

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**

**REPORT**

**OF THE**

**ATTORNEY GENERAL**

for the calendar years  
**1951 - 1954**

the intent of our statutes and within the intent of the Soldiers' and Sailors' Relief Act. This Act, briefly, provides that soldiers do not lose their residence or domicile solely by being absent therefrom in compliance with military or naval orders. A soldier is not deemed to have acquired a residence or domicile in or to have become a resident of another State while and solely by reason of being so absent; but the Act contemplates that, with respect to automobiles the license fee or excise required by the State, Territory, or Possession of which he is a resident or in which he is domiciled, has been paid.

We sincerely hope that these answers have been helpful to you and we should like to hear from you in the event that you disagree with this letter.

JAMES G. FROST  
Deputy Attorney General

May 26, 1952

To Harland A. Ladd, Commissioner of Education  
Re: Six-hour Credits

This office has been asked if our opinion of May 8, 1952, relative to Section 201 of Chapter 37, R. S. 1944, can be interpreted to mean that teachers who do not acquire six semester hours of study within each period of five years are precluded from teaching in the schools of the State of Maine.

Relative to this question it appears that there are several different permits granted teachers in this State, ranging from a certificate to substandard teaching permits. Our opinion of May 8th merely states that the five-year period required in Section 201 cannot be extended further; that is, a year of grace may not be granted in hardship cases. Such a decision does not preclude teachers from being granted substandard permits until such time as they have fulfilled the requirements of Section 201 relative to obtaining another certificate by virtue of their having completed certain educational requirements.

JAMES G. FROST  
Deputy Attorney General

June 3, 1952

To Allan L. Robbins, Warden  
Re: Anthony Rockford

You request me to advise you respecting your letter dated May 29, 1952, with regard to a writ of habeas corpus issued by a Federal judge in Massachusetts in order to bring a prisoner from Thomaston to a special grand jury hearing to be held in Boston on June 5th.

The United States Code, Title 28, 2241, gives the power to issue writs of habeas corpus to any Federal judge, Supreme, Circuit, or District. The statute provides that no writ of habeas corpus shall be issued respecting a prisoner except in five enumerated cases. The first four relate to prisoners in Federal courts, those in custody for violating Federal law, those in custody for violating the Federal Constitution or a treaty, and foreign citizens claiming right or authority under the law of foreign states and the law of nations.