

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Sixth Legislature

OF THE

STATE OF MAINE

1953

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Wednesday, January 21, 1953.

The Senate was called to order by the President.

Prayer by the Rev. Harvey F. Ammerman of Augusta.

Journal of yesterday read and approved.

Referred to Committees

House Papers

Bill "An Act to Provide Additional State Office Space." (H. P. 22) (L. D. 17)

"Resolve in Favor of Bosworth Memorial Association." (H. P. 23) (L. D. 18)

"Resolve Relating to Construction of a Road and Terminal in City of Rockland." (H. P. 24) (L. D. 19)

Which were severally referred to the Committee on Appropriations and Financial Affairs in concurrence.

Bill "An Act Relating to the Marking of Moosehead Trail." (H. P. 26) (L. D. 20)

Which was referred to the Committee on Highways in concurrence.

Bill "An Act Relating to Transportation of Fish from Moosehead Lake." (H. P. 27) (L. D. 21)

Which was referred to the Committee on Inland Fisheries and Game in concurrence.

Bill "An Act Relating to Requirement of Deeds." (H. P. 28) (L. D. 22)

Bill "An Act Relating to Liens on Logs, Lumber, Wood and Bark." (H. P. 29) (L. D. 23)

"Resolve in Favor of Robert W. Johnson, of Rumford." (H. P. 30) (L. D. 24)

Which were severally referred to the Committee on Judiciary in concurrence.

Bill "An Act Relating to Ferry Between Indian Island and Old Town." (H. P. 31) (L. D. 25)

Bill "An Act Relating to Financial Provisions of Rockland School District." (H. P. 32) (L. D. 26)

Bill "An Act to Incorporate the Town of Poland School District." (H. P. 33) (L. D. 27)

Which were severally referred to the Committee on Legal Affairs in concurrence.

Bill "An Act Relating to Inheritance Taxes on Property Passing to Wife." (H. P. 34) (L. D. 28)

Bill "An Act Relating to Inheritance Taxes on Joint Property." (H. P. 35) (L. D. 29)

Which were severally referred to the Committee on Taxation in concurrence.

Bill "An Act Relating to Payment to Oxford County Law Library." (H. P. 36) (L. D. 30)

Which was referred to the Committee on Towns and Counties in concurrence.

Bill "An Act Relating to Minimum Speed of Motor Vehicles." (H. P. 37) (L. D. 31)

Which was referred to the Committee on Transportation in concurrence.

Bill "An Act Relating to Divesting Property in Qualifications for Old Age Assistance." (H. P. 38) (L. D. 32)

Bill "An Act Relating to Removal of Persons not Members of the Indian Tribes from the Reservations." (H. P. 39) (L. D. 33)

Which were severally referred to the Committee on Welfare in concurrence.

"Resolve Providing for an Increase in State Pension for Charles Smith of Caswell Plantation." (H. P. 50)

"Resolve Providing for an Increase in State Pension for Guy Howland, of Caswell Plantation." (H. P. 51)

"Resolve Providing for an Increase in State Pension for Alfred Wik, of Stockholm." (H. P. 52)

"Resolve Providing for State Pension for Rita Lebel of Hamlin Plantation." (H. P. 53)

"Resolve Providing for State Pension for George Hurd of Limestone." (H. P. 54)

"Resolve Providing for State Pension for Nannie Anderson, of Stockholm." (H. P. 55)

"Resolve Providing for an Increase in State Pension for Ber-

nard M. Kelley, of Monroe." (H. P. 56)

"Resolve Providing for an Increase in State Pension for John Ellis, of Monroe." (H. P. 57)

"Resolve Providing for an Increase in State Pension for Donald Forbes, of Brooks." (H. P. 58)

"Resolve Providing for an Increase in State Pension for Joyce Teeney, of Brooks." (H. P. 59)

"Resolve Providing for State Pension for Pheby Gardner, of Thorn-dike." (H. P. 60)

Which were severally referred to the Committee on Welfare in concurrence.

Senate Papers

Mr. Dunham of Hancock presented Bill "An Act Relating to Closed Season on Deer." (S. P. 48)

Which was referred to the Committee on Inland Fisheries and Game and the same ordered printed.
Sent down for concurrence.

The same Senator presented Bill "An Act Relating to Elderly Teachers' Pensions." (S. P. 49)

Which was referred to the Committee on Judiciary and the same ordered printed.

Sent down for concurrence.

Mr. Reid of Kennebec presented Bill "An Act Relating to Inspection of Construction Projects." (S. P. 50)

The same Senator presented Bill "An Act Relating to Employment of Females in Certain Employment." (S. P. 51)

Which were severally referred to the Committee on Labor and the same ordered printed.

Sent down for concurrence.

Mr. Dow of Lincoln presented "Resolve Regulating Fishing in the Sheepscoot River." (S. P. 52)

The same Senator presented "Resolve Relating to the Protection of Smelts in the Montsweag River." (S. P. 53)

The same Senator presented "Resolve Relating to the Protection of Smelts in the Sheepscoot River." (S. P. 54)

Which were severally referred to the Committee on Sea and Shore Fisheries and the same ordered printed.

Sent down for concurrence.

Mr. Broggi of York presented Bill "An Act Relating to Certain Tax Exemptions for Amputee Veterans." (S. P. 55)

Which was referred to the Committee on Taxation and the same ordered printed.

Sent down for concurrence.

Mr. Reid of Kennebec presented Bill "An Act Relating to Korean Campaign Veterans' Preference in State Employment." (S. P. 56)

Which was referred to the Committee on Veterans and Military Affairs, and the same ordered printed.

Sent down for concurrence.

Orders of the Day

Mr. Chase of Cumberland was granted unanimous consent to address the Senate.

Mr. CHASE of Cumberland: Mr. President, as former House Chairman of the Research Committee, and the Senate Chairman being no longer a member of the Senate, I think it is timely to say something on behalf of the Research Committee regarding the liquor investigation. My remarks are entirely my own and involve no responsibility on the part of any other member of the Research Committee. Because I do not wish to risk being misquoted during the period of the preparation of the record, I have reduced my brief remarks to writing.

Now that the Bird report on the liquor investigation has been published, I believe that most people will agree that the Research Committee was justified in refusing to take the responsibility for publication, by reason of the lack of that immunity afforded to members of the legislature in debate, if not indeed by reason of irrelevant content. I think also that it will be agreed that there is nothing in the Bird report to justify either the accusation or the suspicion that the Research Committee, or any member of it, might have acted with any improper or unworthy motive in its disposition of that report. It is my hope that certain newspapers who made such accusations or voiced such suspicions may now see fit to retract.

I believe also that it will be agreed that the Bird report contains nothing to indicate that the Research Committee was in possession of any substantial and convincing evidence of misbehavior on the part of any candidate for public office in the June Primary and in the September election, beyond that which was made known at the public hearings held during May and June. When the people voted last year, the Research Committee had done all it could do to make known to the people as much as was known to the Committee, so far as any candidate for public office was concerned. Either the people knew, or they could have known.

I say "could have known", because at the time one might have thought that news items and editorial comments seemed to reflect some pre-existing prejudices. Surely the truth and the admitted fact was bad enough. Again, one might have thought that the facts were sufficient to serve the purpose of the opponents of a particular candidate. But somehow the truth seemed to get lost, due to zeal to make it worse than it was, or worse than it was admitted to be, or could be proved to be. The result of this excessive zeal was what might have been expected.

I do not know whether this mental image has its source in memory or in inspiration; but as I consider the policy or practice of certain newspapers as of last June there comes to my mind a picture of a blind giant, working with a dung-fork upon a mountain of manure, which he throws wildly in every direction, meanwhile muttering: "I hope some of this hits Fred Payne". It is the opinion of many acute political observers that the berserk rage of this giant was the decisive factor in causing Mr. Payne's nomination. There seems to be some manure left in the pile. I hope that hereafter it may be spread with greater consideration for the innocent bystander.

I may be wrong in my estimate of the influence at work among the voters at the time of choice of party nominees for United States Senator in the June Primary. In my own contacts with the people at that

time I helped to make current the story of the wife who gave her husband two neckties for his birthday. Next morning he came to breakfast wearing one of them. The wife said: "Humph! So you don't like the other one!"

The faults revealed by the liquor investigation were found mainly in people, rather than in structure of organization or in regulatory liquor laws. So far as structure may seem defective, the legislature can change it. But there are other questions which seem to me important to raise at this time, having in mind certain matters beyond the province of action of the Research Committee, though within the scope of my own concern:

What action has been taken or is now contemplated by public officials charged with the duty of law enforcement with respect to Edward Talberth, formerly an employee of the Gannett newspapers, who by his own confession appears to have been involved in an attempt to use money corruptly?

Was all the evidence which appears in the Bird Report concerning the acts and doings of Mrs. Helena Rogers, formerly a member of the Liquor Commission, presented to the Grand Jury prior to her indictment on a charge of perjury?

Should the constitution or laws of the state be amended to clarify the status of a public official who has been convicted of a crime, so that no one may thereafter construe the period of awaiting result of trial as extending until final approval of a conviction by the court of last appeal?

Should the laws be amended to provide that any legislative committee charged with the duty of investigation shall be allowed or compelled to hold hearings in private whenever it appears the investigation required the exploration of leads based upon rumor and hearsay, and when such leads cannot be fully explored without taking evidence of a character usually deemed inadmissible in open court proceedings?

Should the laws be amended with respect to proceedings in court, pleadings in court, and rulings by court, so that there may be less risk that the guilty may escape by rea-

son of the raising of defences based upon mere technicalities of procedure?

Should this legislature take action designed to assure that no criminal prosecutions need ever fail by reason of inability of enforcement officials to obtain the assistance of persons most competent in this field of law?

Mr. President, I do not mean to imply that these questions are all the questions that need to be asked. I appreciate the courtesy of the Senate in permitting me to make this statement.

The PRESIDENT: The Senate is proceeding under Orders of the Day.

Mr. COLLINS of Aroostook: Mr. President, I would just like to remind the Committee chairmen of the meeting in the Appropriations Committee room on the matter of clerks.

On motion by Mr. Collins of Aroostook

Adjourned until tomorrow morning at ten o'clock.