

MAINE STATE LEGISLATURE

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No

December 17, 1953

To Col. Harry A. Mapes, Director, Civil Defense and Public Safety
Re: Loyalty Oaths

We have your inquiry relative to the taking of loyal oaths under the Civil Defense legislation by the Deputy Collector of U. S. Customs at Van Buren. It is stated that he has authority to administer oaths under Customs Delegations Order No. 2: T.D. 53195.

We would refer to an opinion of this office dated June 9, 1952, by James G. Frost, Deputy Attorney General, on the subject at hand, directed to General Spaulding Bisbee, and quote from it:-

"In Maine, however, authority to administer an oath should be granted by statute. Our Civil Defense Act says that the oath in writing must be before a person authorized to administer oaths in this State."

We would suggest that, in view of the statute, the safest procedure to follow would be to use only those persons to whom the State of Maine has granted the power to administer oaths. This will avoid many troublesome aspects that might otherwise arise.

Roger A. Putnam
Assistant Attorney General

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