

MAINE STATE LEGISLATURE

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STATE OF MAINE.

REPORT

OF THE

ATTORNEY-GENERAL

FOR THE TWO YEARS ENDING

NOVEMBER 30, 1910.

AUGUSTA

KENNEBEC JOURNAL PRINT

1910

OFFICE OF THE ATTORNEY GENERAL,
WATERVILLE, MAINE, June 18th, 1909.

Subject: Chap. 142, P. L. 1905; support of alien paupers.

Hon. Fred W. Bunker, Council Chamber, Augusta, Maine.

DEAR SIR:—You recently submitted to me two questions as follows:

1. An alien comes to a city or town in this state and resides there without receiving pauper supplies for more than five years prior to the passage of Chapter 142, P. L. 1905, and then received pauper supplies from that city or town. Is he a state or town pauper by virtue of the act just referred to?

2. An alien comes to a city or town in this state and from his first arrival until the present time, covering perhaps a number of years, receives pauper supplies and is still receiving them. Would he be a state or town pauper?

I think both of your questions may be answered in one reply. In my opinion it is wholly within the power of the legislature to declare whether the burden of supporting any pauper may be transferred from cities and towns to the state. I am further of the opinion that the legislature intended, by the act of 1905 above referred to, to place upon the state the burden of supporting all alien paupers after the passage of that act. My advice therefore to you is that the state since the passage of the act of 1905 is liable for the support of all alien paupers regardless of the time during which they have or have not received pauper support from any city or town.

You will of course, however, keep in mind the further provisions of the legislature found in Chapter 113, P. L. 1907, which provides that all bills for support of state paupers shall be filed with the Governor and Council within three months after the same are contracted and no such bills shall be allowed unless they are so filed within thirty days after the thirty-first day of December of the year in which they are contracted.

Respectfully yours,

WARREN C. PHILBROOK,
Attorney General.