

MAINE STATE LEGISLATURE

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March 24, 1939

Memorandum to Governor Barrows:

On February 20, you sent to my office the attached letter from Reverend Adiel J. Mansfield of Tampa, Florida, relative to the affairs of William L. Fernald who formerly lived in Eliot, Maine. Mr. Fernald had previously written to the Secretary of State's office, and after talking with Mr. Robie, I wrote Mr. Fernald advising him that neither your office nor any State Department could be of any help to him in any controversy with his family or his guardian. A copy of this letter is attached as is Mr. Fernald's letter to the Secretary of State.

Representative Harold L. Dow of Eliot, has given me the following facts about this matter: Mr. Fernald is an elderly man who has accumulated some \$25,000 worth of property, and who, for several years, has been having trouble with his wife and family. In 1936, Representative Dow was one of the members of the Board of Selectmen, which, after a thorough investigation, had Mr. Fernald committed to the State Hospital. He stayed there about a year and then was released.

Also attached to this communication is a letter from Dr. Tyson, Superintendent of the State Hospital, which was written shortly before his release.

The First National Bank of Biddeford was appointed his guardian; has administered his affairs and is still acting. Also attached are two accounts which have been filed by the guardian, showing the distributions to Mr. Fernald and Mrs. Fernald, which have been made from the income of the fund. Mr. Fernald goes south every winter and is supported from the guardian estate.

Sometime ago, he petitioned in the Probate Court of York County for the removal of the guardianship, both he and

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His wife being represented by competent attorneys. An attempt was made to have the parties agree to the removal of the guardianship and some division of the property, but Judge Ayer did not grant the petition and appeal has been taken to the Superior Court of York County, which will be held at the May term.

Mr. Dow who has known Mr. Fernald and his family for many years, believes that it is much better for him to remain under guardianship, and I do not see how there is anything that your office or mine can do to be of assistance to either of the parties in this controversy, for apparently it is being capably and efficiently handled by competent attorneys.

When you have completed your examination of the attached papers, will you return to me the two copies of Probate Accounts, which were borrowed by Mr. Dow from Oliver Burdett, Esquire, of York, who is interested in the case.

Very truly yours,

Franz U. Furbett
Attorney General

FUB:mf