

# 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**

praecox, hebephrenic type. He was discharged by order of the Superior Court as improved. Thereupon he proceeded to Maine and killed a woman. Therefore, if this man had been found not guilty by a jury in Houlton, the State would have released him and he is a dangerous man to be at large, according to Dr. Sleeper, with whom I talked his case over.

You can see that this is a problem in my office as well as in the State Hospitals where persons charged with crime are committed for observation.

The only remedy I can see in this matter is by legislation. We should have an institution under your department where persons who are afflicted with sex manias could be confined, for life if necessary, instead of being sent to State Prison.

I have been furnishing Dr. Sleeper with information on the cases that have been committed to his institution for observation, when charged with murder. In this particular case of the Houlton murder, I secured the records of the Norwich State Hospital and the man's criminal record from the Connecticut State Police for Dr. Sleeper to peruse during the period of observation. In the case of the hitchhike murder I furnished evidence procured from New Jersey.

If Dr. Pooler will write me when he has patients committed by the Superior Court for observation, I shall be glad to secure information either from the State Police or from State Hospitals in other jurisdictions.

RALPH W. FARRIS  
Attorney General

December 23, 1949

To David H. Stevens, Commissioner of Health and Welfare  
Re: Rodney Feyler Application to Sanitary Water Board for License

I have your memo of December 22d enclosing the ballots as they were received from the members of the Sanitary Water Board and your file in connection with this matter.

After studying the statute, I am of the opinion that if the board shall determine that such discharge will not cause or increase pollution of this tidal water in Rockland Harbor to such an extent as to be inconsistent with the public interest, it can issue a conditional license to the applicant as set forth in your memo of December 22d.

The Sanitary Water Board Act was enacted for the purpose of protecting the public health and the health of animals, fish and aquatic life and the board has wide discretion in issuing licenses, as the statute specifically states that it is the duty of the board to study, investigate and from time to time recommend to persons responsible for the conditions ways and means to eliminate from the streams and waters of this State, so far as practicable, all substances which pollute or tend to pollute the same, and also to recommend methods of preventing pollution, etc. Therefore, under the police powers of our State, the board has wide discretionary powers in issuing licenses which control the pollution of our streams and tidal waters. . .

RALPH W. FARRIS  
Attorney General