

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**

**R E P O R T**

**OF THE**

**ATTORNEY GENERAL**

**for the calendar years**

**1949 - 1950**

May 16, 1949

To Norman U. Greenlaw, Commissioner of Institutional Service

I have your memo of May 13th, attaching your file in the case of a parolee from the State School for Girls who is at present receiving care and treatment in the New Hampshire State (Mental) Hospital. I note that the New Hampshire State Hospital in a letter to the Commissioner's office dated March 31st, requested authorization for the transfer of this patient to one of our State institutions, if it is found that she is a resident of this State.

Of course she is a resident of this State, and the provisions of Section 117 of Chapter 23 of the Revised Statutes, to which you refer, apply only to patients who have been committed in another State and have never been inmates, or in the custody, of a Maine institution. This girl is a parolee and is an inmate of the State School for Girls, according to the certificate of Miss Stevens, the Superintendent; therefore she should be transferred back to the State School for Girls, and if she is incorrigible, as has been stated in the history of her case attached to her papers, a transfer to the Reformatory for Women can be made under the statute. Section 117 would apply where no commitment had ever been made in the State of Maine; but the State of Maine certainly has jurisdiction over this girl who has violated her parole, and she should be returned to the custody of the institution where she was committed in the State of Maine, regardless of whether or not she has a settlement in a Maine municipality acknowledged by the municipal officers thereof. The girl's parents have always been residents of the State of Maine; she was born in Maine, has always lived in Maine, and was committed to the State School for Girls in Maine by Maine authorities, regardless of whether or not her father has established a pauper residence in any municipality since he left Columbia Falls eight years ago.

RALPH W. FARRIS  
Attorney General

May 17, 1949

To C. L. Treworgy, Secretary, Racing Commission

Re: L.D. 1388, as passed by the 94th Legislature, Chapter 388, P.L. 1949

I have your memo of May 16th, stating that the Racing Commission would like a ruling on Sections 9 and 12 of Chapter 77 of the Revised Statutes as amended by Chapter 388 of the Public Laws of 1949, which became effective when approved by the Governor on May 7th, by reason of the emergency clause attached thereto. I note that the Commission meets on May 18, 1949, at 10 A.M. and would like to have a ruling from this office on the following points:

Question 1. "Section 9 states that no meeting shall be allowed for more than 6 days in any 28-day period, except night harness racing as hereinafter defined and except day racing as provided in the last paragraph of section 12, etc. The last paragraph of section 12 states that during the remaining time, if any, between the 15th of June and Oct. 15th, the commission may grant to a track or tracks a license to operate day or night harness racing for no more than 2 weeks in any 4-week period without necessarily meeting the specifications set forth in the preceding paragraph."