

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**

**REPORT**

**OF THE**

**ATTORNEY GENERAL**

for the calendar years  
**1951 - 1954**

“Aid may be required by officer; penalty for refusal. Any officer aforesaid, in the execution of the duties of his office in criminal cases, for the preservation of the peace, for apprehending or securing any person for the breach thereof, or in case of the escape or rescue of persons arrested on civil process, may require suitable aid therein; and any person, so required to aid, who neglects or refuses to do so, forfeits to the county not less than \$3, nor more than \$30; and if he does not forthwith pay such fine, the court may imprison him for not more than 30 days.”

We feel that the right of a forest fire warden to require aid is limited by Section 217 and, without determining whether or not the person required to aid is in effect a constable or deputy sheriff, we would state that when so requested he is compelled by law to render the assistance demanded, under pain of penalty if he refuses.

JAMES GLYNN FROST  
Deputy Attorney General

May 11, 1954

To Roland H. Cobb, Commissioner of Inland Fisheries and Game  
Re: Moosehorn Refuge

This is in response to your memo of April 8th, to which memo you attached a letter from the Calais Rod and Gun Club complaining that Mr. Radway, Supervisor of the Moosehorn Refuge, has employed trappers to remove muskrat from the Refuge, selling the pelts in the open market.

Initially, it is our understanding that Mooschorn Refuge is land entirely owned by the Federal Government and administered by the Department of the Interior. Where there is an excess of animals on federally owned land, which cause damage or injury to the land, it is within the power of the United States to cause their numbers to be reduced by killing such animals, the game laws or any other statutes of the State to the contrary notwithstanding. See *Hunt v. U. S.*, 278 U. S. 96.

In view of such circumstances and law, we would suggest that the Calais Rod and Gun Club contact Mr. Radway.

JAMES GLYNN FROST  
Deputy Attorney General

May 11, 1954

To Donald F. Ellis, Secretary, Board of Registration in Optometry  
Re: Delinquents

We have your letter of May 6th, in which you state that your Board would like to revoke the licenses of several persons who have failed to pay their annual renewal fees, required by the provisions of Section 5 of Chapter 69, R. S. 1944, as amended. You further state that your Board will meet May 15th and that you would appreciate our advising you before you then consider this matter.