

MAINE STATE LEGISLATURE

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No

December 19, 1952

To Honorable Frederick G. Payne, Governor of Maine
Re: Raymond C. Humes, Petition for New Trial

. . . Raymond C. Humes cites a situation wherein he claims to have been found guilty by a body which did not in fact or in law constitute a jury because

- a) the selection of additional jurors to fill the panel was performed in a manner contra to that prescribed in the statute; and
- b) the sheriff was an interested party in the procedure.

Mr. Humes also sets out other instances which he states are grounds for some action on the part of the courts to give him relief, and states that timely objection could not be made because he did not become aware of the irregularities until too late.

This office would like to advise you that a petition for a new trial was brought by Raymond C. Humes before the Honorable Granville Gray, Justice of the Superior Court, the petition setting out substantially the same facts as those set forth in Mr. Humes' letter to you.

The State, cooperating in every respect with counsel to Mr. Humes, agreed and stipulated such facts, and the case was reported to the Supreme Judicial Court. In agreeing to such a procedure, we saved Mr. Humes the expense of proving to the Court the complaints made by him, by stipulating that his complaints were true.

The Supreme Court, in its decision, clearly held that no new evidence was presented and that, with respect to the other irregularities, the motion came too late.

Under these circumstances it would appear that Mr. Humes has received all the consideration that the Executive branch of the government can give him, and we are of the opinion that full justice has been accorded him. The major issues contained in his letter have been considered by this office before, and we are in complete agreement with the court with respect to the manner in which the case was handled.

His remedy, if any there be, rests with the court and the rules and laws regulating the court.

James Glynn Frost
Deputy Attorney General