

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1957 - 1958

April 2, 1957

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

Re: Contributions on salary of position improperly obtained

. . . You state that you are anxious to close your books on the account of one Martin Daniel Godgart.

It appears that Mr. Godgart was a school teacher in North Haven and was charged with false pretenses in obtaining his teacher's certificate. Actually, the person assumed the name of Martin Daniel Godgart, thereby acquiring the certificate from the Department of Education.

Chapter 41, Section 187, of the Revised Statutes provides that whoever teaches in a public school without first obtaining a state teacher's certificate is barred from receiving any pay therefor and shall forfeit to the town in which he so taught such amounts as he shall have received for wages for such teaching.

As the imposter has left the State, leaving no property, with the result that personal jurisdiction cannot be obtained over him for the purpose of obtaining the forfeiture, we would advise that it is proper for you to dispose of the funds in your possession, which were contributed by the imposter, to the Town of North Haven.

JAMES GLYNN FROST
Deputy Attorney General

April 2, 1957

To Kermit S. Nickerson, Deputy Commissioner of Education

Re: Bible Reading in the Public Schools

. . . You state that the State Board of Character Education and Accredited Bible Study is preparing a bulletin of Suggested Bible Readings for Public Schools and with respect to the preparation of this bulletin you ask for an interpretation of Section 145, Chapter 41, R. S. 1954.

That portion of Section 145 pertinent to your question reads as follows:

“. . . there shall be, in all the public schools of the state, daily or at suitable intervals, readings from the scriptures with special emphasis upon the Ten Commandments, the Psalms of David, the Proverbs of Solomon, the Sermon on the Mount and the Lord's Prayer . . .”

You ask, “Does this section require that in the classrooms of the public schools during the school year there shall be read the Sermon on the Mount and the Lord's Prayer?”

In our opinion the above quoted section of law is almost devoid of the necessity of interpretation, the words requiring not only that the Sermon on the Mount and the Lord's Prayer shall be read in public schools, but that they shall be read more frequently than other portions of the scriptures.

JAMES GLYNN FROST
Deputy Attorney General