

MAINE STATE LEGISLATURE

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October 17, 1962

Francis H. Sleeper, M.D., Superintendent
Courtland D. Perry, Asst. Atty. Gen'l.
Examiner of Insane Convicts.

Augusta State Hospital
Mental Health and Corrections

On October 11, 1962 you inquired of this office whether an examiner of insane convicts appointed under Section 122 of Chapter 27 may also be called upon by a Municipal Court Judge to give evidence as provided for in Section 123 of the same Chapter.

It is the opinion of this office that the language of Section 123, in part as follows: "and shall require and receive evidence of at least 2 reputable physicians not in the employ of either of the said jails", not only precludes an examiner of insane convicts from giving evidence as one of the two physicians, under Section 123 in his own County but also precludes him from performing such function under Section 123 in any other County in the State, such examiner being considered to be in the employ of a jail.

Courtland D. Perry
Assistant Attorney General

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