

MAINE STATE LEGISLATURE

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STATE OF MAINE



REPORT
OF THE
ATTORNEY GENERAL

for the calendar years
1955 - 1956

\$1566.50. One-third of this figure is \$522.15. This is the amount to which Mrs. J. was entitled under this statute. I think if you will also read the cases of *Whiting v. Whiting*, 114 Maine, 372 and *Longley v. Longley*, 92 Maine, 395 you can come to no other conclusion than that she was entitled to this one-third interest.

It appears that Mrs. J. conveyed her one-third interest for the sum of \$300.00 which, under the interpretation which has always been given the statute cited above, means that she received less than full value for her interest.

It would therefore appear that Mrs. J. did not receive full value for her property, and did divest herself of property without reasonable consideration after January 1, 1950.

We are all very sorry that these decisions have to be made, but inasmuch as this is a categorical type of assistance which is governed by statute and regulations, there are occasional instances where persons have placed themselves in a position so that they are not eligible for such assistance. It is not always possible to bail them out of a situation into which they have got themselves. This appears to be one of those situations and I am sorry that there is nothing that I can tell you which will be of benefit to Mrs. J. in this instance.

GEORGE C. WEST
Assistant Attorney General

August 2, 1955

To Allan L. Robbins, Warden, Maine State Prison

Re: Withholding of Confession of one Prisoner from Another

I have your memorandum relative to your withholding a confession from further transmittal to a prisoner. It further appears that both men are serving time for breaking, entering and larceny and that X. was implicated in these crimes by a statement made to the police by Y.

We are of the opinion that you do have a right to withhold further transmittal of this document. It is your job to maintain security within your institution and to keep the peace therein. This document, in the hands of the addressee, would be a powerful weapon to coerce the writer and might cause physical violence.

Your withholding of this document will not impair any legal rights that X. might have. An attested copy is in the hands of his attorney, who will undoubtedly make such use of it as he sees fit in any legal proceeding that he might want to bring. This is all that is necessary to protect X.'s rights.

ROGER A. PUTNAM
Assistant Attorney General

August 3, 1955

To Peter W. Bowman, M. D., Superintendent, Pownal State School

Re: Residence

. . . Your first inquiry relates to residence as the word is used in Section 145, Chapter 27, Revised Statutes of 1954. . . Although the word is not defined in the