

MAINE STATE LEGISLATURE

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SEVENTY-SECOND LEGISLATURE

HOUSE.

No. 228

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIVE.

AN ACT enlarging the duties and fixing the compensation of
the Attorney General.

*Be it enacted by the Senate and House of Representatives in
Legislature assembled, as follows:*

Section 1. The attorney general shall appear for the State,
2 the secretary of State, the treasurer of State, the bank exam-
3 iner, the insurance commissioner and the State boards and
4 commissions, in all suits and other civil proceedings in which
5 the State is a party or interested, or in which the official acts
6 and doings of said officers are called in question, in all the
7 courts of the State; and in such suits and proceedings before
8 any other tribunal when requested by the governor or by the
9 legislature or either branch thereof. All such suits and
10 proceedings shall be prosecuted or defended by him or under

11 his direction. Writs, summonses or other processes served
12 upon such officers shall forthwith be transmitted by them to
13 him. All legal services required by such officers, boards and
14 commissions in matters relating to their official duties shall
15 be rendered by the attorney general or under his direction.
16 Said officers, boards and commissions shall not act at the
17 expense of the State as counsel in any suit or proceedings
18 in which the State is interested.

Sect. 2. All civil actions to recover money for the State
2 shall be brought by the attorney general or by the county
3 attorney in the name of the State, and the attorney general
4 shall appear before the departments and tribunals of the
5 United States and the committees of Congress to prosecute
6 all claims of the State against the United States.

Sect. 3. He shall consult with and advise the county attor-
2 neys in matters relating to their duties; and if in his judg-
3 ment the public interest so requires, he shall assist them by
4 attending the grand jury in the examination of a case in
5 which the accused is charged with treason or murder, and
6 appear for the State in the trial of indictments for treason
7 or murder.

Sect. 4. He may, if in his judgment the public interest so
2 requires, prosecute by indictment or complaint any person
3 who intrudes on the land, rights or property of the State, or
4 commits or erects a nuisance thereon.

Sect. 5. He shall enforce due application of funds given
2 or appropriated to public charities within the State, and
3 prevent breaches of trust in the administration thereof.

Sect. 6. He shall give his written opinion upon questions
2 of law submitted to him by the governor and council, secre-
3 tary of State, treasurer of State, bank examiner, insurance
4 commissioner, or any of the State boards or commissions or
5 by either branch of the legislature.

Sect. 7. The attorney general shall appoint a deputy who
2 shall be designated as assistant attorney general, and who
3 shall serve during the pleasure of the attorney general or
4 until a successor is duly appointed and qualified. His office
5 shall be at the capitol and he shall perform all the duties
6 required of the attorney general by chapter forty-seven of
7 the Revised Statutes, and such other duties as the attorney
8 general may require of him. He shall receive an annual
9 salary of eighteen hundred dollars, and actual cash expenses
10 while in the discharge of his duties away from the capitol,
11 and he shall receive no further fees, perquisites or emolu-
12 ments.

Sect. 8. The attorney general shall receive an annual salary
2 of four thousand dollars and actual cash expenses while in
3 the performance of his official duties. Said salaries shall be
4 in full for all services and in lieu of all fees. He shall col-
5 lect the legal and usual fees payable to him by virtue of his
6 office, and pay over the same to the treasurer of State on the
7 first days of January, April, July and October in each year.

Sect. 9. This act shall take effect on the first day of July,
2 one thousand nine hundred and five.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,
Augusta, February 22, 1905.

Reported by Mr. SEWALL from Committee on Salaries and pending acceptance of report, report tabled and bill ordered printed on motion of Mr. SEWALL of Bath.

E. M. THOMPSON, *Clerk.*