

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)

ACTS AND RESOLVES
OF THE
SEVENTY-SECOND LEGISLATURE

OF THE
STATE OF MAINE

1905.

Published by the Secretary of State, agreeably to Resolves of
June 28, 1820, February 18, 1840, and March 16, 1842.

AUGUSTA
KENNEBEC JOURNAL PRINT
1905

PUBLIC LAWS

OF THE

STATE OF MAINE.

1905.

CHAP. 162

Further provisions concerning construction of this act.

Section 2. This act shall take effect when approved, but shall not be construed to effect the repeal of chapter three hundred and seventeen of the private and special laws of Maine, approved March twenty-six, nineteen hundred and three, nor of any law applicable to a particular locality passed by the legislature in the year nineteen hundred and five, but any town to which any special law applied may in addition have all the advantages of this act if such town shall so vote.

Approved March 24, 1905.

Chapter 162.

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:

Duties of the attorney general.

Section 1. The attorney general shall appear for the state, the secretary of state, the treasurer of state, the bank examiner, the insurance commissioner and the state boards and commissions, in all suits and other civil proceedings in which the state is a party or interested, or in which the official acts and doings of said officers are called in question, in all the courts of the state; and in such suits and proceedings before any other tribunal when requested by the governor or by the legislature or either branch thereof. All such suits and proceedings shall be prosecuted or defended by him or under his direction. Writs, summonses or other processes served upon such officers shall forthwith be transmitted by them to him. All legal services required by such officers, boards and commissions in matters relating to their official duties shall be rendered by the attorney general or under his direction. Said officers, boards and commissions shall not act at the expense of the state as counsel in any suit or proceedings in which the state is interested.

Shall prosecute all claims for the state.

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

Shall consult with and assist county attorneys.

Section 3. He shall consult with and advise the county attorneys in matters relating to their duties; and if in his judgment the public interest so requires, he shall assist them by attending the grand jury in the examination of a case in which the accused

is charged with treason or murder, and appear for the state in the trial of indictments for treason or murder.

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

May prosecute intruders on lands, rights or property of the state.

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

Shall enforce due application of appropriations to public charities.

Section 6. He shall give his written opinion upon questions of law submitted to him by the governor and council, secretary of state, treasurer of state, bank examiner, insurance commissioner, or any of the state boards or commissions or by either branch of the legislature.

Shall give written opinions on questions of law submitted by governor and council or by certain state departments.

Section 7. The attorney general shall appoint a deputy who shall be designated as assistant attorney general, and who shall serve during the pleasure of the attorney general or until a successor is duly appointed and qualified. His office shall be at the capitol and he may perform all the duties required of the attorney general by chapter forty-seven of the revised statutes, and such other duties as the attorney general may require of him. He shall receive an annual salary of eighteen hundred dollars, and actual cash expenses while in the discharge of his duties away from the capitol, and he shall receive no further fees, perquisites or emoluments.

Deputy attorney general, appointment of.

--salary of deputy.

Section 8. The attorney general shall receive an annual salary of four thousand dollars and actual cash expenses while in the performance of his official duties. Said salaries shall be in full for all services and in lieu of all fees. He shall collect all fees payable to him by virtue of his office, and pay over the same to the treasurer of state on the first days of January, April, July and October in each year.

--salary of attorney general.

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

This act shall take effect July 1, 1905.

Approved March 24, 1905.