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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1953

VOL. 5

PART 5

1668-2065

AGM

1819

MR. TILSON (HAMDEN):

Mr. Speaker, this is a technical amendment to the law concerning the filing of chattel mortgages where personal property and certain kinds of manufacturing plant, without the real estate in which the same is situated or used, is mortgaged, by a deed complying with all the provisions of section 7265 and filed for record in accordance with the provisions of section 7268. There was no opposition to it.

THE SPEAKER:

Question is on passage of the bill. Those in favor will signify by saying "aye"; opposed? The bill is passed.

THE CLERK:

Favorable report of the Committee on Judiciary on Substitute for Senate Bill No. 301 "An Act concerning the marriage of Epileptics and Imbeciles." Calendar 1139 File 623.

MR. TILSON (HAMDEN):

I move that the Committee's favorable report be accepted and the bill passed in concurrence with the Senate.

THE SPEAKER:

Question is on acceptance of the Committee's favorable report and passage of the bill in concurrence with the Senate.

MR. TILSON (HAMDEN):

Mr. Speaker, this bill removes the prohibition against the marriage of epileptics. It was strongly supported by medical opinion. They said this kind of law has no sense, repeal it. So far as is known it hasn't been enforced in fifty or seventy-five years and the committee felt it should be taken off the books.

AGM

1820

THE SPEAKER:

Question is on passage of the bill. Those in favor will signify by saying "aye"; opposed? The bill is passed.

THE CLERK:

Favorable report of the Committee on Finance on Substitute for Senate Bill No. 421 "An Act authorizing the City of Norwalk to Issue Bonds to Acquire Shore Front Property." Calendar 1140 File 621.

MR. BREVILLIER (LYME):

I move the acceptance of the Committee's favorable report and passage of the bill in concurrence with the Senate.

THE SPEAKER:

Question is upon acceptance of the Committee's favorable report and passage of the bill in concurrence with the Senate.

MR. BREVILLIER (LYME):

This bill simply permits the City of Norwalk to issue bonds not to exceed ninety thousand dollars for the purpose of acquiring and developing certain shore-front property.

THE SPEAKER:

Question is upon passage of the bill. Those in favor will signify by saying "aye"; opposed? The bill is passed.

THE CLERK:

Favorable report of the Committee on Finance on Substitute for Senate Bill No. 439 "An Act concerning Issuing Bonds for Improvement of Recreational Facilities and for the Construction of a Band Shell in Mathews Park." Calendar 1141 file No. 622.

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CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
1953

VOL. 5

PART 3

845-1202

1071

THE CLERK: Cal. No. 829. Substitute for Senate Bill No. 301.

An Act concerning the marriage of epileptics and imbeciles.

Favorable report of the Committee on Judiciary. File No. 623.

(Upon motion of Senator Jewett of the 20th district for acceptance of the committee's favorable report and passage of the bill, the bill was passed)

SENATOR JEWETT: Mr. President, the major change in this Act is to take out of the present statutes the prohibition that epileptics may not marry. The Judiciary Committee heard a great deal of evidence. It is the opinion of expert medical men that epilepsy is not an inherited disease and this being so it seems unnecessary to prohibit the marriage of an epileptic. The other change is the prohibition of paupers to marry is taken out of the Act and we believe it faces the reality of modern day life.

THE CLERK: Cal. No. 830. Substitute for House Bill No. 781. An Act amending an act providing for a Board of Public Safety for the City of Torrington. Favorable report of the Committee on Cities and Boroughs. File No. 553.

(Upon motion of Senator Minetto of the 30th district for acceptance of the committee's favorable report and passage of the bill, the bill was passed)

SENATOR MINETTO: Mr. President, this provides for a Board of Public Safety for the City of Torrington.

THE CLERK: Cal. No. 831. Substitute for House Bill No. 1273.

An Act amending the charter of the City of New Britain concerning the inclusion of air force veterans in the definition of "War Veteran". Favorable report of the Committee on Cities and

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Judiciary

April 1, 1953

Sheriff Paul Sweeney, president, State of Connecticut Sheriff's Association: The association has voted in favor of H. B. 433. H. B. 444 changes the statutes. The sheriff is paid by the state and as such is the only state officer wherein there is a personal responsibility in the conduct and management of the prisoners. According to the present statute the sheriff is personally responsible. The idea is to place it upon the county and not on the sheriff.

Sheriff Donald Potter, Hartford: I speak on H. B. 433. Section 3012 prohibits the conveyance of certain articles in the state prison and provides heavy penalties. There is no act concerning conveying any of these articles to the county jail and it should be put on the books. This bill provides for the same prohibitions and it adds "or any barbituates". Sleeping pills are easy to smuggle in and can be a dangerous thing and it was suggested that it might be included in this bill. There should be an addition to the last sentence after "three years". To this sentence should be added "should be fined not more than \$100". You may think that the penalty should be somewhat modified but think there should be some legislation which would make reasonable penalties.

Chr. Pruyn: Anyone opposed? The hearing is closed. We will take up 301. Anyone in favor?

S. B. No. 301 - Lowell - AN ACT CONCERNING THE MARRIAGE OF EPILEPTICS AND IMBECILES

Dr. A. L. Burgdorf, Director of Health, City of Hartford, appearing for Connecticut State Medical Society: This bill provides for the elimination of the word "epileptic" from Section 8592 of the statutes. At this time I would offer an amendment and have it eliminated from Section 8593, which is a companion section. If 8592 is amended, it should also apply to 8593 to bring the two in harmony. The reasons for this change is that when the law was put on the books, at that time epilepsy was considered to be a disease that was homogeneous, but since then it was found that not all people who suffer from convulsive seizures are necessarily epileptics. It is now pretty well established that the tendency toward convulsions is not hereditary. There are many people who suffer from convulsive seizures which has nothing to do with epilepsy. This matter is being considered in many states at the present time.

Judiciary

April 1, 1953

Rep. Tilson: Section 8394 - do you think it ought to be a matter of statutory rape?

Dr. Burgdorf: The committee only considered the two sections I mentioned. I will be glad to poll the committee and get their opinion on that section.

Mary Campbell, Training School, Mansfield State Hospital: I wish to register in favor of 301.

Dr. Neil Dayton, Superintendent, Mansfield State Hospital: I think the period should be placed after the words "than three years" in the last sentence of this bill, deleting "or both". I think it hardly advisable to remove the word "epileptic", because that has been mentioned before. This would permit marriage but that is all. It is true that this law goes back to the dark ages. At the present time we know more about epilepsy than we did before. We do not talk about epilepsy - we say there is a disturbance of the electrical currents in the brain. That is not to be considered as serious as it has in the past from the viewpoint of inheritance. The great bulk of epileptics are in the community. There are about 10,000 in Connecticut and we have 300 in Mansfield and 300 in Southbury.

Chr. Pruyn: The hearing is closed. We will take up S. B. 559. Anyone in favor?

S. B. 559 - Lowell - AN ACT CONCERNING CARNAL KNOWLEDGE IN CERTAIN CASES

Albert Hoover, Acting Director, State Welfare Department: We in the study of welfare laws reviewed Section 8594 and found that in addition to epileptics, paupers were also listed and we could not see any reason for "pauper" to be in there, so we deleted "or a pauper". After we put in the bill Dr. Dayton suggested that we change this section and substitute "mentally defective" instead of "epileptic or imbecile". I have prepared a substitute bill but in talking to you I discovered I might be mixing apples with cherries. Mentally defective as used - there is no definition as to what it means. It may be something else your committee may want to take into consideration. I notice H. B. 1597 introduced and referred to your committee takes care of the word "epileptic" in Section 8594.

Chr. Pruyn: Anyone opposed? The hearing is closed. We will take up H. B. 127. Anyone in favor?

SB301

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1953

House

1813-1814

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Senate

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(1)

Judiciary

579-580

(2)

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