

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**This document is from the files of the Office of
the Maine Attorney General as transferred to
the Maine State Law and Legislative Reference
Library on January 19, 2022**

20

February 28, 1961

Roland H. Cobb, Commissioner

Inland Fisheries and Game

James G. Frost, Deputy

Attorney General

Fishways - Scribner's Mill Dam and Bolsters Mills Dam

We have your letter of January 26, 1961 in which you ask, with respect to two dams - Scribner's Mill Dam and Bolsters Mills Dam on Crooked River, "should we at this time press the matter of insisting on fishways on these two dams, or sufficient removal of the dams to allow fish passage?"

It appears that your concern is with the effectiveness of our present statutes in whether or not presentation of the instant cases to a court would be successful.

The statutes have been on the books for a long time and amended a few years ago to eliminate a problem which this office felt was present. Whether or not one should proceed is, of course, an administrative decision which would be up to the department involved. It is our thought that perhaps if the statute is faulty we should find it out, if the two projects are of sufficient interest to your department to warrant the test on these cases.

We would point out that it would be difficult for this office during the legislative session to supply the necessary legal assistance you would probably need in pursuing the cases, and suggest that in line with our telephone conversation of yesterday that it would be more convenient for us if the action were to wait until after the session.

James Glynn Frost
Deputy Attorney General

JGF:H