

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**

**REPORT**

**OF THE**

**ATTORNEY GENERAL**

for the calendar years  
**1951 - 1954**

It is our opinion, therefore, that employees of the Water Commission would come under the agreement negotiated by the South Paris Village Corporation and that they would not be eligible to enter into a separate agreement for coverage.

JAMES GLYNN FROST  
Deputy Attorney General

April 28, 1954

To Peter W. Bowman, M. D., Superintendent, Pownal State School  
Re: Subpoena to Inmate

I am returning the subpoena sent to you which commands that a patient at Pownal appear on Tuesday, May 11, 1954, at a time certain to testify for the State in Lincoln County.

I have talked to the County Attorney, who informed me that it is a question relative to whether this girl was raped or not, and therefore she is definitely a material witness to the cause.

The question of her mental deficiency, if she have any, will be primarily for the grand jury. We suggest therefore, as you have technical physical custody of this girl, that you comply with the request of the court and that if further instances of this nature arise, you do the same.

In view of her questionable mental ability I do not think it necessary that she be actually served with the process. Its being sent to you should be sufficient. All members of the State family must cooperate in order to see that justice is done.

ROGER A. PUTNAM  
Assistant Attorney General

May 4, 1954

To Paul MacDonald, Deputy Secretary of State  
Re: "Convicted"

You have asked this office for an interpretation of the word "convicted" as it appears in Section 121, Chapter 19, R. S. 1944, as amended, and as it relates to the case of P. Edward DeBery. The said section reads as follows:

"The license or right to operate motor vehicles of any person *convicted* of violating the provisions of this section shall be revoked immediately by the Secretary of State upon receipt of an attested copy of the court records, without further hearing."

Mr. DeBery had been tried in the Superior Court for the County of Sagadahoc on the charge of operating a motor vehicle while under the influence of intoxicating liquor. After verdict of guilty and sentence, Mr. DeBery perfected exceptions previously taken to the refusal of the Court to direct a verdict of not guilty. The Supreme Court overruled the exceptions and entered judgment for the State.

In conformity with other provisions of our statutes, where exceptions are allowed, DeBery had personally recognized for his appearance in the Superior