

# MAINE STATE LEGISLATURE

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**PUBLIC DOCUMENTS**

OF THE

**STATE OF MAINE**

BEING THE

**REPORTS**

OF THE VARIOUS

**PUBLIC OFFICERS  
DEPARTMENTS AND  
INSTITUTIONS**

FOR THE TWO YEARS

**JULY 1, 1926 - JUNE 30, 1928**

PUBLIC DOCUMENTS, 1926-28

(Explanatory Note)

Three reports in this volume cover periods in variance with the given biennium. They are as follows:

1. The report of the Attorney General covers the period from 1924 to 1928.
2. The report of the Bangor State Hospital covers the period from 1919 to 1928.
3. The report of the department of Inland Fisheries and Game covers the fiscal year ending June 30, 1928. No printed report was made for the fiscal year ending in 1927.

# STATE OF MAINE

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## REPORT

OF THE

# ATTORNEY-GENERAL

FOR THE TWO YEARS ENDING

JUNE 30, 1926

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PRESS OF MERRILL & WEBBER CO.  
AUBURN, MAINE

The answer to the question is, therefore, that the Governor and Council were not legally authorized to establish such a general policy.

Respectfully submitted,

RAYMOND FELLOWS,

*Attorney General.*

July 15, 1925.

*S. N. Tobey, Esq., Treasurer, Augusta State Hospital, Augusta, Maine.*

DEAR MR. TOBEY: In your letter of July 2nd, you ask for an "opinion regarding the case of Alexander E. Edgecomb, a patient in this institution, who has at a bank in Saco the sum of \$209.00, whether or not, when this money comes into my hands, as treasurer of this institution, I can apply the whole or any part of it to liquidate said patient's board in this institution."

Section 30 of Chapter 145 of the Revised Statutes provides that "the state may recover from the insane, if able, or other persons legally liable for his support, the reasonable expenses of his support in either insane hospital."

Under this statute, you undoubtedly have the right to recover from the insane provided he had money or property for the reasonable expense of his support and maintenance. In view of this provision of the law, it is my opinion that when money belonging to the insane person comes into your hands as treasurer, you can safely apply whatever is necessary of the same to liquidate the patient's board in the institution.

In cases where the insane person has quite an amount of property, I think it would be perhaps best that a guardian should be appointed and it would then be his duty to look after the payments to the hospital for the expenses and care of his ward.

Trusting that the foregoing will give you the information you desire, I am,

Yours very truly,

SANFORD L. FOGG,

*Deputy Attorney General.*