

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**

**REPORT**

**OF THE**

**ATTORNEY GENERAL**

for the calendar years  
**1951 - 1954**

Chapter 298 of the Laws of 1949, and the restrictions upon membership would appear to depend upon ability to make that oath with understanding.

We find nothing in the law in reference to the age of 18 years. Children in this State are minors until the age of 21 is reached, but their ability to participate in this program is not thus limited. It would appear not to be unlikely that a normal boy in his teens would be a proper subject to apply for membership in this organization, and if found satisfactory and capable of understanding the oath, would be eligible.

You enclosed a copy of your memorandum to county and local directors, which I think is very well stated and completely covers the matter.

NEAL A. DONAHUE  
Assistant Attorney General

October 29, 1954

To Ronald W. Green, Chief Warden, Sea and Shore Fisheries  
Re: Weir in Deorganized Town

This will acknowledge receipt of your memo of October 27th and attached petition to measure and lay out a weir or trap. You ask the procedure to be followed in obtaining a permit to build a weir in the deorganized Town of Edmunds. . .

The Town of Edmunds by a vote in 1937 agreed to accept the surrender of its organization. The town clerk certified to the Secretary of State on November 30, 1937, that the Town had so voted.

The State Tax Assessor, under provisions of our laws, was in control of Edmunds for a period of not more than five years.

Section 7 of Chapter 86, R. S. 1944, being that section pertaining to licenses to construct wharves and weirs, applies only to cities and towns and, in another section, islands. The Tax Assessor being no longer in a position to accept such petition and the provisions of Section 7 not extending to deorganized towns, this office is of the opinion that such license or permit to lay out a weir must be granted by the legislature.

JAMES G. LYNN FROST  
Deputy Attorney General

October 29, 1954

To Honorable Harvey R. Pease, Register of Probate, Lincoln County  
Re: Inheritance Tax when Assets Pass outside of Will

You have requested an opinion on the inheritance tax liability of the executor or administrator when part of the assets pass outside the will, as by gift in contemplation of death, gift made or intended to take effect in possession or enjoyment after death or survivorship in joint tenancy.

Your inquiry relates to the revision of Probate Court Rules and Forms.