

MAINE STATE LEGISLATURE

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April 2, 1957

yes

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 impostor 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 impostor, to the Town of North Haven.

James Glynn Frost
Deputy Attorney General

jgf/c

37 Me. 367

143 Me. 353