

# 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)

---

---

# SEVENTY-FOURTH LEGISLATURE

---

---

SENATE.

No. 499

---

---

MAJORITY REPORT.

## STATE OF MAINE.

---

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

---

AN ACT to provide for the Attorney General or Assistant Attorney General to take charge of liquor prosecutions, upon failure or refusal of the county attorney to perform his duty, and for the prosecution of such county attorney.

---

*Be it enacted by the People of the State of Maine, as follows:*

Section 1. Upon application to the justice presiding at any  
2 term of the Supreme Judicial Court having cognizance of  
3 criminal cases, the Attorney General or Assistant Attorney  
4 General may take charge of all prosecutions relating to the  
5 law against the manufacture and sale of intoxicating liquors,  
6 including prosecutions for liquor nuisances under Chapter  
7 22, Section 1 of the Revised Statutes, and shall have full  
8 charge and control thereof.

Sect. 2. It shall be the duty of the Attorney General to  
2 make such application upon direction of the Governor, or  
3 whenever he shall be satisfied that the county attorney of  
4 any county has wilfully failed or refused to perform the  
5 duties enjoined upon him by Chapter 29 of the Revised  
6 Statutes and acts amendatory thereof.

Sect. 3. Whenever the Attorney General or Assistant  
2 Attorney General shall take charge of the prosecutions  
3 aforesaid in any county, it shall be his duty to present to the  
4 grand jury the evidence of the failure or refusal of the  
5 county attorney as aforesaid, and if an indictment shall be  
6 found, to further prosecute the same to final judgment.

STATE OF MAINE.

---

The Committee on Legal Affairs to which was referred the Bill, entitled "An Act to provide for the attorney general and assistant attorney general, to take charge of the legal prosecutions, upon failure or refusal of the county attorney to perform his duty, and for the prosecution of such county attorney" have had the same under consideration, and ask leave to report that the same ought not to pass.

Per Order,

F. B. SMITH,  
RALPH I. MORSE,  
JOHN A. SNOW,  
FRANK D. MARSHALL,  
L. M. STAPLES,  
W. B. HALL,  
E. W. PIKE.

# STATE OF MAINE.

---

## MINORITY REPORT.

---

The Committee on Legal Affairs to which was referred the Bill, entitled "An Act to provide for the attorney General and assistant attorney general, to take charge of the legal prosecutions, upon failure or refusal of the county attorney to perform his duty, and for the prosecution of such county attorney" have had the same under consideration, and ask leave to report that the same ought to pass.

Per Order,

B. F. HAMILTON,

E. F. GOWELL,

H. E. COOLIDGE.

---

## STATE OF MAINE.

---

IN SENATE,

March 25, 1909.

Majority and minority reports, Committee on Legal Affairs, tabled for printing on motion by Mr. HAMILTON of York, pending acceptance of either report and assigned for Tuesday, March 30.

F. G. FARRINGTON, *Secretary.*