

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

It is my opinion that if the State of Illinois has registered Edmund Kahan, M. D., and if Illinois is still a reciprocity State, there is no other course for the Board to take than to endorse Dr. Kahan's application for admission under reciprocity. I spoke briefly with Herbert Locke about this matter the other day, and he could see no other way than I have outlined here. You should advise this gentleman where he stands, so far as Maine is concerned. I am returning Dr. Kahan's application for endorsement by the Board.

RALPH W. FARRIS
Attorney General

July 19, 1949

To Jean Lois Bangs, Assistant Attorney General assigned to
Social Welfare

Re: Estate of Former Recipient of Old Age Assistance

I have your memo of July 13th, giving a brief summary of the situation pertaining to an estate represented by Charles B. Small, attorney of Bath, Maine.

I note that the State has filed proof of claim against this estate in the amount of \$1902, which represents the total amount of old age assistance granted during the recipient's lifetime, and that her total estate consists of a legacy from her brother's estate in the sum of \$2340. You further state that the expenses of administration and costs of burial amount to approximately \$700.

Mr. Small in behalf of the estate has offered to compromise the State's claim for \$500, which you refused; but you did offer to settle the State's claim in an amount of approximately \$1100. One of the sons of the deceased and Mr. Small, the attorney, feel that the sons should be entitled to a greater allowance and that your figure of settlement is unreasonable.

I hereby confirm your offer to settle this claim for \$1100, and I will state that the State is not responsible for the care of Mrs. — taken by her sons, who are legally responsible to support their own mother, under the Old Age Assistance Law. She did not receive old age assistance after December, 1947. The State's claim is prior to the date of her last sickness and the sons have no claim for services rendered by reason of her last sickness, having filed no claim within the time limit set by statute. Furthermore, if they had filed such a claim and it had been called to my attention, I should have objected to same. Strictly speaking, you should make no allowance to the sons for the care which they gave to their mother during her last sickness. It was a legal and moral obligation on the sons to support their mother. It is a shame that at this late date they should expect the State to assist them in caring for their dying mother.

My advice at this time is to compromise for \$1100, as you have offered to do, and if they do not accept this, we shall insist on the full \$1600 balance remaining in the estate on our proof of claim, which is now on file in the Probate Court.

RALPH W. FARRIS
Attorney General