

MAINE STATE LEGISLATURE

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October 1, 1959

Kermit Nickerson, Deputy Commissioner

Education

George A. Wathen, Asst. Atty. Gen.

Attorney General

Emancipation - Letter from Haskins of 9/21/59

Since the laws permit marriage of minors, the parental rights yield to the marriage obligation. Marriage emancipates a minor provided there is consent of the parents. White v. Henry 24 Me. 532; Trenton v. Brewer 134 Me. 295.

Sec. 44, Chapter 41, defines residence for school purposes. Since we do not know whether there was parental consent or implied consent, we can't answer the query.

This properly is a matter for the courts, if the administrative units involved cannot factually determine the question of residence.

George A. Wathen
Assistant Attorney General

GAW:CBH