

# MAINE STATE LEGISLATURE

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October 8, 1936

To Chairman, Board of Selectmen, Monroe  
Re: Residence of Nurse

Your letter of October 5 addressed to the Secretary of State has been handed this office for reply.

I notice that according to your letter the young lady in question went from Monroe to train as a nurse five years ago and that she had not been physically present in Monroe since, except that occasionally she would return to what you style her home.

The law is well settled that a person's residence is determined in part by intention and in part by acts of the party in question. I believe that it is well settled law that the mere fact that a person departs from what he considers his home, temporarily, even though his absence may be extended over quite a period, does not result in his losing his residence.

I gather from your letter that the lady in question has never evinced any disposition to make any other town than Monroe her residence except that she has been away training as a nurse. The fact that she has been away training as a nurse did not affect her residence, assuming that at the time she left Monroe she did not leave with the idea of going somewhere else to reside, but merely for the purpose of studying for her chosen profession.

I feel very strongly that since she does not attempt to vote in any other municipality either in this State or any other, and desires to retain her residence in Monroe, the Board of Registration in Monroe should be very cautious in depriving her of her vote.

I might say in this connection that the Board of Registration assumes no personal responsibility in whatever decision it may arrive at in good faith, and that any suit the lady might bring to have her name placed on the check list would not involve the selectmen in any personal liability but would simply be a bill in equity attempting to compel them to place her name on the check list.

Clyde R. Chapman  
Attorney General

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