

# MAINE STATE LEGISLATURE

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# STATE OF MAINE

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REPORT

OF THE

# ATTORNEY-GENERAL

FOR THE TWO YEARS ENDING

NOVEMBER 30, 1914.

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WATERVILLE  
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1915

STATE BOARD OF HEALTH.—TOWNS NOT OBLIGED  
TO PAY FOR ANTITOXIN UNLESS PURCHASED  
OF PARTIES DESIGNATED BY STATE BOARD.

8th January 1913.

*Dr. A. G. Young, Sec. State Board of Health, Augusta, Maine.*

DEAR DOCTOR: Replying to your letter of December 28th, addressed to the attorney general, I am of the opinion that a city or town would not be obliged to pay for the antitoxin purchased by local boards of health furnished by other firms than those with which the State Board had contracted. A town might voluntarily pay for antitoxin purchased from other firms, unless enjoined from so doing by some of the citizens, and the local board of health might distribute it free among its own residents.

From the intent of the statute as indicated by the title and the provisions of Section 1, I do not think a town which furnished antitoxin to an indigent person could collect of the town in which the indigent person resided, unless it was antitoxin purchased of the parties designated by the State Board.

To permit one town to collect from another for antitoxin furnished to an indigent person resident of the latter town, unless purchased in accordance with this statute, or to permit a town to collect from the State for antitoxin furnished any person not a resident of any city or town, if not purchased in accordance with this act, would in a large measure frustrate the whole purpose of the statute, which is to place the matter within the control of the State Board.

It is possible that the town by which antitoxin was furnished to an indigent person might collect as for pauper supplies, but that would have nothing to do with this statute or with your inquiries.

Trusting that I have covered the matter sufficiently to answer your question,

I am,

Very sincerely,

SCOTT WILSON,

*Attorney General.*