

MAINE STATE LEGISLATURE

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August 22, 1938

MEMORANDUM TO: GOVERNOR BARROWS

The prohibition against voting by paupers is contained in the Constitution.

A pauper has been defined by our Courts as a person who receives supplies from a town where resident or found with full knowledge that they are such pauper supplies, or on his own application.

It was early decided in 7 Maine at Page 420, by the Justices of the Supreme Court in answer to questions propounded to them by the House of Representatives that: "A man is to be considered a pauper so long as he receives supplies as such from the town where he resides but no longer." Reasoning from the statute which required a person to have had a residence in a particular town for three months next preceding an election, the Court advised that if a person once a pauper receives no pauper aid from his town for three months prior to an election, the Constitutional disqualification imposed upon him by the receipt of such pauper aid is removed.

In the event that the Constitutional Amendment to be voted upon on September 12 is adopted, this period will be changed to six months.

I am attaching hereto the letter from George P. Gould of Bangor, and do not understand how the Board of Registration of that city can permit persons who are receiving assistance to register and vote if such assistance has been received within three months.

There are a good many ramifications of the pauper law which I shall be pleased to discuss with you at your convenience.

Franz U. Burkett
Attorney General