

# 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**

✓✓  
No  
May 18, 1966

John J. Flaherty, Esquire  
85 Exchange Street  
Portland, Maine 04111

Dear John:

This is in reply to your letter of May 17th to the Attorney General regarding fees of the Register of Probate.

18 M.R.S.A. § 251, provides that the salaries of the registers of probate shall be in full compensation for the performance of all duties required of registers of probate. 18 M.R.S.A. § 203, requires the register of probate to cause public notice of the appointment of executors, etc. These provisions, we feel, would bar the register from retaining, as additional compensation, excess moneys from overestimating the amount required for publication of notices. It is our opinion that such moneys are not charges for the publication of notices within the meaning of 30 M.R.S.A. § 2, and that such exception to the paying of all charges and fees to the county treasurer applies only to those charges paid by the register to newspapers for the notice publication.

We have previously so advised the State Auditor, but in more general language.

Very truly yours,

Leon V. Walker, Jr.  
Assistant Attorney General

LVWJr:H  
cc: State Auditor