

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**

HOUSE

Wednesday, February 4, 1953

The House met according to adjournment and was called to order by the Speaker.

Prayer by Lt. Commander George Thomas, Chaplain Corps, U.S.N., Brunswick.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act relating to Crediting of Property Taxes on Books of the State, and Making an Appropriation Therefor" (S. P. 96) (L. D. 228)

Resolve in favor of Apple Storage and Packing Room at Highmoor Farm (S. P. 93) (L. D. 230)

Resolve providing for a Continuous Survey of Closed Clam Areas and Study of Fuel Oil Pollution (S. P. 94) (L. D. 229)

Resolve in favor of the Town of Aurora (S. P. 95) (L. D. 231)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate:

Bill "An Act relating to Renewal of Certificates by Certain Teachers" (S. P. 97) (L. D. 232)

Came from the Senate referred to the Committee on Education.

In the House, referred to the Committee on Education in concurrence.

From the Senate:

Resolve in favor of George S. Bradbury of West Franklin (S. P. 98) (L. D. 233)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

From the Senate:

Bill "An Act relating to the Sales Tax on Motor Vehicles" (S. P. 90) (L. D. 227)

Bill "An Act Exempting Certain Education Institutions from the Sales Tax" (S. P. 99) (L. D. 234)

Came from the Senate referred to the Committee on Taxation.

In the House, referred to the Committee on Taxation in concurrence.

From the Senate:

Bill "An Act to Increase the Salary of Judge of Probate of Hancock County" (S. P. 100) (L. D. 235)

Bill "An Act relating to Payment to York County Law Library" (S. P. 101) (L. D. 236)

Came from the Senate referred to the Committee on Towns and Counties.

In the House, referred to the Committee on Towns and Counties in concurrence.

From the Senate:

Resolve providing for State Pension for Burleigh M. F. Esancy of Union (S. P. 120)

Came from the Senate referred to the Committee on Welfare.

In the House, referred to the Committee on Welfare in concurrence.

Bills and Resolves Requiring Reference

The following Bills and Resolves were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Agriculture

Bill "An Act relating to Expenses of Dairymen's Conference" (H. P. 309) (Presented by Mr. Center of Standish)

(Ordered Printed)

Bill "An Act relating to Marking of Containers of Skim-milk" (H. P. 310) (Presented by Mr. Scott of Wales)

(Ordered Printed)

Sent up for concurrence.

Appropriations and Financial Affairs

Resolve to Loan Funds from the Unappropriated Surplus for the Construction of an International Ferry Terminal (H. P. 311) (Presented by Mr. Peterson of Bar Harbor)

(Ordered Printed)

Resolve Appropriating Money for the Lands Reserved for Public Uses Trust Fund (H. P. 312) (Presented by Mr. Taylor of Norridgewock)

(Ordered Printed)

Resolve Appropriating Money for the Purchase of "The Length and Breadth of Maine" (H. P. 313) (Presented by Mr. Trafton of Auburn)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act relating to Harrison Mutual Fire Insurance Company" (H. P. 314) (Presented by Mr. Davis of Harrison)

(Ordered Printed)

Bill "An Act relating to Examination of Domestic Insurance Companies" (H. P. 315) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Declaring Certain Practices in the Sale of Books, Magazines and Periodicals Unlawful" (H. P. 316) (Presented by Mr. Low of Rockland)

(Ordered Printed)

Bill "An Act relating to Manufacturers and Bottlers of Non-Alcoholic Beverages" (H. P. 317) (Presented by Mr. Scott of Wales)

(Ordered Printed)

Sent up for concurrence.

Claims

Resolve in favor of the Town of Benedicta (H. P. 318) (Presented by Mr. Crabtree of Island Falls)

(Ordered Printed)

Resolve in favor of Mrs. Carol Hapworth of Winslow (H. P. 319) (Presented by Mr. Dostie of Winslow)

(Ordered Printed)

Resolve in favor of T. E. McSherry of Fryeburg (H. P. 320) (Presented by Mr. Moulton of Sweden)

(Ordered Printed)

Resolve in favor of George Babb of Intervale (H. P. 321) (Presented by Mr. Edwards of Raymond)

Resolve in favor of W. D. Rankin of Intervale (H. P. 322) (Presented by same gentleman)

Resolve in favor of Mrs. E. E. Nelson of Farmingdale (H. P. 323) (Presented by Mr. Vaughan of Hallowell)

Sent up for concurrence.

Education

Bill "An Act relating to Minimum Salaries for Teachers" (H. P. 324) (Presented by Mr. Crabtree of Island Falls)

(Ordered Printed)

Bill "An Act relating to Salaries and Travel of Superintendents of Schools" (H. P. 325) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Highways

Bill "An Act relating to Construction of State Aid Highways" (H. P. 326) (Presented by Mr. Ludwig of Hope)

(Ordered Printed)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act Repealing Simpson's Pond Bird Sanctuary" (H. P. 327) (Presented by Mr. Cates of East Machias by request)

(Ordered Printed)

Bill "An Act relating to Imported Trout and Togue" (H. P. 328) (Presented by Mr. Rogerson of Houlton)

(Ordered Printed)

Resolve Opening Simpson Pond, Washington County, to Ice Fishing (H. P. 329) (Presented by Mr. Cates of East Machias by request)

(Ordered Printed)

Resolve Regulating Fishing in Ell Pond, York County (H. P. 330) (Presented by Mr. Frechette of Sanford)

(Ordered Printed)

Resolve Regulating the Taking of Smelts in Oxford County (H. P. 331) (Presented by Mr. Moulton of Sweden)

(Ordered Printed)

Resolve relating to Ice Fishing in Long Lake and Eagle Lake, Aroostook County (H. P. 332) (Presented by Mr. Wylie of Madawaska)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act relating to Settlement of Employees at Pownal State School" (H. P. 333) (Presented by Mr. Edwards of Raymond)

(Ordered Printed)

Bill "An Act relating to Penalty for Selling Narcotic Drugs to Minors" (H. P. 334) (Presented by Mrs. Lord of Portland)

(Ordered Printed)

Bill "An Act to Enable Party Conventions to Propose Candidates for Governor, U. S. Senator and Members of Congress to be Placed Up-

on the Ballots at Direct Primary Elections" (H. P. 335) (Presented by same member)

(Ordered Printed)

Bill "An Act relating to Nominations of Independent Candidates in General Election" (H. P. 336) (Presented by same member)

(Ordered Printed)

Bill "An Act relating to Nomination of Candidates Not Included in the Primaries" (H. P. 337) (Presented by same member)

(Ordered Printed)

Bill "An Act relating to Stockholders' Meetings" (H. P. 338) (Presented by Mr. McGlauffin of Portland)

(Ordered Printed)

Bill "An Act relating to Rights and Stock Options of Stockholders" (H. P. 339) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Approval by Towns of Agreements with Maine School Building Authority" (H. P. 340) (Presented by Mr. Rich of Charleston)

(Ordered Printed)

Bill "An Act relating to Trustee of Wages" (H. P. 341) (Presented by Mr. Small of Mexico)

(Ordered Printed)

Resolve providing for a Retirement Pension for Lydia B. Otis of Carmel (H. P. 297) (Presented by Mr. Carter of Etna)

(Ordered Printed)

Resolve Granting a Retirement Pension to Hugh A. Smith of Charleston (H. P. 342) (Presented by Mr. Rich of Charleston)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act relating to Unemployment Compensation with regard to Paid Holidays" (H. P. 343) (Presented by Mr. Frechette of Sanford)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Tabled and Assigned

Bill "An Act Creating the Maine Food Law" (H. P. 344) (Presented by Mr. Center of Standish)

(On motion of Mr. Center of Standish, tabled pending reference to a committee, specially assigned

for tomorrow morning and ordered printed.)

Bill "An Act relating to Warrant Committee of Town of Sanford" (H. P. 346) (Presented by Mr. Frechette of Sanford)

(Ordered Printed)

Bill "An Act relating to the Airport Commission of the Town of Sanford" (H. P. 347) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Amending the Charter of the Town of North Yarmouth School District" (H. P. 345) (Presented by Mr. Henry of North Yarmouth)

(Ordered Printed)

Bill "An Act relating to Tree Surgeons" (H. P. 348) (Presented by Mr. Moulton of Sweden)

(Ordered Printed)

Bill "An Act relating to High School Athletic Officiating" (H. P. 349) (Presented by Mr. Travis of Westbrook)

(Ordered Printed)

Sent up for concurrence.

On motion of Mrs. Downing of North Kennebunkport, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking.

Liquor Control

Bill "An Act Prohibiting Sale of Malt Liquor in Non-Returnable Bottles" (H. P. 350) (Presented by Mr. Potter of Medway)

(Ordered Printed)

Bill "An Act Prohibiting Sale of Malt Liquor in Non-Returnable Bottles" (H. P. 351) (Presented by Mr. Rich of Charleston)

(Ordered Printed)

Sent up for concurrence.

Natural Resources

Resolve Authorizing the Forest Commissioner to Convey the Interest of the State (Maine Forestry District) in a Lot of Land in the Town of Brownville (H. P. 352) (Presented by Mr. Campbell of Guilford)

(Ordered Printed)

Resolve Changing Name of Lily Pond, Waldo County (H. P. 353) (Presented by Mr. Cole of Liberty)

(Ordered Printed)

Resolve Authorizing the Forest Commissioner to Convey the Inter-

est of the State in Lot 102 in St. Agatha (H. P. 354) (Presented by Mr. Wylie of Madawaska)
(Ordered Printed)
Sent up for concurrence.

Public Health

Bill "An Act to Include the Typing of Blood in Premarital Examinations" (H. P. 355) (Presented by Mr. Fickett of Naples)
(Ordered Printed)
Sent up for concurrence.

Taxation

Bill "An Act relating to Excise Tax on Aircraft" (H. P. 356) (Presented by Mr. Albee of Portland)
(Ordered Printed)
Bill "An Act relating to Exemption of Airports from Taxation" (H. P. 357) (Presented by Mr. Peterson of Bar Harbor by request)
(Ordered Printed)
Sent up for concurrence.

Towns and Counties

Bill "An Act relating to the Poling Place in Connor, Arrostook County" (H. P. 358) (Presented by Mr. Burgess of Limestone)
(Ordered Printed)
Bill "An Act relating to Salaries of Certain County Officers of Washington County" (H. P. 359) (Presented by Mr. Cates of East Machias by request)
(Ordered Printed)
Bill "An Act relating to Appropriation for Flags in Schools" (H. P. 360) (Presented by Miss Cormier of Rumford)
(Ordered Printed)
Bill "An Act to Provide Fire Protection for Unorganized Territory" (H. P. 361) (Presented by Mr. Crabtree of Island Falls)
(Ordered Printed)
Bill "An Act relating to the Boundary Line Between the Towns of Sanford and North Berwick, York County" (H. P. 362) (Presented by Mr. Frechette of Sanford)
(Ordered Printed)
Bill "An Act relating to the Salary of the County Attorney of Piscataquis County" (H. P. 363) (Presented by Mr. Sanford of Dover-Foxcroft)
(Ordered Printed)
Sent up for concurrence.

Welfare

Bill "An Act relating to Hospital Aid" (H. P. 364) (Presented by Mr. Clements of Belfast)
(Ordered Printed)

Resolve providing for an Increase in State Pension for Ernest A. Rounds of Mechanic Falls (H. P. 365) (Presented by Mr. Abbott of Mechanic Falls)

Resolve providing for an Increase in State Pension for Bertha M. Hodge of Mechanic Falls (H. P. 366) (Presented by same gentleman)

Resolve providing for an Increase in State Pension for Austin M. Weikel of Cape Elizabeth (H. P. 367) (Presented by Mr. Berry of So. Portland)

Resolve providing for State Pension for Thurston Henderson of Milo (H. P. 368) (Presented by Mr. Brockway of Milo)

Resolve providing for an Increase in State Pension for Evelyn Moody of Belfast (H. P. 369) (Presented by Mr. Clements of Belfast)

Resolve providing for an Increase in State Pension for Jennie Mower of Belfast (H. P. 370) (Presented by same gentleman)

Resolve providing for State Pension for Stephen G. Bagley of Montville (H. P. 371) (Presented by Mr. Cole of Liberty)

Resolve providing for State Pension for Cora Richards of Searsmont (H. P. 372) (Presented by same gentleman)

Resolve providing for State Pension for Kenneth Dougay of Rumford (H. P. 373) (Presented by Miss Cormier of Rumford)

Resolve providing for State Pension for Louis Sirois of Caribou (H. P. 374) (Presented by Mr. Currier of Caribou)

Resolve providing for State Pension for Wesley Patterson of Caribou (H. P. 375) (Presented by same gentleman)

Resolve providing for State Pension for Mabel McLane of Bowdoinham (H. P. 376) (Presented by Mr. Curtis of Bowdoinham)

Resolve providing for State Pension for Harry Yates of Camden (H. P. 377) (Presented by Mr. Ludwig of Hope)

Resolve providing for an Increase in State Pension for Hilda Ambrose of Masardis (H. P. 378) (Presented by Mr. Morris of Portage Lake)

Resolve providing for State Pension for Marguerite E. Ames of Charleston (H. P. 379) (Presented by Mr. Rich of Charleston)

Resolve providing for State Pension for Cora Scribner of Bradford (H. P. 380) (Presented by same gentleman)

Resolve providing for State Pension for Peter Brasslett of Hudson (H. P. 381) (Presented by same gentleman)

Resolve providing for State Pension for Georgina Baum of St. George (H. P. 382) (Presented by Mr. Robinson of St. George)

Resolve providing for State Pension for Martha Zebe of Poland (H. P. 383) (Presented by Mr. Scott of Wales)

Resolve providing for State Pension for Reinold Zebe of Poland (H. P. 384) (Presented by same gentleman)

Resolve providing for State Pension for Edmund A. Sawyer of Farmingdale (H. P. 385) (Presented by Mr. Smith of Farmingdale)

Resolve providing for an Increase in State Pension for Laura Griffin Donaldson of Farmingdale (H. P. 386) (Presented by the same gentleman.)

Resolve providing for State Pension for Sidney Wright of Woodland (H. P. 387) (Presented by Mr. Story of Washburn)

Resolve providing for State Pension for Gordon Kinney of Washburn (H. P. 388) (Presented by same gentleman)

Resolve providing for an Increase in State Pension for Cecil Overlock of Hallowell (H. P. 389) (Presented by Mr. Vaughan of Hallowell)

Resolve providing for an Increase in State Pension for Lillian M. Sterling of Augusta (H. P. 390) (Presented by same gentleman)

Resolve providing for an Increase in State Pension for Ruth Holway of Mt. Vernon (H. P. 391) (Presented by Mr. Wadleigh of Mt. Vernon)

Resolve providing for State Pension for Lawrence Bartell Banks of Bridgton (H. P. 392) (Presented by Mr. Whitney of Bridgton)

Resolve providing for State Pension for Adra Minnette Keene of Bridgton (H. P. 393) (Presented by same gentleman)

Resolve providing for State Pension for Eugenia Tetreault of Madawaska (H. P. 394) (Presented by Mr. Wylie of Madawaska)

Resolve providing for State Pension for Magloire D. Michaud of Madawaska (H. P. 395) (Presented by same gentleman)

Resolve providing for State Pension for Marie Ange Fongemie of Madawaska (H. P. 396) (Presented by same gentleman)

Sent up for concurrence.

Orders

On motion of Mr. Totman of Bangor, it was

Ordered, that the State Highway Commission be requested to furnish the new members of the House with a copy of the "1951 Accelerated Highway Program" issued to members of the 95th Legislature:

AND BE IT FURTHER ORDERED, that the State Highway Commission be directed to furnish to all members of the House of the 96th Legislature, prior to April 1, 1953, a listing within each County of the order of priority for the construction projects described in the aforementioned "1951 Accelerated Highway Program."

On motion of Mr. DeBeck of Holden, it was

Ordered, that Mr. Anderson of Greenville be excused from attendance for the duration of his illness.

On motion of Mr. Bibber of Kennebunkport, it was

Ordered, that Rev. Emerson Curry of Kennebunkport, be invited to officiate as Chaplain of the House on Wednesday, March 4, 1953.

Mr. CRABTREE of Island Falls: Mr. Speaker —

The SPEAKER: The Chair recognizes the gentleman from Island Falls, Mr. Crabtree.

Mr. CRABTREE: Mr. Speaker, I present an order and move its passage and I would like to speak on the order after the Clerk has read it.

The SPEAKER: The gentleman from Island Falls, Mr. Crabtree, presents an order and moves its passage. The Clerk will read the Order.

The CLERK: Ordered, that the Attorney General be and hereby is instructed, from the evidence and records now in his possession, to file a report on or before February 24th, 1953, with the House of Representatives, identifying the individuals who were responsible for the violation of the Constitutional rights of Francis M. Carroll, and to set forth, in said report, the particular acts or failures to act, deliberate or negligent, positive or passive, of each such individual which contributed to this miscarriage of justice.

The SPEAKER: The Chair recognizes the gentleman from Island Falls, Mr. Crabtree.

Mr. CRABTREE: Mr. Speaker and Members of the House: Sixteen years ago last October Doctor and Mrs. James Littlefield of South Paris were murdered.

That fact, horrible enough in itself, started off a chain of actions and reactions which, if possible, are infinitely more horrible.

I do not propose to review in any considerable detail the trial of Francis M. Carroll for the murder of Dr. James Littlefield. He and Paul N. Dwyer were both convicted of that same murder, although at different times—some ten months apart.

During and immediately following the trial and conviction of Francis M. Carroll in August of 1938 there began to be heard from various quarters in this State serious doubts as to the fairness of that trial. Those few doubts have grown with the years into a cloud of shame which has enveloped this whole State of Maine, reminiscent of the Dark Ages.

In the years that followed that trial, attempts were made to secure a pardon for Francis Carroll, which never were achieved. Fortunately, as it turned out some time later, he secured the legal services of one Stanley Bird, a former F.B.I. man, a man who had had lots of experience in uncovering cold, hard facts, and through him he brought a petition for a writ of Habeas Corpus which was heard before the Honorable Albert Beliveau, Justice, Maine Superior Court, on August 14 and 15, 1950.

That resulted in the release of Francis Carroll from State Prison

on September 20, 1950—12 years after he had been committed to the State Prison in Thomaston.

This is not a happy subject but I will assure you that I will be just as brief as possible but, Mr. Speaker and Members of this House, this involves one of the most—some of the most basic matters which could possibly come before this House: The Constitution of the United States; the Constitution of the State of Maine: A fair trial for every individual, and the very corner stone of Freedom on which, in America, our very way of life depends.

For years after Carroll's imprisonment, rumors were rampant—horrid words were used during and after the trial. I wonder how many of you folks had the same reaction that I did when I read in the papers, in the press of another state where I was then residing, of the accusation of "incest." I can remember very clearly: I threw the paper away in disgust and mentally washed my hands of the whole dirty mess. I suspect that is just about the reaction that certain people hoped to achieve. I am very much ashamed of that reaction now, particularly so as, in the years that followed, particularly the last two years, I began to learn something of what actually happened.

You know, Maine has had a reputation throughout all of the other forty-seven states for downright Yankee honesty and integrity, and so, through the years, this matter festered and this now famous case has spread and beclouded our name through all the years. You see, it was news for Maine to go wrong.

Periodically, as I have said, attempts were made to right the ever-growing evidence of wrongdoing. But, by now, opinions were fixed one way or the other. Many minds were tightly closed against any new evidence. Substantial men seemed to close their minds to anything different from the stand they had originally taken. Face saving, it seemed, prevented justice. There were some men and women who proved themselves big enough to change their minds when the evidence warranted and we can be thankful for those exceptions.

To save time in the review of the details of this ghastly miscarriage of justice with which I must depend on your familiarity, I will skip twelve years and read from the decision of the Honorable Albert Bellevue, rendered September 20, 1950, only two or three short paragraphs, which sums the matter up. We are familiar with these:

"The Fifth Amendment to the United States Constitution, among other provisions, states that no person shall be deprived of life, liberty, or property, without due process of law."

"The Fourteenth Amendment, 'Nor shall any state deprive any person of life, liberty, or property, without due process of law.'

"Section 6 of the Maine Constitution guarantees that the accused shall 'have a speedy, public and impartial trial.'

"That requirement, in safeguarding the liberty of the citizen against deprivation through the action of the state, embodies the fundamental conceptions of justice which lie at the base of our civil and political institutions."

Another part of the summary: "A careful study of the record in the Carroll trial for murder, and the evidence in this case, convinces me beyond any doubt, that the prosecution deliberately, purposely and intentionally violated the Fifth and Fourteenth Amendments to the Federal Constitution, the provision in the Maine Constitution which guarantees to an accused an impartial trial, and practiced fraud and deception on the court and jury. If I were to do otherwise I would be derelict in the performance of my duty, false to my oath, and would thereby perpetuate a gross miscarriage of justice.

"It is ordered that the writ issue as prayed, and that the petitioner, Francis M. Carroll, be discharged from custody to go without day."

Pretty grim, isn't it? The Ninety-fifth Legislature showed courage and intelligence when it passed an order directing the Attorney General to investigate the murder of Dr. James Littlefield and Mrs. Littlefield, either one of them, or both. The order directed that a report be made to each member of the Ninety-fifth Legislature. That

has been done. I am also assured that a copy of this report has been delivered on the desks of all the new Members of the Ninety-sixth Legislature.

Attorney General LaFleur appointed as a special Assistant Attorney General James P. Archibald, who obviously, from his report, did a thoroughgoing job. Many months of effort and a great deal of money were expended to arrive at the facts and, after careful scrutiny and, perhaps, a little bit belatedly, I want to compliment Attorney General LaFleur and Assistant Attorney General James P. Archibald for their fearless approach to this unpleasant job and the straightforward factual report. There is no reason that I can think of why we cannot now accept the findings contained in this report as purely unbiased and factual throughout.

It is to be hoped, and I must assume, that all of the members have read this report. If so, then every one of you must have shuddered as I did when you read the malicious and fiendish contrivings of this unholy group of enforcement officials to build evidence or withhold evidence that would send this man to prison for life. Thank God, we don't have and did not have the death penalty in the State of Maine.

Among enforcement officials, it is probably much more prevalent than we realize that evidence is colored or slanted by eager officials who feel they must procure a suspect and get a conviction.

For instance, a crime is committed. It is the duty of the enforcement officer to find a suspect, and then commit him. But, during the investigation, the enforcement official, after finding a suspect, one or more, convinces himself that the man is guilty. In our society, we accept the fact that the guilty must be punished; so this enforcement official performs the duty of judge and jury, many times. Now, unfortunately, in this hypothetical case, although he is firmly convinced in his own mind that the suspect is guilty, the evidence available would not stand up before a jury, a court of law. So, perhaps unconsciously, but perhaps very consciously, he

begins to slant or color the evidence, and maybe he manufactures some evidence depending on the occasion.

Then, there is another category: Perhaps, many times, they are holders of higher offices; they don't take any active part in the slanting or coloring of testimony but they stand idly by watching their associates or subordinates do it with apparently a calm conscience and make no move to straighten out this spectacle of wrongdoing.

Now, it seems likely that in this Carroll case some or both of those categories may be included but, if we are to believe Mr. Justice Beliveau and the Attorney General's report, there was also involved in this miscarriage of justice officials in this State, who maliciously set out to convict this man and accomplished it for reasons best known to themselves. I suppose there may possibly be some members of this House who wonder why I am dragging this matter up again and I will be happy to make my point as clear as possible.

First: To clear up once and for all the miserable, dark cloud which has enveloped this whole State, and far beyond its borders, as a result of this miscarriage of justice and these killings.

Second: From the mass of material which is now easily available to our Attorney General, to fix once and for all the responsibility of the individuals who had a part—active or passive—in this devilish matter.

If you and I together can just build a fence, even a little fence, to prevent this thing ever happening again in our State, I think you will agree with me that we have performed a good duty down here.

I am asking you, at any rate, this Ninety-sixth House of Representatives, not one whit less intelligent or courageous than the Ninety-fifth, to help do just that.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. McGlaufflin.

Mr. MCGLAUFLIN: Mr. Speaker and Members of the House: I have a great deal of respect for the gentleman who has just spoken, but

I think his order is extremely unwise. He speaks of this miscarriage of justice. I am not at this time going into a lengthy statement about this case except to call your attention to the fact that the report of the committee which investigated the matter stated that from the evidence that was presented to the jury the conviction was proper.

Now just because one man, Judge Beliveau, who perhaps does not possess any more mental ability than some of the members of this House, finds that he did not agree with the finding of the jury does not mean that an injustice has been incurred.

The evidence from the report clearly shows that Mr. Carroll was a bad actor at least, apparently so, and he could have received for incest alone ten years' imprisonment had that line been prosecuted. This report did not find that Mr. Carroll was innocent; it cast doubt upon his being properly convicted.

If any evidence has come in at all that could possibly blame anybody for what took place, it would reflect upon the attorney that tried that case, who was Ralph Ingalls of Portland, now dead.

I cannot see any advantage in passing this order, but I think, since it has been presented, that you should at least have an opportunity to consider whether this order is a wise one to pass at this time. I therefore move, Mr. Speaker, that this order be tabled.

The SPEAKER: The gentleman from Portland, Mr. McGlaufflin, moves that this order lie on the table pending passage and for the purpose of reproduction. Is this the pleasure of the House?

The motion prevailed and the order was so tabled.

Passed to be Engrossed Tabled

Bill "An Act Increasing Old Age Assistance and Aid to the Blind" (S. P. 25) (L. D. 13)

Was reported by the Committee on Bills in the Third reading.

(On motion of Mr. Dickey of Brooks, tabled pending third reading)

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

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

Orders of the Day

The SPEAKER: If there is no further business to come before the

House at this time, the Clerk will read the notices.

On motion of Mr. Peterson of Bar Harbor,

Adjourned until ten o'clock tomorrow morning.