

MAINE STATE LEGISLATURE

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March 1, 1944

To William B. Mahoney, Esquire
Re: St. Joseph's Academy

I have your letter of February 25th in regard to St. Joseph's Academy at Eagle Lake Plantation. For your benefit I am enclosing herewith a copy of an opinion issued by Deputy Attorney General Breitbard to Commissioner Gilson under date of February 7th.

Mr. Breitbard has given this matter careful study and he is entirely of the opinion that, unfortunate and inequitable as it may be, the academies (and I notice that there is one other beside St. Joseph's) are left out in the cold by our statute.

Certainly the statute should be changed. It is past belief that the legislature could have intended that a town which furnishes tuition to a pupil from a bankrupt town should be repaid, but that a private school which does the same thing cannot be paid. Yet that is the way the statute now reads and that is the way the Court apparently felt that the rule must be applied.

Frank I. Cowan
Attorney General

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