

REPORT ON MAINE

DENIAL OF EQUAL OPPORTUNITY
IN RENTAL HOUSING AND ITS EFFECT
ON NEGROES IN
PORTLAND AND BANGOR, MAINE

By the
Maine State Advisory Committee
to the
United States Commission
on Civil Rights

March 1965

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Maine State Advisory Committee
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UNITED STATES COMMISSION ON CIVIL RIGHTS
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Maine State Advisory Committee

To The

United States Commission on Civil Rights

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Acknowledgment

The Maine State Advisory Committee wishes to thank Jonas O. Rosenthal of Waterville, a member of the Committee, for his special services in the preparation of this report.

Preface

The United States Commission on Civil Rights

The United States Commission on Civil Rights is an independent agency of the Executive Branch of the Federal Government created by the Civil Rights Act of 1957. By the terms of that Act, as amended by the Civil Rights Acts of 1960 and 1964, the Commission is charged with the following duties: investigation of individual discriminatory denials of the right to vote; study of legal developments with respect to denials of the equal protection of the law; appraisal of the laws and policies of the United States with respect to denials of equal protection of the law; maintenance of a national clearinghouse for information respecting denials of the equal protection of the law; and investigation of patterns or practices of fraud or discrimination in the conduct of Federal elections. The Commission is also required to submit reports to the President and to the Congress at such times as the Commission, the Congress, or the President shall deem desirable.

The State Advisory Committees

An Advisory Committee to the United States Commission on Civil Rights has been established in each of the 50 States and the District of Columbia pursuant to section 105(c) of the Civil Rights Act of 1957 as amended. The Committees are made up of responsible persons who serve without compensation. Their functions under their mandate from the Commission are to: advise the Commission of all relevant information concerning their respective States on matters within the jurisdiction of the Commission; advise the Commission upon matters of mutual concern in the preparation of reports of the Commission to the President and the Congress; receive reports, suggestions, and recommendations from individuals, public and private organizations, and public officials upon matters pertinent to inquiries conducted by the State Committee; initiate and forward advice and recommendations to the Commission upon matters which the State Committee has studied; assist the Commission in matters in which the Commission shall request the assistance of the State Committee; and attend, as observers, any open hearing or conference which the Commission may hold within the State.

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Introduction

Although the Maine State Advisory Committee to the United States Commission on Civil Rights is concerned with the entire scope of civil rights responsibilities in the State, most of its attention in the last two and a half years has been focused on denial of equal opportunity in housing to Negroes. Investigation of this denial of equal opportunity culminated in two Open Meetings, the first in Portland, Maine on March 25, 1963, and the second in Bangor, Maine on April 27, 1964.

It is significant that Maine, geographically remote from the troubled South and temperamentally different from the large industrial centers in the North, should contain this problem. It is possible that many residents of this State, and of other States may be surprised to discover that denial of equal opportunity is not confined to any one section of the country but is to be found even in this New England State which is not traditionally regarded as a site of racial tensions. Unfortunately, the problem is not new in Maine. But it is only now that it has emerged as one that people in the State are recognizing, discussing, and trying to solve.

The commitment of the Federal Government to encourage open housing practices was indicated as early as November 20, 1962, when the late President John F. Kennedy issued Executive Order 11603 which is directed toward prohibition of discrimination in federally assisted housing.

From occasional, but specific, complaints, the Advisory Committee had been made aware that Negroes in the State were experiencing great difficulty in finding adequate housing. Its decision to undertake a detailed study of the subject, particularly as it affected rental housing, was further stimulated by a proposal to prohibit discrimination in rental housing which was considered by the State Legislature in the spring of 1963.

The proposal to the Legislature is one of three areas of relevant activity in the State which should be noted in order to place this report in its proper context. The second activity is the Portland Open Meeting in 1963 and the third is the Bangor Open Meeting in 1964.

Proposed Legislation

In 1959 the State Legislature enacted a prohibition against discrimination by reason of race, color, religious creed, ancestry, or national origin at places of public accommodation.¹ Senator Frederick Whittaker of Bangor introduced an amendment to the Act of 1959 into the 1963 Legislature which was designed to include a prohibition of discrimination in rental housing. Its significant portions read as follows: ²

No person, being the owner or lessee, or the agent or employee of such owner or lessee of rental housing, shall directly or indirectly by himself or another refuse or deny to any person the rental or occupancy of a dwelling in such building with intent to discriminate against or actually discriminating against persons of any race, color, religious sect, creed, class, denomination, ancestry, or national origin; except that this provision shall not apply to a building with not over two dwellings, one of which is occupied by the owner.

No such owner, lessee, proprietor, manager, superintendent, agent, or employee shall directly or indirectly by himself or another publish, issue, circulate, distribute, or display in any way any advertisements, circular, folder, letter, book, pamphlet, written or painted or printed notice or sign of any kind or description intended to discriminate or actually discriminating against persons of any race, color, religious sect, creed, class, denomination, ancestry, or national origin in the full enjoyment of the accommodations, advantages, facilities, or privileges offered to the general public by such places of public accommodation, resort or amusement, or in such rental housing.

1. Revised Statutes of Maine, 1954, ch. 137, sec. 50, as amended by Public Laws of Maine, 1959, ch. 282.
2. Legislative Document No. 1169, S.P. 426, Feb. 7, 1963. One Hundred and First Legislature. State of Maine.

Impetus for action against discrimination in rental housing came from the Central Maine Branch of the National Association for the Advancement of Colored People. The organization of a special statewide committee of concerned citizens to support enactment of this proposed legislation followed.

On March 14, 1963, the Joint Judiciary Committee of the State Legislature held an open hearing on the bill proposed by Senator Whittaker. The bill was supported by leaders throughout the State including representatives of churches, colleges, and by a number of outstanding doctors, lawyers, judges, political figures, and businessmen. It is significant that no testimony was offered in opposition. Nevertheless, following the hearing, the Judiciary Committee rejected the proposed legislation by a 7-3 vote. After a reversal of vote by one member of the Committee, the minority report was accepted and the bill was passed by the House of Representatives. An amended version was passed by the Senate. In this form, it was later defeated by a narrow margin in the House of Representatives. Attempts were made to reintroduce the bill at a special session of the Legislature in January 1964, but the screening committee refused permission to have this done.

In an editorial entitled "No Room for Smugness" on March 31, 1963, The Portland Sunday Telegram said:

The 7-3 vote by the Judiciary Committee of the Legislature against the bill of Senator Frederick Whittaker, R-Bangor, to prohibit discrimination in rental housing was a disappointment. The bill is aimed obviously at guaranteeing decent housing facilities for Negro citizens of Maine who, even in this land of freedom and so-called tolerance, find it almost impossible to get rents at any price. The argument advanced in Senate debate was that such a law is not needed in Maine. But the argument was knocked into a cocked hat last Monday right here in Portland.

The Portland Open Meeting

The occasion to which the Sunday Telegram referred was the Open Meeting called by the Maine State Advisory Committee on March 25, 1963 at the Portland City Hall to hear testimony on discrimination in rental housing in the Portland area. The meeting had been well publicized and drew an excellent attendance. Parts of the proceedings were televised and appeared on news broadcasts that night as part of the coverage. Mr. Louis Scolnik, a member of the Committee, had obtained statements from the complainants in advance. Most of these persons also made oral statements at the meeting and the statements of those unable to appear were read into the record. A few individuals testified who had not previously conferred with any member of the Committee. Mr. Hugh C. Saunders, then Chairman of the Committee, opened the meeting and subsequently turned it over to Dr. Robert E. L. Strider, Vice Chairman, and Mr. Louis Scolnik, respectively.

Statements

Efforts by Negroes to secure rental housing in Portland were related by 11 persons. Excerpts from some of the statements follow:

Mrs. Ruth J. Conde, 86 Adams Street, Portland, Maine, whose statement was read by Mr. Scolnik.

...Three months ago I started looking for another apartment because my building is being demolished under Urban Renewal. I follow this procedure: I call the numbers in the rental housing ads, find that the apartment is available and then I tell them I'm colored. When I tell them this I'm told they don't know how their other tenants would react. I've been unable to get a place up to this time. I can't tell you names and addresses because I've called so many. The ads just have phone numbers.

Hollie Darden, 60 Ocean Street, South Portland, Maine

...I live in the basement of a small restaurant I operate in South Portland. ...There is an apartment next door I am trying to get. ...I asked the landlord. He said: 'I will go and ask my wife.' 15 or 20 minutes later he said I could have the apartment but he was going to decorate it first and not to move in until he fixed the paper. ...He worked on the apartment about six weeks. ...Just before the holidays I talked to him again and he said: 'Well, maybe you'd better not. It's very cold in the winter.' The people who moved out had a young baby and then everything was fine in the winter. ...This apartment that I have, I got that through a lot of embarrassment. The fellow wants to sell the place. [Restaurant]. He wants \$1000. ...I told him I'd give him \$800. ...Then I said I'd better see the landlord. ...I did and he said: 'Some of my best friends are colored people.' He said for me to meet him the next day. ...He called the owner of the business back in the kitchen. ...I gave him a check and the cash money even before that. ...He [the owner of the business] said: 'The deal is off. ...The landlord went around the neighborhood and some of the people said they didn't want colored people to have the place.' ...I called the paper and told them the story. ...The landlord said I could get myself in a lot of trouble going to the paper. I said I was just beginning. ...I told him there are 50-75 colored people and we were going to picket the business Sunday. The following day he told me I could have the place. ...I am so tired of walking, wearing shoes out, I decided to live in the cellar until I can buy somewhere, buy a piece of land.

Mrs. Doris Wilson, 72 Federal Street, Portland, Maine

...In June 1962, we moved out to live with ...a colored woman whose husband was in Korea. ...We found he was coming back in a few months so we had to find a place to live. That is when I experienced trouble with housing. ...A place on O'Brien Street, I think - the fellow's name was Leo. When he saw us

he told us 'No' and the reason was he could not jeopardize the whole building on account of one colored family. Another place, he told us he would rent to us but he would have to see his wife. I guess after he talked to her, they decided it would be best not to rent to us. They told us no. ...Another place the man asked me if I was mulatto or Negro. I told him I was colored. Then he asked me what type, light skinned, dark skinned or mulatto. I told him I was a mulatto. ...

The Bangor Open Meeting

On the basis of the information gathered at the Portland meeting, it was the consensus of the Advisory Committee that similar meetings would serve a valuable purpose in calling further attention to discrimination against Negroes who sought housing in Maine. Because of the urgent nature of the problem in Bangor, it was decided to hold the second Open Meeting on housing in that city on April 27, 1964.

The population of Bangor is made up of approximately 39,000 individuals of whom 667 are Negroes.³ The Negro population includes those stationed at Dow Air Force Base which is located just outside of Bangor. Part of the city's expansion is due to its proximity to the Base which was activated in October 1941, inactivated in November 1949, reactivated in February 1951, and is currently the headquarters for the Strategic Air Command, 6th Air Division. As of July 30, 1964, its community was comprised of 4,530 military personnel and 8,160 dependents.⁴

The 1963 Annual Report of Bangor, Maine, summarizes the city's history as follows:

Bangor was first incorporated as a town on February 25, 1791 and as a city on February 12, 1834. It grew rapidly and in the 1800's was recognized as the largest lumber port in the world. Although it suffered devastation by fire in 1911, it was rebuilt and is now a modern and thriving community. In 1963, it contained 22,662 acres of land and 400 acres of water. It included approximately 84 acres of parks and more than 125 miles of streets. Its Stillwater Park Urban Renewal project has proceeded smoothly and rapidly. As of the end of 1963, 103 parcels of land had either been acquired or were under option and 40

3. 1960 Census

4. From information supplied by Information Officer, Dow Air Force Base to the Committee, July 30, 1964. No figures were available to the Committee on the number of Negro servicemen and dependents at Dow.

families had been successfully relocated⁵ and the construction of the public improvements in the form of streets and sewers had been started by the Public Works Department. ... By the end of 1964, the execution phase should be about two-thirds completed.⁶

Preliminary work, similar to that which had preceded the Portland meeting, was carried out by the Advisory Committee of which Mr. Louis Scolnik had been named Chairman. Invitations were issued to a number of organizations in the community, to realtors, landlords, and to the public. Advance statements were obtained from several individuals who had complaints to make. Thirteen complainants testified at the meeting and statements of seven others, who could not appear in person, were read by the Chairman. There was news coverage both before and after the meeting.

5. No racial breakdown available to the Committee.

6. Compiled from the Annual Report, Bangor, Maine, 1963, and a fact sheet published by the Bangor Public Library.

Statements

Excerpts from representative complaints given at the Bangor Open Meeting follow:

Mrs. Marlene Boldware, 269 North Maine Street, Brewer, Maine, whose statement was read by the Chairman.

I am colored, married, and have five children. My husband is an airman first class in the U.S. Air Force stationed at Dow Air Force Base. ...We moved into a two-family apartment house with another couple because the rental was more than either of us could afford individually. ...We hunted for other rental housing but were unable to obtain any. We continually ran into discrimination on the part of landlords. ...On one occasion we called at a place recommended by a real estate agent and when we got there and the man saw we were colored, he told us that his son had already rented the apartment. The next day or so, we saw the ad in the newspaper indicating that the apartment was still for rent. I also phoned him and learned that the apartment was available until I said we were colored and then he directly told me he did not rent to colored families. ...

George A. Castillo, 7 Gilmore Street, Brewer, Maine

...When I came here from British Honduras in 1960, I was stationed at Dow Air Force Base and am now a student at the Bangor Theological Seminary. We were very much disappointed with the situation around here. We watched the local newspaper. We called every day. After calling, when we would go to see an apartment we were told it was already gone. Later we learned from other Negroes, some said: 'Tell them you are Negroes from the beginning.' ...Most often the response is: 'I don't mind but my neighbors would mind.' That is the most usual answer. Some say nothing; sometimes the phone is just hung up on us. ...There was an apartment at the rear of our quarters that had been previously rented to a Negro serviceman. ...Later, after he left, this apartment was renovated and rented to a white couple for \$15 a month less. ...

Mrs. Clarice Clement, 33 Park Street, Bangor, Maine

My husband came to Bangor in April of 1963 and I was forced to remain in Texas until housing was available. In July my husband obtained housing at our present address. Most of the housing we were referred to through ads in the newspaper was run-down and unfit to live in. Finally my husband was able to obtain the present dwelling which is unsatisfactory. ...We have to pay \$65 per month plus utilities and the paint is falling from the walls and the plumbing either leaks or is plugged most of the time. We have made attempts to secure other housing but they would tell us upon telephoning that they prefer not to rent to Negroes. The present house in which we live contains five families, all of which are Negro. ...The rental situation in Bangor is similar to that in Georgia where my husband was stationed in regard to Negro and white neighborhoods. However, the condition of the apartments in Georgia was generally better than those in Bangor.

Mrs. Barbara Davis, 122 York Street, Bangor, Maine, whose statement was read by the Chairman.

My husband and I are both colored and have two children. He is in the Air Force stationed at Dow Air Force Base. Two years ago we wanted to change apartments and ran into discrimination when trying to find rental housing. I asked about the various apartments and then asked if they minded renting to colored people. Most would say 'Call back' or they said they would call me back. When I called back they'd say their husband wasn't home and that they would call back. They wouldn't call me back. Those that asked me to keep calling back would keep on delaying and so I finally let it go. Our present apartment was obtained from a landlord who has rented other apartments to Negroes. The whole building except two small apartments is rented to colored families. I'm still looking for a bigger place and recently I saw an ad in the paper. A woman answered the phone and she said she had two buildings and she contacted the NAACP to advise that they wanted to rent one of the buildings completely to Negroes. I sent my husband and he was there for two hours and no one showed up. I've made other calls and people say their neighbors would object to colored people renting in the same building.

Daniel Dixon, Jr., 703 Main Street, Bangor, Maine, whose statement was read by the Chairman.

I am married, my wife is colored also, and I have three children. I am a staff sergeant in the U.S. Army stationed at the Induction Center in Bangor. I first came to Bangor February 4, 1962. I immediately tried to find an apartment. My method of seeking rental housing was to answer newspaper ads in person. I answered 10 different ads and was refused each time. Usually a man or woman would answer the door and say they would have to talk it over with their spouse. They'd give me the phone number and when I called back they'd say it was either taken by another party or wouldn't rent it to me. I know they refused to rent to me because of my color. Only one party told me his other tenants would object. Negroes in this area cannot get rental housing because of discrimination.

Mrs. Iris Khan, 1 Kennebec Road, Hamden Highlands, Maine, whose statement was read by the Chairman.

My husband and I are both colored and we have one child. My husband is in the Air Force as an Airman 1st Class, stationed at Dow Air Force Base. We came here in September 1961. In October 1961, I was looking for an apartment because we were not satisfied with the one we were in. ...We'd phone first, ask about the apartment and then ask if they had a racial preference. Most answered that they had no racial preference and we'd make an appointment and go in person to see the premises. At that time they'd tell us the neighbors objected to colored people and this caused a conflict. Some said on the phone they didn't rent to colored or give us the runaround such as, 'Call back, I'm only the caretaker.' ...Our present place is o.k. but I don't like the kerosene stove and it's over a store, the floor sags and I would like to find a better place besides a driveway for my child to play. So even recently I've been checking ads and have continued to run into discrimination. The real estate agents send us to substandard apartments. They never send us to the nicer available places. They say they will check to see if the owner has racial preference. They then tell us the landlord prefers not to rent to colored because of the neighbors. When we ask if the

landlords have asked the neighbors, the agents say they don't know.

Mrs. Nancy Lubka, 223 Maple Street, Bangor, Maine

...About three months ago we began looking for a different house to rent. ...I began calling real estate agents. ...I talked to one man whose secretary had said there was a house available and told him I would like to see it. Instead of answering he replied, 'Are you white or colored?' This sort of surprised me. I started to ask him if this was his policy. Without letting me finish, he rudely repeated his question. I replied that I was not interested in renting from anyone who had this kind of policy and hung up.

Glenn D. Payne, 233 Center Street, Bangor, Maine

The [previous] apartment we lived in was too small for our growing needs so I was forced to move to a larger place. ...We started going around the area, looking for different apartments. Then we found this was to no avail. We started looking in the newspaper, calling different people, asking them if apartments were available. We did not at first state we were of the Negro race. We went to see them. Upon going to see them, they would hem and haw and say: 'Come back and see me later. I will let you know then.' ...Then we started calling up asking if they would rent to Negroes. The response varied. They would say: the neighbors would complain; they did not know what their friends would think of their renting out their apartments to Negro families. There were people who said definitely they would not rent to Negroes. ...We did apply to real estate agents in the community for assistance. One agent had a house for rent in the country. My wife made arrangements to view the house. ...As we went out in the country with him, he asked many questions concerning my job, my wife, where we were married. ...Then after we arrived at this place, he went to the door, looked under the doormat, fished through his pocket. He came back and said he had lost the key. We asked him to make another arrangement to see the house. He said first he would have to check his appointment schedule. We called back several days

later. He was out. Finally when we did reach him, a week later, he told us the house had been sold.

Mrs. Ursula Payne, wife of Glenn D. Payne, whose statement was read by the Chairman.

I am white and my husband is colored. We have two children. In December 1963 we were looking for an apartment and had a lot of trouble because of discrimination. I would phone in answer to an ad in the newspaper and ask if they accepted children and they said yes. When I asked if they accepted Negroes, they said: 'Definitely not.' ...This was a place on North Main Street in Brewer. I called someone on Birch Street in Bangor and the lady said she didn't mind but her neighbors and tenants would object. Smith's Agency showed us a house to buy which was in terrible condition and when we told the man we weren't interested, he said it was the only kind of house we could get as Negroes would not be accepted in nicer neighborhoods. ...

Berdell Williams, Jr., 67 Langley Street, Bangor, Maine

...I went to Queen City Realty to purchase a home in the Bangor Gardens area through another friend who had previously considered buying the house. ...He didn't buy it. I came down with the recommendation of this man. The real estate man...stated he could not possibly sell me the house. He said he would if it was customary to sell homes in the area to Negroes but he would not be the first one to do so. I told him what we were up against but he would not sell.

The experiences of each person who testified at both of the Open Meetings were nearly identical. Although housing was eventually secured, the process of getting it was long, discouraging, often humiliating, and, in many instances, the result was inadequate.

Findings and Conclusions

The Committee finds from the evidence presented at its two Open Meetings that acute problems of prejudice and denial of equal opportunity in housing face Negroes in Maine.

The Committee concludes that the Negro population in Maine may be expected to grow and that unless the problem of denial of equal opportunity in housing is recognized and adequately met at once, increased residential segregation of Negroes will result.

The Committee concludes that progress toward eliminating such discrimination could be made if the cooperation of real estate firms and agents, landlords, and all other persons concerned with property sales or rentals were to be enlisted and if all residents of Maine were to be made aware of the existence of the problem so that a unified effort toward its solution might be exerted.

The Committee concludes that since denial of equal opportunity in rental housing is not prohibited by statute in Maine, although it is specifically contrary to the Federal Government's commitment to encourage open housing practices, there is urgent need to enact State legislation which would eliminate such practices in the State.

Appendix

Witnesses Who Presented Evidence

Open Meeting - Portland Maine

Conde, Ruth J.	Johnston, Donald
Cummings, Leonard	Knowles, Neville
Darden, Hollie	Nash, Joseph
Gibson, Mary A.	Talbot, Gerald
Horne, Dorothy L.	Wilson, Doris
Jackson, Jeanette	

Open Meeting - Bangor, Maine

Bates, Harvey H., Jr.	Jones, Ollie
Boldware, Marlene	Khan, Iris
Castillo, George A.	Lewis, Elay
Castillo, Muriel	Lubka, Nancy
Clement, Clarice	Meyer, Martha
Davis, Barbara	Payne, Glenn D.
Dixon, Daniel, Jr.	Payne, Ursula
Gulley, Silas	Simmons, Walter
Henderson, Jeannine Anne	Westbrooks, James
James, Marshall	Williams, Berdell, Jr.