

# MAINE STATE LEGISLATURE

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NINETY - SECOND      LEGISLATURE

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**Legislative Document**

**No. 291**

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H. P. 637

House of Representatives, February 1, 1945.

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Connellan of Portland.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-FIVE

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**AN ACT Providing for the Election of an Assistant County Attorney for  
Cumberland County.**

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

**R. S., c. 79, § 139, repealed and replaced.** Section 139 of chapter 79 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Sec. 139. Assistant county attorney for Cumberland county; duties. An assistant county attorney for Cumberland county shall be elected and notified, his election determined and vacancy filled in the same manner, and he shall enter upon the discharge of his duties at the same time as is provided respecting county commissioners, but he shall hold office for 2 years. Only attorneys at law admitted to the general practice of law in this state, and resident in the county, shall be elected or appointed as assistant county attorney, and removal therefrom vacates the office. Said assistant shall take the oath prescribed for county attorneys; and assist the county attorney in the ordinary duties of his office, in the drawing of indictments, in the hearing of complaints before the grand jury, and in the preparation and trial of criminal causes. He shall, when directed by the county attorney, act as counsel for the state in the trial of complaints before judges of municipal courts and trial justices. Whenever the governor and council,

upon complaint and due notice and hearing, shall find that the assistant county attorney has violated any statute or is not performing his duties faithfully and efficiently, they may remove him from office and appoint another attorney in his place for the remainder of the term for which he was elected.'