

# MAINE STATE LEGISLATURE

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STATE OF MAINE

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REPORT

OF THE

ATTORNEY GENERAL

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for the calendar years

1941--1942

October 29, 1942

From:

Frank I. Cowan, Attorney General

To:

Sumner Sewall, Governor of Maine

*In re Continuing Suffrage for Veterans at the Veterans Administration Facility at Togus, formerly the United States Veterans Bureau Hospital*

Revised Statutes, Chapter 8, Section 82, as amended by Public Laws of 1939, Chapter 264, expressly provides that "all persons who now are, or may hereafter become inmates of the Veterans' Facility at Togus, in the county of Kennebec, . . . shall be deemed citizens of the respective towns in this state in which they had a legal residence, when their connection with said Veterans' Facility . . . commenced, so long as such connection shall continue therewith, but any person connected with the Veterans' Facility . . . , but having a domicile in a town in this state, outside of said Facility, . . . and a voting residence therein, shall not be disqualified from voting in the town in which he has such residence, on account of his connection with said Facility. . . ."

There cannot be the slightest doubt that a veteran retains the voting rights which he had in his town in Maine where he lived before he entered the Facility at Togus. Moreover, even in the absence of this statutory provision there would be no loss of voting rights because of entry into the Facility. A veteran does not go there to establish a domicile but for the treatment or correction of some physical or mental incapacity just as he would go to any other location for medical treatment. There is no intent on his part to establish a domicile there and his stay is strictly temporary even though it may continue over a number of years.

Attorney General

Nov. 3, 1942

To:

G. W. Leadbetter, Commissioner

Institutional Service

From:

Frank A. Farrington, Deputy

Attorney General

In an Inter-Departmental Memorandum dated October 29, 1942 you ask for an opinion as to whether the following institutions, or any of them, may properly be considered as penal institutions:

State School for Boys

State School for Girls

Pownal State School.