

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years
1951 - 1954

April 16, 1954

To Milton Bradford, Esq., M. E. S. C.

Re: Assignment of Lease

. . . In our opinion an assignment of a lease should be negotiated with the same formalities as the original lease and therefore the instrument should be impressed with the corporate seal of the corporation executing the lease and their signatures should be witnessed. . .

JAMES GLYNN FROST

Deputy Attorney General

April 20, 1954

To Carl Treworgy, Clerk, Harness Racing Commission

Re: Section 12, Chapter 77, R. S. 1944, as amended

Referring to your request dated March 1, 1954, for an opinion:—

It has been brought to the attention of this department by Governor Burton M. Cross that an objection has been made because of our refusal to answer the question,

“Could an agricultural fair association operate an annual fair, with pari mutuel racing, on the Gorham race track in Gorham, Maine, after Labor Day whether or not Scarborough Downs was conducting running racing at that time?”

The refusal was based on the fact that we were advised that there was no agricultural fair association, duly incorporated, placing the question before you. We have advised Governor Cross that this office does not answer academic questions, but is always pleased to answer actual problems when occasion arises.

If the circumstances concerning your case have been altered to the extent that you now have a current problem with respect to this question, we shall be pleased to answer. Kindly advise.

JAMES GLYNN FROST

Deputy Attorney General

April 23, 1954

To Earle R. Hayes, Secretary, Maine State Retirement System

Re: Water Commission of South Paris Village Corporation

This is in response to your request for an opinion relative to the right of the Water Commission of the South Paris Village Corporation to enter into an agreement with your State agency for coverage under the Social Security Act.

An examination of the statutes relating to the South Paris Village Corporation, Chapter 140 of the Private & Special Laws of 1909, as amended by Chapter 236 of the Laws of 1911, reveals a rather clear intent that the water system would be under the jurisdiction of the South Paris Village Corporation. We find nothing to show that the South Paris Water Commission or Water Department is a corporate entity by itself.