

**OPINION
60-82**

May 24, 1960 (OPINION)

DOMESTIC RELATIONS

RE: Parent and Child - Residence of Illegitimate Minor - Recommitment of Indians

Your letter of May 12, 1960, regarding severance of tribal relations has been received.

Section 14-0905 of the North Dakota Revised Code of 1943 provides as follows:

"The mother of an illegitimate unmarried minor is entitled to its custody, services, and earnings."

This being so, the residence of the mother is the residence of the minor.

Your question is regarding the cost of the keep of a minor child. If the mother has left the reservation and she is not an owner of a trust patent of any land and has not received any benefits from the United States government, either money or property, then the mother and child are no longer Indians and the county in which they reside is liable for their care in case they are paupers.

LESLIE R. BURGUM
Attorney General