

MAINE STATE LEGISLATURE

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July 25, 1947

To John M. Dudley, Esquire
Re: Indians Refused Service

. . . You state that there appears to be a situation in Princeton which needs correction, in that the barbers there refuse to accept Indians as customers. You feel that they have a right to refuse any particular individual they wish to, but you do not consider class or racial discrimination proper.

As I understand it, we have no non-discriminatory laws. One was before the Judiciary Committee during the last session of the legislature, but was reported, "Ought not to pass," and was not enacted.

I do not see anything we can do about this matter without any particular law to go on, and then it is a question of fact in each particular case.

You state that the Indians were in the armed forces, attend the schools, play on the town baseball team, etc., and you would like to know my opinion on this matter.

Most Indians are not taxed, under our statutes. Subsection VIII of Section 6, Chapter 81, R.S., which was amended by P. L. 1947, Chapter 191, provides exemption of the polls and estates of only those Indians who reside on tribal reservations, and the polls of persons under guardianship, or blind. So those Indians who do not reside on tribal reservations after August 13, 1947, will be subject to a poll tax, and I do not believe they should be discriminated against unduly; but if, as you say, a particular Indian does not conform to the rules of health in the care of his person, I do not believe that any barber is compelled to work on him.

Many Indians are wards of the State and do not have a vote in the legislature, and heretofore have not been taxed. It seems now that the legislature has taken some of them out of the tax exemption provisions of our statute; but this provision shall not apply to Indians who are wards of the State of Maine.

Ralph W. Farris
Attorney General

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