OF MAINE**

**REPORT**

**OF THE**

**ATTORNEY GENERAL**

for the calendar years  
**1951 - 1954**

Federal Government to cross public lots in the laying of a pipe line from Searsport to Limestone in this State.

You are advised that it is the policy of the Executive Department of the State Government to cooperate fully with Federal authorities in a matter of this nature, since it is one involving military preparation and national defense.

It is my opinion that, as Forest Commissioner having complete administrative control over the public lots, you have authority as such Commissioner, especially when coupled with the authority of the Governor and Council as provided in Section 8 of Chapter 1, R. S. 1944, to grant such permits upon such terms as may be agreed upon.

In entering upon the final transaction whereby the permit or license is actually granted, you should first have the authority of a council order passed by the Governor and Council, expressing the terms upon which the permit or license is granted.

JOHN S. S. FESSENDEN  
Deputy Attorney General

May 31, 1951

To W. E. Bradbury, Acting Deputy Commissioner of Inland Fisheries and Game

Re: Revocation of a Guide's License

As I read the provisions of section 29 of Chapter 33, relative to guides' licenses, I find no provision whatsoever to the effect that guides' licenses are divisible as to fishing on the one hand and hunting on the other. Such licenses, it appears, are licenses to guide for all purposes, under the regulation of the Inland Fish and Game Laws.

It is therefore my opinion that the Commissioner does not have authority to issue a guide's license limited to fishing only or hunting only.

JOHN S. S. FESSENDEN  
Deputy Attorney General

May 31, 1951

To General Spaulding Bisbee, Director of Civil Defense

Re: Powers of Arrest

I am returning herewith Frederick P. O'Connell's letter of May 2, 1951, in which he asks for an opinion as to whether or not an auxiliary policeman of Town A, upon being sent into Town B under the mutual-aid clause of the Civil Defense Act, carries with him the necessary police power to operate in Town B by virtue of the fact that he was sworn in in Town A, or whether it would be necessary to deputize him in Town B.

As I understand the plans of the Civil Defense Department, all law enforcement officials operating outside their own jurisdictions for which they were sworn to enforce the laws are to be attached to police sections of mobile