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MacDonald, Paul A. oral history interview

Don Nicoll

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Interview with Paul A. MacDonald by Don Nicoll

Summary Sheet and Transcript

Interviewee

MacDonald, Paul A.

Interviewer

Nicoll, Don

Date

August 20, 1998

Place

Bath, Maine

ID Number

MOH 045

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Biographical Note

Paul A. MacDonald was born in Jefferson, Maine on May 5, 1911. His father was a farmer and his mother was a homemaker. He had a brother and a sister. Paul attended Suffolk Law School, then worked as a clerk on the Legal Affairs Committee. He worked as a deputy for Secretary of State Harold Goss, and later served as judge until 1993.

Scope and Content Note

Interview includes discussions of: Leslie Boynton; position as Deputy Secretary of State; the Hale-Oliver recount in Washington, D.C.; the story about Muskie going to "The Rib Room" in Boston for dinner after a reception at the Harvard Club; Muskie's campaigning with baked bean suppers in Maine; Muskie's support of the Democratic Party and belief in a two-party system; Fred Payne and Margaret Chase Smith as politicians; Muskie's efforts to create a Governor's Committee on Highway Safety; and Bob Haskell.

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Transcript

Don Nicoll: It's Thursday, the 20th of August 1998. We're in the West Bath District Courthouse and we're talking with Judge Paul MacDonald. Judge, would you state your full name, date and place of birth for us?

Paul MacDonald: My full name is Paul A. MacDonald, M-A-C, and I was born in Jefferson, Maine, that's in the northern part of Lincoln County, on May the 5th, 1911.

DN: What was your family situation then?

PM: Well, my father and mother both worked for Senator [Leslie] Boynton¹. Senator Boynton

¹State senator from Jefferson, Maine in Lincoln County. Democrat during the Bull Moose Movement. Served in the

had a very interesting career; he was typically pulled up by the bootstraps type of fellow. He became senator, became state senator during the Bull Moose movement. He was a Democrat and Democrats in those days were as rare as white crows and he served in Augusta as senator from Lincoln County for two terms in 1912 and 1914. Well, my father ran the farm and my mother ran the house. It was an eighteen-room house and tremendous big beautiful place, beautiful farm in Jefferson. It's since become, well, it was a CCC camp for a while, and then the old, what we call the old mens' camp that was a, the Department of Health and Welfare ran a home for elderly homeless men. And now it's been taken over by a fellow by the name of Hunt who's running a sawmill there, so that's . . . And most of the fields have grown up to woods. I go through the area now where the trees are 35, 40 feet tall and I remember when I used to rake hay there. I moved, my father bought a place nearby about two miles away when I was two years old, so we moved from there to the new place.

DN: And he continued . . .

PM: . . . He worked for Boynton quite a lot after that, and I used to go down there and play in the -- he had two hundred foot barns, you can just imagine what a nice place, playpen it was.

DN: Now, was the, was your father always a farmer?

PM: He was a one-horse farmer really. He bought his own, he always wanted his farm and he finally got it, and he didn't believe in credit, mortgages or anything. He insisted on getting the full purchase together before he bought anything. And they always maintained that throughout their lives, my father and mother, and the only time they ever bought anything that I know of on time was a Maytag washer. When we first got electricity in 1928, the Central Maine Power Company was selling, I said Maytag but it wasn't, it was Central Maine's brand, whatever it was. And they came around and they induced my mother to go along with this idea of putting the washer in just to show the neighbors how it worked, and then she'd have no obligations. But after three or four months they came around and said, "Now, don't you like the washer?" Well, of course she loved the washer. And so they said, "Well now by paying a couple of dollars extra on your light bill over a period of time, you can own the washer." And they did. But they rued the day that they ever got in debt and then vowed they never would again, and they never did. And my father's ambition was to make a, was to have a thousand dollars in the bank and he never made it. And that's my background, just a poor country boy.

DN: Did you have brothers and sisters?

PM: Yes, I had a brother and a sister and they're both alive. They live in Jefferson.

DN: So you stayed right in Lincoln County pretty much.

PM: Well, they, John [MacDonald], my brother, he never moved out of there, he ran the farm. But my sister, she was in New York and then she married and they traveled all over the world.

And then she wound up eventually, after her husband died, in Jefferson.

DN: Now, did you go on to the university?

PM: I went, in those days you could go to Suffolk Law School from high school, which I did. I didn't have the money to go to college, I don't think that scholarships were as plentiful in those days as they are today. But at any rate I had a chance to go to Suffolk and work my tuition and get fifteen dollars a week for working in the library, and so I took that, it sounded pretty good. And so I'm sorry that I didn't make the university but I did get through law school and pass the Bar and, about sixty years ago.

DN: Now, what triggered your interest in the law?

PM: Well, I guess I was just interested in that sort of thing, and I was always interested in politics. I don't know why really, but, because my father and mother weren't politically inclined at all, but . . .

DN: Did you get to know Senator Boynton at all?

PM: Yes, I did, and maybe that had some influence on me.

DN: But he didn't convince you to become a Democrat.

PM: Not, no. No, Herbert Clark was the senator at the time and he convinced me to be a Republican, and of course I've been Republican ever since. Sometimes I'm not so proud of it, but that's my politics.

DN: Now you went to Suffolk Law School, graduated. Did you come back and practice law?

PM: Well, I came back, yes. I worked for a while in the law school as, in the bursars'; I was the bursar as a matter of fact. Then I came back in '41 I think and I served as clerk of the Legal Affairs Committee, that's how I got my foot in the door out to the State House. And very interesting, I met of course a lot of good lawyers and many of the good lobbyists. And in those days Herbert Locke was one of the chief lobbyists, so was [Robert B.] Williamson² who later became Chief Justice, so was Judge [Edward F.] Merrill who later became judge [*sic* Justice]. They were all lobbyists for the utilities. And I remember Locke lobbied for the, to legalize bowling on Sunday. Can you imagine? It was against the law in those days to play baseball in Maine, or bowl or have movies, and those bills all came before the session in '41 when I was out there, before my committee. And so then I went in, I practiced with law for a time. The pay was twenty-five dollars a week, which was okay. That was pretty good pay in those days.

DN: Where was the office?

² Chief Justice in Maine from 1956-1970.

PM: On Water Street.

DN: On Water Street in Augusta?

PM: (*Unintelligible phrase*) the Strauss Building. And then I got this chance to, [Secretary of State] Harold Goss wanted a deputy and I got a chance to go in the State House. I don't think the pay was much different, it was three thousand dollars a year, I remember that. No, it was thirty-five hundred and he got four thousand as secretary. I was, my salary was fixed by the [executive] governor's council and later on I got more than he did because the government council was more flexible than the legislature. And so I learned a lot that first session as clerk of legal affairs.

DN: This was 1944?

PM: Forty, must have been, no, that was forty-three I guess because I went into the Secretary of State's office in March of '44. And I was deputy for, as I said, until '61.

DN: What were your responsibilities as Deputy Secretary of State?

PM: Well, a principal responsibility among many was in charge of the election division. The newspapers always said, in speaking of me, as chief of the election division. And that's true, I was. And that's how I happened to run into Muskie at the recount in, apparently in '44 or maybe it was '46.

DN: Would have been '46 or after, yeah.

PM: Okay.

DN: Now, what were the major problems that you had to address as head of the election division in that period?

PM: Well, the, there were no major problems. There were some interesting events: the Hale-Oliver recount was in Washington, D.C.. And I went down to that expecting to be there about three days, which would be plenty of time to count the ballots that, if we were doing it in Maine. But I found out that they do things differently in Washington, I was there three weeks. And Margaret Smith was a senator then and she made reservations over at the First Marriott you know, that used to be over in Arlington. And after a few days the hotel said, "We need some money." And, well I took two or three hundred dollars with me but I didn't expect to stay forever. And I then went to the clerk of the committee, and that was the, well, the housekeeping committee, I can't remember just what the name of it was. But anyway he says, "Oh my, you should have come to me before, yes, you're entitled to fifty dollars a day and your secretary, the clerk, the chief clerk Rachel Lemieux, she's entitled to fifty dollars a day." Gee, that sounded like utopia to me. Well anyway, we spent three weeks down there while the committee met perhaps two or three hours a day on the election, and sometimes not even that. And finally they decided that Hale was the winner and he won. He was, Oliver was the Democratic opponent, and two years later, as you know, Oliver beat him.

¶ Well I have some interesting remembrances about the campaign, those early campaigns. You remember the Democratic Party in those days was really struggling, and it was almost impossible to get anybody to be willing to put their name on the ballot. And you also recall that in the Hall of Flags in the State House, the window sills were about three feet wide. Well, it used to be a joke: the Democrats on the day, the last day for filing nomination papers, would all gather out in the Hall of Flags and they'd spread their papers out on those window sills and try to match up. They'd have a lot of signatures from Biddeford and from Lewiston and Sanford and Waterville and up in the [St. John] Valley, but they had trouble getting candidates. And they would finally get somebody to agree, so they'd put the name on the petition after the signatures were there. I knew what was going on but I wasn't going to try to police the thing; I really felt sorry for them.

¶ And actually, I had more friends I think among the Democrats, when I got beat, well, when I got beat, I didn't get beat, but the legislature shifted in '64 and went Democratic. And I knew that I was out as secretary, they were going to elect a Democratic secretary. But they felt sorry for me. And when I got appointed judge they were happy as clams, because they kind of felt a kinship I guess towards me because I always used them fairly. I used everybody [fairly], that was my motto. There was no other way to do it, just be fair.

DN: Governor Curtis appointed you as judge, is that right?

PM: No, it was Governor Reed.

DN: Governor Reed, that's right, that would have been Governor Reed.

PM: Because he was still governor, and the council was going out the first of January and we had to move fast to get me appointed and confirmed before the first of January while the Republican council was in. Maybe the Democratic council would have done it, but we didn't take any chances.

DN: So you went on the bench and you served as judge from then until '93 you said?

PM: I retired officially in '78 and then Governor, independent, . . .

DN: It would have been Jim Longley.

PM: Jim Longley, yeah, he appointed me active retired, and I was pretty active. I worked three or four days a week then, and then I got reappointed by, let's see now, who was the governor . . . ?

DN: It would have been Brennan.

PM: Brennan, yeah, Brennan. And so I served another, so I really served twenty-eight years in all.

¶ And I have an interesting thing that connects. You speak of Suffolk Law School. For some

reason Ed Muskie knew when he was governor that I had graduated from Suffolk. And he was asked to be the commencement speaker. And I didn't even know it but he called up one day and he says, "You know," he says, "tomorrow I've got to go to Boston to speak at the Suffolk commencement and I thought maybe you'd like to go along." I said, "Sure I would." And so we climbed in one of those old National Guard planes, where you sat on the side, there was no seats or anything. It was just like a barn, and it flew about a hundred miles an hour. And we stopped in Portland and he had one of the Marcus boys, a lawyer in Portland, bring on three or four suits. Apparently, wherever it was that he got his suits, they knew his size and of course he was an unusual size because he was so tall and lanky. And I can see him now trying on those suits in the plane as we flew between Portland and Boston, him about to give the commencement address. But he did, he found a suit that suited him and he gave an excellent speech. And then we all went to the Harvard Club, and I don't really know why we went to the Harvard Club, but there was a reception at the Harvard Club. And the governor of Massachusetts was there, all the big wigs were there and we had quite a nice time, and it was quite late and we were all hungry. And Ed said to me, he says, "Do you know where's a good place to eat?" And I said, "Yes, there's just one place in Boston that is good, the best place is The Rib Room." And I can't remember for the life of me the name of the hotel but the Sonnabend family owned it, and Sonnabend owns the Samoset. And I'd had contact with him down here, so I knew they owned the place in Boston.

¶ Anyway, we all marched up the street. It was only some short ways, and it's right outside of Kenmore Square where this was held. And it was very famous, this Rib Room, for their roast beef. Well, Muskie says, "I want steak. I know their roast beef is good but I want steak." Well anyway, we march in and I'm in the lead, and the place is packed. We had no reservations, there's a table right in the middle of everything with roses on it all set, all ready to go. Obviously somebody had it reserved. And I marched in and I said to the maitre d', "Do you have a table for the governor of Maine and his party?" I think there was eight of us. And he said, "Oh, yes sir, right here." That name of Muskie was magic, it really was, all over, even in Massachusetts. And we marched in and everybody had prime rib except Muskie. He insisted on his steak and he still had steak. So that was an interesting little interlude.

DN: And you were able to go back to your alma mater in style.

PM: In style, yeah, yeah, that was a very interesting evening. And Ed was awful easy to get along with. Well, you know, you worked with him. He was a hell of a good fellow.

DN: Let's go back to the recount that, where you first met him I gather.

PM: Yes, of course it was just, he was just another candidate then to me. But he, I do remember distinctly how many times he rushed out to go to the pay phone and call Waterville to see how the birth was coming. It was something to be involved in the recount while the baby was being born but he, there was no way around it. It had been set up and all the people were assigned to be there and were there and so was Ed.

DN: Now, did you have a chance to observe him much as a legislator?

PM: He was a good legislator. I didn't have too much contact with him, although I had contact with practically every legislator because I was running the election division. And they all came in to get their nomination papers and to find out . . . just to visit as a matter of fact. Many of them would come in and visit sometimes enough to bother you. But . . .

DN: Where was your office in those days?

PM: Well, the first office was in the east wing down on the right-hand side as you go toward what is now the Appropriation's Committee room. It used to be the Department of Education was down there. And then Harold Goss' office, the Secretary of State, was right across the hall. I had a little room, oh, smaller than this, and my secretary, Mrs. Knowlton, was in there with me. She had a desk and my desk, and there was hardly room for anybody else to get in and out. But we functioned in there for, oh, I guess five or six years or so until they finally, when they got the office building built. Then the treasurer moved out of his quarters, where the governor is now on the second floor, and we moved over there and that was quite commodious.

¶As a matter of fact, the safe was of course a heavy brick construction and it was so massive that when they built the office building they decided it was better to build a new safe over there than to try to move the old one out of the State House. So they left it and it was a kind of an empty room. And when the district court law passed and Judge [Richard S.] Chapman³ was appointed chief judge, he and his deputy had to do a lot of paper work. And they had a lot of contact with the controller's office and so forth and they needed space. And I says, "Well, the only space that I've got is the room that used to be the safe, if you want to work in there." And sure enough they did. So they set up the district court in the old treasurer's safe in the office of the Secretary of State. And at that time I was Secretary of State.

DN: And so you were right in the State House and very close to the legislators.

PM: Oh I was absolutely right there with the, we used to consider ourselves the information agency, you know. Everybody who had a question, they'd always come to the Secretary of State's office.

DN: What was it like for you as a Deputy Secretary of State in 1954-'55 when all of a sudden the Democrats elected a governor?

PM: Well, doesn't make any difference. As long as the legislature was Republican, my job was safe. As a matter of fact, I wasn't elected. I was appointed by the secretary who was Harold Goss who was there for, I don't know, twenty years I guess. He was there I think from '41 until the unfortunate election, actually. I was faced with the question of a new, the legislators said that they were going to have a new Secretary of State and it could be me, but it wasn't going to be Goss. They had, he had run out his time, overstayed his time really. And I was put in a hell of a position, but there was nothing left to do but run against him, which I did. And I don't like to blow my own horn but I think he got thirty-five votes and I got the rest of them. So that's that.

³Appointed Chief Justice of Maine District Court in 1962. He died in 1971.

DN: Had you seen Ed Muskie's victory coming, or was it a surprise?

PM: I don't think anybody saw his victory coming. Of course, Bishop was running as an independent and he drew off a lot of Republican votes. I don't know, I think, I've got the f-, I don't know how many but it's something like, it's in the thirty thousand or more he got, which of course killed Cross. And Muskie had been holding these bean suppers all over the state which was something unique so far as political campaigning was concerned. But it was just right for Maine people; they love bean suppers. They've been doing it all their lives at the church suppers and so forth. So he had these bean suppers all around and people began to listen to him, and said, "This is a bright young fellow." Well, everybody knew that. I want to tell you before we get through here about the experience in Bangor, because that really shows you what kind of a man he was. Anyway, he was, he held the bean suppers, he got his name known and became elected governor. And it was a surprise to everybody, and I think it was a surprise to him actually.

DN: What happened in Bangor?

PM: Well, in Bangor, this was about, it was back in the days when the Democrats were in terrible trouble trying to get candidates. And the only candidate that they could find for the United States Senate was one Roger Dube from Lewiston. I'm sure you are familiar. And his sidekick or girlfriend or what have you was Gertrude Picard, and they used to be in the office every other thing, so I knew them pretty well. And [James] Oliver was running for governor, I guess . . .

DN: Governor, yeah, '52.

PM: Was that '52? Well, that's the, okay. So I was, in addition to this election business, I had another job. And that was to hold the motor vehicle hearings on license revocations and suspensions and financial responsibility and all the rest of it all over the state, and I did the whole business. There was, it entailed a lot of travel and quite a lot of work, but it got me around so I met a lot of people. And I knew practically every lawyer that ever practiced in the court, because they all sooner or later came in on these motor vehicle cases.

¶Well anyway, I was in Bangor doing motor vehicle cases and I was staying at the Penobscot Exchange Hotel. And I knew that Muskie had this, I mean Dube, had this, he bought an old hearse, and he had on it a loud speaking arrangement, horns on the top and I think probably you remember it. He'd go through the, down the streets, you know, broadcasting his campaign song. So I was up there walking down the street after supper one night and I heard this, "Paul, Paul, come over here." Jeez, I couldn't imagine you know, when I looked around there's Dube in his hearse. So I went over and he and Gertrude were there and he says, "We're going to have a big rally at the Bangor House tonight and I want you to come." "Oh," I says, "I guess I'd be out of place, a Republican at a Democratic rally." He says, "Oh, no," he said, "Awe all know you and like you and want you to come, there's going to be a big crowd." So I said, "Well okay, I guess perhaps I will."

¶So I went up and I sat next to Gertrude, she was the only one I knew and she was the only one in the audience. The speakers were all lined up on the platform, Oliver and, at that time Muskie was the national committeeman, and he, I've forgotten, besides Oliver there was a fellow by the name of Baldacci. And I think he must have been a relative of the present representative . . .

DN: That would be John's father, Bob.

PM: He was running for the Senate, I remember that. Well anyway, they had a pretty full slate and they all had speeches, long speeches they were prepared to give to this big crowd that was going to come. And my God, we waited and we waited and we waited and there might have been three or four people drifted in, but that's all. But they got up and they went through the whole thing. I could see Ed was just on pins and needles. He was so embarrassed by the whole shebang. And these people all delivered these speeches, reading them to the air. So [it] finally came his turn and he says, "Well, I had a speech but," he says, "I've thrown it in the wastebasket long ago." He says, "What we need," he says, "is some ground support, we've got to have some troops." He says, "There's nobody here, we're talking to ourselves." He says, "I know how Paul is going to vote, he isn't going to vote for us. I know how Gertrude's going to vote. She's going to vote so they, that's canceling each other out and the rest of it is wasted." Then he launched into an extemporaneous talk of how they ought to get the local committees formed and get . . . instead of making these speeches from the platform, do some work in the field.

¶And I felt so sorry for him, I went over to the hotel and I sat there thinking and I says, "I'm going to write him a letter." And I took some of the hotel stationery and I scribbled a note to him. And I said, "Ed, why in the world don't you give this thing up and join the Republicans where you can make a contribution?" And he wrote me a nice letter back, which I wish I had, I've lost it somehow. I mean it would have been invaluable if he had been elected President. And he told me in a few words that, he says, "I believe in the two-party system and I believe in it enough to struggle despite all the problems that you saw tonight." And he says, "I appreciate your thought but I'm going to do the best I can to revitalize the Democratic Party." And he and Frank Coffin sure did. You've got to give them the credit. So that's the story of Roger Dube and the hearse.

DN: Now, you observed Ed in that setting and then as governor. How, from your point of view, did he work with the Republican legislature?

PM: Well, I had a bird's eye view there because the Secretary of State, it acts as secretary to the executive council, which we had in those days. And of course they were all Republicans. And here was the governor trying to get what he could out of the Republican council. So I sat there and took the notes and so I was privy to much that went on. As a matter of fact, they used to have some arguments, and instead of doing it out in the council chamber they'd go into the governor's office. And I was expected to go in, too, in case there was something official. They didn't think about public . . .

DN: There was no Sunshine Law.

PM: No, no, there was no Sunshine Law. As a matter of fact, if you put the executive council,

the executive session sign up on the door, all the newspaper men were curious. "What's going on in there?" But if you left the door wide open, you could talk for two hours and nobody would ever come in and, but anyway.

¶To get back to what your question, yes, I saw him in action, I saw him compromise. He was a master at compromise. But you had to be with seven Republicans on his council, they could stymie him and veto anything he did. And so everything had to be a compromise. And one of the major things about him that I remember most -- we had, in those days we had the Financial Responsibility Law, we didn't have compulsory insurance. And the Financial Responsibility Law provided that when you, if you had an accident and you had no insurance, then your license to drive and your registration were suspended until you filed proof of financial responsibility for the future and posted a bond to take care of the damage that you'd caused. And the only safety valve in that set up was if you could, after a hearing, satisfy the Secretary of State that you didn't cause the accident, that you were not at fault, then you would be relieved of the provisions of the law. And that constituted a good bulk of my hearings. I was holding them all over the state on this question of financial responsibility.

¶And there was a representative from Auburn, and I honestly can't remember his name now, but he was connected, he was an official of a small insurance company. And he got elected to the legislature, he was a Republican, with the sole purpose of passing an amendment to the Financial Responsibility Law which would require the suspension of the operator's license regardless of whether or not the operator was the owner. So you see, what that did, that would, a person driving a truck, employed by a Mr. X, would never say, "Is this truck insured? Are you covered? Am I safe?" Obviously they wouldn't do that. So if they had an accident, even if he was not at fault according to this new law that he proposed, the license, operator's license would be suspended, which was patently unfair. And the legislature could see that, and I had tremendously good success with the highway safety legislation. It was amazing even to me that I got so many things through, but I couldn't spin the thread on this because it was a back-scratching thing: you vote for my bill and I'll vote for yours. And that's the only issue that he had was that financial responsibility amendment. And so both houses passed the bill and it landed on the governor's desk.

¶And I had given up, I never even thought about contacting the governor for a veto. You know, it just didn't cross my mind. And one night during the, this was the very end of the session when they were in session during the evening, Ed Muskie called me, I was down just one floor below. And he said, "I got a bill up here that, it doesn't look right to me. Would you come up and tell me what it's all about?" So I was delighted to. I had never mentioned it to him. I'd been talking to the legislature for the last three, four, five months. And so I explained what it was and what it would do and he caught on like that (*snaps fingers*). And he said "Well, we've got to do something about that. We got to veto it." And the next question was, "What's the next move?" Well, he got his, called his secretary in and he said, "Get hold of Senator Boucher." I remember that; he was the senator from Lewiston and kind of the floor leader, and two or three other Democrats. Of course they, remember we were dealing with a legislature that was predominantly Republican, so whatever was done, had to be done with the Republican vote. And here he was asking this . . . He was going to veto this bill and trying to get a Republican legislature to sustain it. Well, they went to work, whatever they could. And I supposed Louis

Jalbert must have been involved on that, too, because he was always involved with everything.

¶And Ed started to dictate, he said, “You sit right here and if I go wrong you correct me.” And he started, he dictated this veto message which was succinct and to the point. And, imagine, under the fire, under the, with all the other bills and all the other things connected with, landing down on the legislature, here he is dictating a veto message on a bill that he just five minutes before had learned about. So it went into a vote and not only was the veto sustained, they didn’t even get a bare majority. They needed two-thirds, they didn’t even get a majority. So everybody felt relieved. They’d promised this guy that they’d vote for his bill and did, but, just once, when it came to the veto and sustaining the veto, they voted overwhelmingly to sustain the veto. So that was one of Muskie’s finest hours, one of my favorite victories.

DN: What was it like working with folks in his office?

PM: Well, I certainly don’t recall any unpleasantness. I think we got along fine.

DN: Of course you’d known Maury Williams as administrative assistant, and I guess you would have known Floyd Nute?

PM: Oh yeah, yeah, I knew Floyd. He was with the UPI, wasn’t he, to begin with?

DN: What was politics like in that era, in the ‘40s and ‘50s in Maine?

PM: Of course when the Republicans had such a one-sided majority, that it was, everything was a foregone conclusion. If it was a Republican bill, it passed. That was it. And people were apparently always, ever since 1912 at least, they’d been voting Republican and they just got into the habit of it. But politics didn’t cost a fraction of what it does today. I think that they used to, in those days they figured that you needed about fifty thousand dollars to be elected governor. Now they wouldn’t even think about running for governor unless you had a million dollars in the kitty. And of course you didn’t have television advertising and all the rest of it. It was low key. It was, politics has been politics for the last two hundred years, but in Maine at least it was pretty clean, I thought. At least I kept it that way and Harold Goss did. He was, he believed not in being political but in being fair and being the umpire really, and just treat everybody alike. And I followed his footsteps and, I can’t say as much for some of my successors, they became . . . And previously [Lewis O.] Barrows⁴ had been Secretary of State and he used it as a spring board. So the Republicans are not guiltless.

DN: Neither you nor Harold Goss ran for public office.

PM: No. Maybe that’s a help.

DN: Did you have any interest in becoming a legislator or governor?

⁴Secretary of State in Maine, 1935-1936. Governor of Maine from 1937-1941.

PM: No, no, I really didn't because I saw so much of it from the inside. And I think perhaps I realized my limitations and I'm, I guess in those days probably I could have done it. But I don't think I was a caliber to be governor; I was happy to do what I was doing. And I didn't, I was very happy to be appointed to the bench because it was a new court just starting out and I was one of the founding fathers so to speak, and a good bunch of judges initially. They are today, I don't mean that they're not high caliber. But it was interesting to get this thing started and see it grow. And in twenty-eight years I saw a tremendous growth, and the fact that they dedicated this building to me is a compliment. That's all I need.

DN: That must give you great pleasure when you come in here.

PM: Well, it gave us a chance to sit down today in private and talk.

DN: Do you remember any other incidents where Ed Muskie was either a great help or where you ran into problems with him?

PM: Well, no I can't. I'm sure there was troubles, there were times when he tried to get things through that he couldn't. But he had a constant tug-of-war with the legislature and with the council. But he did, he accomplished what he did by compromise. And he had a favorite expression. They'd get into some kind of an argument about some bill or what have you and his expression was, "You call it a compromise but you're giving me a rabbit and I'm giving you a horse." So, and he had to give away a lot of horses, you know, to get a few rabbits.

DN: Excuse me, we've got to pause here.

*End of Side One
Side Two*

PM: ... a genuine two-party system and served two terms, and then went on to the United States Senate and certainly one of the giants of Maine politics. There's no question about it.

DN: You had a chance in the '40s, the '50s, '60s to observe several people who were noteworthy political figures: Fred Payne, Margaret Chase Smith particularly, and Ed Muskie. What was it about them that really made them stand out?

PM: Well, Payne was a typical politician, I guess you'd say run-of-the-mill politician. I can't say that Fred Payne was outstanding in anything he did, but he was adequate. And Margaret Smith, there's no question about it, she was an outstanding woman and she accomplished a lot. Muskie of course has a record that's hard to even think about. He almost became President, and he was Secretary of State of the United States, he was a United States Senator, he was governor of Maine for two terms. And it all started that night we had the recount in the State House back in the early '40s. He progressed steadily and I don't think he ever lost the common touch. He was still Ed Muskie from Waterville even when he was Secretary of State of the United States.

DN: Did you have many opportunities to see him after he had gone to the Senate?

PM: No, very seldom. I remember I ran into him once after I was on the bench. I was attending a judge's conference I think down in York. He was on a panel and I was sitting there. And he kept looking at me and after it was over he came up and he says, "Are you Paul MacDonald?" And I says, "Yes, I am." "Well," he says, "I knew the face was familiar but I haven't seen you for so long." And that's true, it had been probably fifteen years since we'd met. And we do change. Even you.

DN: The climate in Maine politics you've referred to in the '40s and '50s, was it primarily money that made it different from what it is today, do you think?

PM: Well, I suppose that had an awful lot to do with it. The, of course the big companies controlled same as, there's no question about it, the paper companies, the railroads, they always had several of their employees as members of the legislature. I suppose they paid them a salary while they were in the legislature, because the legislative salary when I started out there in '41 was six hundred dollars. I remember I got six hundred dollars same as the members, and that was considered pretty good salary for the winter session. But the, you take the telephone company and the railroads in those days were important and the paper companies were important, and they just about had it their own way. And of course, when you get a two-party system you, they lose some of the power. And that's what caused the unhappiness, but I think it was a good thing, actually.

DN: Was it very different being in the Secretary of State's office and particularly working on elections when it was one-party system and when it became a two-party system?

PM: Well, actually of course it was a gradual build-up all the time because it really didn't become a two, a genuine two-party system until the Democrats won the legislature. And that was the end of me as far as the State House is concerned. And then I started my judicial career. But, as a one-party system, the, as far as the office of Secretary of State was concerned, we treated the Democrats exactly the same way we treated the Republicans. Nobody got any benefit by being, because he was in the predominant party. And that was the party that elected the Secretary of State, of course. But I guess things were, perhaps because they were so predominant, they didn't need to worry too much about what went on. I'm not sure what happened.

DN: You were involved in some major efforts to improve highway safety when you were deputy secretary.

PM: Yeah, that's another thing Muskie did. He appointed, he created what's called the Governor's Committee on Highway Safety, and he put Brim Jewett in as chairman. Now Brim Jewett was, he was the publicity man, PR man for Bath Ironworks, and he was a great pusher; he was full of ideas. And he accomplished a lot although he, as Muskie said, you can crusade only so long. He did, at the end he got to the point where it wasn't as effective. But during the period when, for two or three years, or during Muskie's first term and second term [as governor], the Highway Safety Committee sponsored a lot of changes in the laws. The Absolute Speed Law that we have today is probably the chief accomplishment. It took a lot of doing to get that through, believe it or not, because under the old system there was a *prima facie* speed law. And

if you could convince the court that you, or a jury, that you were operating a Cadillac that was not going to break down or anything and you were going seventy-five or eighty miles an hour, so what, that was perfectly all right. And they got away with it. Of course the only logical law is an Absolute Speed Law. Then you know where you stand, and if you violate it you've only got yourself to blame.

¶We got it through. We got, I remember I had a tremendous time trying to get a change in the law that provided for passing. The old law provided that you, that it was illegal to pass where there was less than three hundred feet visibility. Well, that was all right when automobiles went twenty-five or thirty miles an hour but when they went seventy miles an hour, it was totally inadequate and foolish. So I tried, we, I say I, I was I guess the chief lobbyist for the Highway Safety Committee because I was right there. I was in the State House and I was in contact with the legislators all the time and I appeared before the committees on the bills. And so we thought we would try to move it up a hundred feet, make it four hundred feet instead of three hundred feet, and we had the bill.

¶Well, there was a representative from Auburn, again, who was a, he was an old, he was an auctioneer and a farmer and very conservative. And he got the idea that that would be terrible, there would be no way he could pass a car, no way, all the way down from Auburn to Augusta. He says, "I wouldn't be able to pass." He used to come into the office, I got there early, usually an hour before anybody else and try to get some work done. And he'd come in, he was an early bird, too, he'd get there at the crack of dawn and he'd come in there and chewed the fat with me. But we did accomplish a few things by doing that. And he was complaining about this bill of mine, the four hundred feet, so I picked up the uniform traffic code. For years the uniform traffic code had a provision in it that you could only pass when there was an adequate view to do so safely. And that's what I would have loved to add but I didn't dare promote it. I says, "How would this sound to you?" "Well," he says, "now that's fine, I'd take that." I says, "Okay, it will be done." And we got our bill passed the way it is, the way it appears in the national highway safety . . .

DN: You got your horse.

PM: Got the horse, yeah, got the horse and he got the rabbit. There was another time when we had a bill for seeking two hundred thousand dollars to subsidize driver education in the high schools. At first that's where driver education started, through the action of the committee we got this thing into the high schools. We got the course given and later it, the Department of Education didn't want it. So they pushed it out and got it in, commercialized, which probably takes care of the situation all right. But anyway, this old fellow said, "Two hundred thousand dollars," he says, "I don't mind," but he says, "I know," he says, "in five or ten years it'll be two million." He says, "Of course I won't be around but it'll be two million, I'm sure." Now, this is just before the vote was taken and we're milling around up there on the third floor where I wasn't supposed to be. And I says, "I'll tell you, if it goes up to two million, I'll rap three times on your tombstone and you'll know you were right." He went in and sat down and never rose or never said a word; let the bill go through. And so we got the two hundred thousand dollars and got the driver education started in Maine. And I can't remember all of the little changes that we made, but we did accomplish a great deal. And you have to give Muskie the credit because he

was after all the head man and it was his committee, and the rest of us just worked to see it through.

DN: You saw an awful lot of characters in your days in there.

PM: Yeah, sure did. There were characters all over the place. Some of them I've forgotten their names but I can see them in my memory.

DN: Who are some that stand out that you remember particularly?

PM: Well, of course Louis Jalbert was one of the chief ones. And then Roger Dube, oh, names, it's awful but they . . .

DN: What about Bob Haskell?

PM: Well, Bob Haskell, that was another fellow that was quite remarkable. I'll tell you how remarkable he was. He read every bill and, believe it or not, he knew or found out what was in every bill. And the reason I know that is that he met me on the stairs one day and I had a little list, it was a personal bill of mine. I had a truck that was an old Model A Ford that I had cut off and put a little body on it and I used it to run around in the woods and never hardly on the highway more than maybe ten miles. So, and to register it, you had to pay the regular truck rate, which seemed unfair, whereas a tractor you could register for two dollars and drive all around, haul a trailer and so forth and it seemed . . . So I had somebody sponsor this bill. Haskell went to the sponsor and he said, "Who's behind this bill?" And he said, "Paul MacDonald." So he looks me up, he meets me on the stairs and he says, "What about this bill, what's this all, why the two dollars?" Well, I told him the tractor only cost two dollars and it's limited to ten miles on the highway, so I thought that these poor devils that converted an old car into a truck ought to, (I didn't tell him that I had one), ought to get by for two dollars. He says, "Okay." I knew the bill had passed then, when he said "Okay." And it did. And I guess it's on the books today. Doesn't mean anything to me now, but it did then.

DN: You certainly observed Governor Cross who lost in that '54 election.

PM: Yeah, Cross was, and he's still alive. I understand his wife died recently.

DN: Just recently, I gather.

PM: But he must be almost a hundred. Burt was a, he was a plodder and he didn't sparkle, but he did the job. And of course he made some enemies. But he survived, he's still alive.

DN: Still quite alert, I gather.

PM: And, is he?

DN: Yeah, yeah, some people have talked to him recently. And in fact we hope to interview him.

PM: Well that would be, because he, I guess there's only a handful of people left that knew Muskie in those days.

DN: That's right. Do you recall anything else about Ed that you think people should know?

PM: Well, I guess, yes, there's one thing that inten-, I made a note of it and I haven't mentioned it. And that is when I was the Secretary of State I was very much in favor of the towns putting in voting machines; eliminate this recount and all the problems. The only difficulty was that they were expensive. In those days they were big, heavy, massive things and they cost something like over a thousand dollars apiece. And the towns were reluctant to do that. Although Portland bought them and Bangor bought them and Rockland bought them, and there were quite a few municipalities that bought them just the same.

¶Well, in order to promote the thing, the company set up a machine down in one of the committee rooms in the basement of the State House, and they had a woman there explaining how it worked. And all the legislators or visitors, anybody that came by, it was right at the end of the tunnel so that everybody that went by would see that thing and they'd walk in. And Muskie's, the thing was set up so that Muskie's name was on the ballot. I suppose for the United States Senate, it must have been. And she said that, the school kids would come in by the droves and they'd all want to vote on the machine, and they'd see that name "Muskie". "Oh, Muskie. We want to vote for him." And they'd all vote for Muskie. It was a magic name, no question about it. Just like when we walked into the Rib Room in Boston, I'm sure some poor devil got out of luck, because that table certainly wasn't prepared for us, but we got it, so.

DN: Sometime, I think it would be very valuable to talk with you, Paul, about the courts and how they've evolved. Your observation of that.

PM: Well, I guess that's for another day.

DN: That's for another day, yeah. This has been very helpful.

PM: Well, I'm happy to talk with you. And, I haven't seen you, I've talked to you over the phone a few times but I haven't seen you for a long time. And we're, we sort of grew up together.

DN: That's right.

PM: Politically, on opposite sides of the fence, but good friends.

DN: It was a civil society.

PM: Civil society, right, right.

DN: Thank you, sir.

PM: Thank you.

End of Interview

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