

MAINE STATE LEGISLATURE

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DOCUMENTS

PUBLISHED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE.

1866.



AUGUSTA:
STEVENS & SAYWARD, PRINTERS TO THE STATE.
1866.

FORTY-FIFTH LEGISLATURE.

HOUSE.

No. 3.

STATE OF MAINE.

AUGUSTA, January 9, 1866.

To the Senate and House of Representatives :

I have the honor herewith to lay before you a communication of Governor Bradford of Maryland, with accompanying papers, in relation to a Soldiers' Cemetery at Antietam.

Also resolves of the States of Rhode Island and Vermont, upon the subject of reconstruction of States lately in rebellion.

A communication from the President of the Lincoln National Monument Association of Illinois.

Report of the Commissioner for sale of intoxicating liquors.

SAMUEL CONY.

SOLDIERS' CEMETERY AT ANTIETAM.

STATE OF MARYLAND.

ANNAPOLIS, April 10, 1865.

HIS EXCELLENCY, *the Governor of Maine*:

DEAR SIR:—The enclosed copy of an act of the late Legislature of this State is forwarded to your Excellency for information of the measures taken by it to provide a Cemetery for the soldiers who fell upon the battle field of Antietam, and that your State may unite, if so disposed, in that proceeding.

Very respectfully,
Your obedient servant,

A. W. BRADFORD.

MARYLAND, Sct:

At a Session of the General Assembly of Maryland begun and held at the City of Annapolis, on the first Wednesday of January, being the fourth day of said month, in the year of our Lord one thousand eight hundred and sixty-five, and ended on the twenty-fourth day of March, in the same year, His Excellency AUGUSTUS W. BRADFORD, Governor, among other, the following Law was enacted, to wit:

NUMBER 203. An Act to repeal an Act passed March the tenth, eighteen hundred and sixty-four, entitled, an Act to purchase and enclose a part of the battle field at Antietam, for the purpose of a State and National Cemetery, chapter two hundred and thirty-seven, Acts of eighteen hundred and sixty-four, and to incorporate the Antietam National Cemetery, in Washington county.

WHEREAS, Pursuant to an Act of the General Assembly of Maryland, passed March 10th, 1864, the Governor, on the part of the State, made purchase of a suitable lot of ground, situated on or near the battle field of Antietam, in Washington county, for the burial and last resting place of the remains of the soldiers who fell in that action:

And Whereas, said Act of 1864 does not effectually provide for the successful completion of the object had in view, therefore,

SECT. 1. *Be it enacted by the General Assembly of Maryland*, That chapter two hundred and thirty-seven, Acts of eighteen hundred and sixty-four, entitled, an Act to purchase and enclose a part of the battle field at Antietam, for the purposes of a State and National Cemetery, be and the same is hereby repealed.

SECT. 2. *Be it enacted*, That said lot of ground, purchased by the Governor, as set forth in the foregoing preamble, rest and remain in the State of Maryland in fee simple, in trust for all the States that shall participate as hereinafter provided, and said lot of ground shall be devoted in perpetuity for the purpose of the burial and final resting place of the remains of the soldiers who fell at the battle of Antietam, and at other points north of the Potomac river, during the invasion of Lee in the summer and fall of 1862, or died thereafter in consequence of wounds received in said battle, or during said invasion.

SECT. 3. *Be it enacted*, That Thomas A. Boulton, Augustus A. Biggs, Edward Shriver and Charles C. Fulton, Trustees of the State of Maryland, and one Trustee from each of the other States to be appointed by the Governor of their respective States, be and they are hereby created a body politic in law under the name, style and title of the Antietam National Cemetery, and by that name, style and title, shall have perpetual succession, and be able and capable in law to have and use a common seal, to sue and be sued, plead and be impleaded in all courts of law and equity, and to whom shall be conveyed in trust for the purpose above recited, the lot of ground so purchased as aforesaid, said Trustees shall have all the incidental authority necessary to carry into effect the object of their incorporation.

SECT. 4. *Be it enacted*, That the care and management of the grounds referred to in the preamble and second section of this Act are hereby entrusted solely to the Trustees mentioned in the third section of the same, together with other Trustees that may be appointed by the other States and their successors; and it shall be their duty, out of funds that may come into their hands by State appropriations or otherwise, to remove the remains of all the soldiers referred to in the second section of this Act, and to have them properly interred in the aforementioned grounds, the remains of the soldiers of the Confederate army to be buried in a part of the grounds separate from those of the Union army; also, to lay

out and enclose said grounds with a good and substantial stone wall, not less than four feet high, or with an iron fence as said Trustees may think best, and to ornament, divide and arrange into suitable plots and burial lots, establish carriage ways, avenues and foot-ways, erect buildings, and a monument or monuments, and suitable marks to designate the graves, and generally to do all things in their judgement necessary and proper to be done to adapt the grounds to the use for which it has been purchased and set apart.

SECT. 5. *Be it enacted*, That the aforesaid Trustees, with any others that may in the meantime be appointed by other States, shall hold their first meetings in the town of Hagerstown, in Washington county, on the first Monday in May next, or as soon thereafter as practicable, and organize by electing one of their number President, they shall also appoint a Secretary and Treasurer, and shall have power to employ such other officers and agents as may be needful. They shall require the Treasurer to bond to the Corporation in double the probable amount of money that may be in his hands at any time during his term of office, with two or more sufficient sureties, conditioned for the faithful discharge of his duties, and the correct accounting for and paying over of the money; said bond or bonds to be approved by the Circuit Court of Washington county, and recorded in the Clerk's office of said county; the term of office of the officers of the Board of Trustees aforesaid shall expire on the first day of January of each and every year, or as soon thereafter as their successors may be duly chosen and qualified to act.

SECT. 6. *Be it enacted*, That at the first meeting of said Trustees, they shall be divided by lot into three classes, and the term of office of the first class shall expire on the first day of January, 1866, the second class on the first day of January, 1867, and the third class on the first day of January, 1868; the vacancies thus occurring shall be filled by the Governors of the States which the said Trustees represented, and the persons thus appointed to fill such vacancies shall hold their office as Trustees for the term of three years; in case of the neglect or failure of the Governor of any State to fill such vacancy, or to fill any vacancy caused by death, resignation or otherwise, the Board of Trustees may supply the place by appointing a citizen of the particular State which is not represented in the Board by reason of such vacancy.

SECT. 7. *Be it enacted*, That the Board of Trustees shall make

a report at the end of said fiscal year of the condition and management of the Cemetery, which report shall contain a detailed statement of the receipts and expenditures of the Corporation, and a copy thereof shall be forwarded to the Governor of each State represented in the Corporation.

SECT. 8. *Be it enacted*, That the expenses incident to the removal of the dead, enclosing and ornamenting the Cemetery, and all the work connected therewith, and its future maintenance shall be apportioned among the States connecting themselves with the Corporation, according to their population, as indicated by their representation in the House of Representatives of the United States.

SECT. 9. *Be it enacted*, That the Board of Trustees shall adopt such by-laws, rules and regulations as they may deem necessary for their meeting and government, and for the government of their officers, agents and employés, and for the care and protection of the Cemetery grounds, and the property of the Corporation, said by-laws, rules and regulations to be consistent with act of incorporation and with the laws.

SECT. 10. *Be it enacted*, That the grounds and property of said Cemetery shall be forever free from the levy of any State, County or Municipal taxes, and the State of Maryland hereby releases and exempts the Corporation created by this Act of Assembly from the payment of any tax or taxes whatever that might be imposed by existing laws; all the laws of this State now in force, or which may hereafter be enacted for the protection of Cemeteries, burial grounds and places of sepulture, shall apply with full force and effect to the Antietam National Cemetery hereby incorporated, immediately from and after the passage of this Act.

SECT. 11. *Be it enacted*, That the Corporation shall have power to receive appropriations from the United States and from the State Legislatures, and also devises and bequests, gifts, annuities and all other kinds of property, real or personal, for the purposes of the burial of the dead, enclosing and ornamenting the grounds and maintaining the same, and erecting a monument or monuments therein.

SECT. 12. *Be it enacted*, That said Board of Trustees shall appoint a Keeper of the Cemetery, whose duty it shall be to protect the property thereof, to make all needful and necessary repairs, to plant, cultivate and preserve the trees and shrubbery from injury,

to prevent the defacement or mutilation of the tombstones and monuments, and to hold the keys, and have the general superintendence of the grounds, admission of visitors, and all the interior arrangements of said Cemetery; said keeper shall receive such compensation for his services as the Board of Trustees shall determine, and any person who shall injure or destroy any of the trees or shrubbery, or mutilate or destroy or remove any ornament, tombstone or monument in said Cemetery or the enclosure thereof, shall on conviction thereof, before any Justice of the Peace, be fined not less than five dollars, nor more than fifty dollars, to be recovered as small debts are recoverable.

SECT. 13. *Be it enacted*, That the sum of seven thousand dollars is hereby appropriated for the purpose of the purchase of the lot of ground selected for said Cemetery, and towards enclosing and ornamenting the same in the manner hereinbefore indicated, which appropriation is subject to the order of the Governor, and after so much thereof as is necessary to pay for the lot so purchased, and the cost of examining and conveying its title to said Trustees is used for that purpose, the residue of said appropriation shall from time to time be paid over upon the warrant of the Governor to the Trustees aforesaid, upon their requisition to him, stating the amount required, and the particular purpose for which it is to be used.

SECT. 14. *Be it enacted*, That should the title to the lot already purchased as aforesaid, in the judgment of the Governor and the Trustees above named, appear to be defective, the said Trustees are hereby authorized to purchase another lot of about the same dimensions, situated on or near the battle field aforesaid, to which all the provisions of this Act shall be held to apply, as though it were the one originally purchased.

SECT. 15. *Be it enacted*, That this Act shall take effect from the date of its passage.

BY THE HOUSE OF DELEGATES.

This Engrossed Bill, the original of which passed the House of Delegates, by yeas and nays, March 21st, 1865, was this day read and assented to.

By order,

W. R. COLE, *Chief Clerk.*

CEMETERY AT ANTIETAM.

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BY THE SENATE.

This Engrossed Bill, the original of which passed the Senate, by yeas and nays, March 23d, 1865, was this day read and assented to.

By order,

C. HARWOOD, *Secretary.*

[THE GREAT SEAL.]

A. W. BRADFORD, *Governor.*

MARYLAED, Sct.

I, GEORGE EARLE, Clerk of the Court of Appeals of Maryland, do hereby certify that the foregoing is a full and true copy of which it purports to be a copy, as taken from the original Law deposited in and belonging to the office of the Court of Appeals of Maryland.

[SEAL.]

IN TESTIMONY WHEREOF, I hereunto set my hand as Clerk, and affix the seal of the said Court of Appeals, this 5th day of April, A. D. 1865.

GEORGE EARLE, *Clerk*
Court of Appeals of Maryland.

HAGERSTOWN, MARYLAND, }
November 20, 1865. }

To HIS EXCELLENCY, *the Governor of Maine:*

On the 25th of May last, the Maryland Trustees of the Antietam National Cemetery met at Hagerstown and organized under the Act of Assembly, by electing Dr. Augustin A. Biggs, President, and Thomas A. Boullt, Secretary and Treasurer, after which the Board was divided into three classes, according to the sixth section of the law. At subsequent meetings, among other things done, the bond of the Treasurer was fixed at \$15,000. The President was authorized to purchase a strip of land on the east side of the lot purchased by the Governor of Maryland, thereby enlarging and beautifying the grounds for the Cemetery. Aaron Good, Esq., was appointed to make a list of the dead and ascertain the location where their remains were buried, for publication in pamphlet form.

Dr. A. A. Biggs, the President of the Board, was appointed General Superintendent of the work. All proposals for grading the grounds, quarrying stone, etc., were declined, and the Superintendent authorized to undertake the work of quarrying stone, procuring lime, and erecting a wall around the grounds as well as grade the same, preparatory to the removal of the dead, so soon as the States interested should make the necessary appropriations.

For the accomplishment of this object, I have the honor to inform you that there will be a meeting of the Trustees at Sharpsburg, Maryland, on Wednesday, the 13th of December next, for the purpose of inspecting the work performed by the Superintendent and to devise means for the completion of the Cemetery.

By the close of the present year, the funds—seven thousand dollars—appropriated by the State of Maryland, and one thousand by the State of Rhode Island, will be exhausted. It will therefore be necessary for other States interested in this humane and patriotic work to make additional appropriations for its completion. If the remains of our honored and heroic dead are allowed much longer to remain scattered over the battle field, the means of identifying them will, to a great extent, be lost.

The local Trustees, therefore, respectfully request you to have your State represented at this meeting, the importance of which cannot be too highly estimated, as it may in a great measure decide whether the work shall be completed or remain unfinished.

So far the work has imposed great labor upon the local Trustees, who have been diligent and faithful, accomplishing all that could be done with the funds at their command.

Persons coming from the west, north and east *via* Harrisburg, Pa., will take the Cumberland Valley Railroad to Hagerstown, where ample conveyance can be had to Sharpsburg and the battle field.

Those coming *via* Baltimore can take the Baltimore and Ohio Railroad to Kearneysville, Virginia, thence by regular stage to Sharpsburg.

By order of the President of the Board.

THOMAS A. BOULLT, *Secretary*.

CEMETERY AT ANTIETAM.

Antietam National Cemetery, Sharpsburg, Maryland.

The State of Maryland having appropriated \$7,000, and appointed four Trustees to purchase and enclose a suitable lot of ground on the battle field of Antietam as a final resting place for the sacred remains of our brave soldiers who fell in that battle, the undersigned, as said Trustees, have entered upon the discharge of their duties. They have purchased a suitable lot of ground on the suburbs of Sharpsburg, in sight of Burnside's Bridge, and the headquarters of General McClellan and General Lee, and are now making arrangements to have it substantially enclosed and graded.

They have also engaged a competent gentleman to prepare a list of the location and names of the dead whose bodies are scattered over a distance of twenty miles, in fence corners and by the roadside. The number of loyal dead on the field is between 7,000 and 8,000, and thus far, as will be seen by the subjoined list, over 2,000 have been identified—1,706 by name and regiment and State, and 918 by their respective States. The work of identification is still progressing, and the graves being marked.

Most of the Maryland dead were removed by their friends immediately after the battle, there being but twenty-four still on the field. The liberal appropriation made by Maryland has secured the ground, and will be sufficient to properly enclose it. Other States are more deeply interested, and the attention of the Executives and Legislatures are called to the propriety of promptly joining hands with Maryland in this important and patriotic work, by the appointment of Trustees and suitable appropriations.

The following is a summary of the appended list of names thus far recognized :

	IDENTIFIED.	NAMES UNKNOWN.
New York,	418	233
Pennsylvania,	608	169
Indiana,	54	93
Ohio,	110	69
Connecticut,	76	115
Wisconsin,	89	36
Maryland,	24	19
Michigan,	57	—
New Jersey,	13	16
Vermont,	1	—

	IDENTIFIED.	NAMES UNK.
Illinois,	3	—
Delaware,	16	3
Minnesota,	10	33
West Virginia,	16	6
Maine,	55	21
New Hampshire,	27	2
Massachusetts,	100	98
Rhode Island,	29	5
Total,	1,706	918

It is the purpose of the Trustees to make an application to the next Congress to erect a National Monument in the Cemetery.

The graves of any of the list can be pointed out by the local Trustees.

DR. AUGUSTIN A. BIGGS, *President*, Sharpsburg, Md.
 THOS. A. BOULT, *Sec'y and Treas'r*, Hagerstown, "
 CHARLES C. FULTON, Baltimore, "
 GENERAL E. SHRIVER, Frederick City, "

The names of those of Maine, are given as follows :

	Co.	Regr.
Bridges, John C.	G,	10
Boynton,	—	21
Bradbury, H. M.	—	10
Boney, E. W.	—	10
Bracket, Lieut. E.	—	10
Bartlett, M. C.	G,	10
Brewer, A.	K,	20
Coffin, H. F.	—	2
Campbell, Henry	—	10
Covell, J. E.	—	10
Chamberlain, L. G.	I,	6
Corbett, Charles P.	G,	11
Clark, George	—	—
Chadbourne, Sergt. E. C.	C,	5
Daley, Daniel	—	21
Day, George	F,	6
Eaton, J. D.	—	10
Easter, A. G.	—	—
Fuller, George I.	—	10
Fossett, R. M.	E,	16

CEMETERY AT ANTIETAM.

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	Co.	Regt.
Fletcher, O.	I,	5
Frybridge, John	-	10
Goodwin, A.	G,	16
Grieve, Capt. E.	-	-
Heath, John	-	15
Ireland, R.	F,	20
Jones, W. B.	C,	20
Johnson, J. N.	-	7
Jordan, John	-	10
Littlefield, Moses	I,	20
Lawler, F. T.	E,	20
Morrell, C.	-	20
McPheters, W. N.	-	7
McDonough,	-	-
Mason,	-	10
McCarty, John	-	10
Mitchell, Joseph	E,	16
Newbert, N. A.	I,	20
O'Brien, William	-	10
Oaks, Charles	C,	16
Phressey, E. M.	-	10
Reed, A.	-	10
Rafford, G. W.	C,	16
Richardson, O. F.	E,	10
Ring, C. N.	E,	16
Sholds, W. G.	-	15
Stickney, W. C.	-	7
Smarch,	-	15
Spear, W. F.	F,	20
Stanley, George	-	10
Wilham, James A.	-	16
Washburn, M. B.	C,	20
Wentworth, C. H.	-	10
Wade, Lieut. W.	-	10
21 others, names and regiments unknown.		

RESOLVES OF RHODE ISLAND AND VERMONT.

STATE OF RHODE ISLAND.

SECRETARY'S OFFICE, }
 Providence, June 22d, 1865. }

SIR:—In compliance with an order of the General Assembly of this State, I beg leave to transmit to you a copy of certain Resolutions passed by that body in relation to the Reconstruction of the States lately in rebellion against the United States.

I have the honor to remain your most obedient servant,

JOHN R. BARTLETT, *Secretary of State.*

To His Excellency SAMUEL CONY,
Governor of the State of Maine.

WHEREAS, the Government of the United States has re-established its authority in the States which were recently in rebellion against it; and

WHEREAS, some of said States are already proceeding to organize State governments with a view to re-instatement in the Union; and

WHEREAS, in a matter so vitally concerning the welfare of the whole Union, it is important that the opinion of that portion of the people who have always continued faithful to the cause of the Union should be authoritatively declared, in order that it may have its proper weight and influence; it is therefore

Resolved, That it is the sense of the General Assembly and people of this State, that in the reconstruction of the governments of the States lately in rebellion against the government and authority of the United States, the moral power and legal authority vested in the Federal Government should be executed to secure equal rights, without respect to color, to all citizens residing in those States, including herein the right of the elective franchise.

Resolved, That the Secretary of State is hereby instructed to send a copy of these resolutions to the President of the United States, to the Governors of the several States, and also a copy to each of our Senators and Representatives in Congress, who are hereby requested to present the same to the two Houses of Congress.

STATE OF VERMONT.

Resolved, That it is the sense of the General Assembly of this State; that in the reconstruction of the Governments of the States lately in rebellion against the government and authority of the United States, the moral power and legal authority vested in the Federal Government should be executed, to secure equal rights, without respect to color, to all citizens residing in those States, including herein the right of elective franchise.

Resolved, That the Secretary of State is hereby instructed to transmit a copy of these resolutions to the President of the United States, to the Governors of the several States, and also a copy to each of our Senators and Representatives in Congress, who are hereby requested to present the same to both Houses in Congress.

SECRETARY OF STATE'S OFFICE, }
Montpelier, November —, A. D. 1865. }

I hereby certify that the foregoing is a true copy of a Joint Resolution passed by the General Assembly of the State of Vermont at the October session, held A. D. 1865.

Given under my hand and the seal of this Office, this 28th day of November, A. D. 1865.

GEORGE NICHOLS, *Secretary of State.*

LINCOLN NATIONAL MONUMENT ASSOCIATION.

STATE OF ILLINOIS.

EXECUTIVE DEPARTMENT, }
Springfield, October 3d, 1865. }

To His Excellency, SAMUEL CONY, *Governor of Maine.*

A resolution of the Board of Directors of the National Lincoln Monument Association, adopted at the last meeting, requires the President, and Secretary of the Association, to make an appeal in behalf of the objects of the Association, to the Governors of the several States and Territories of the Union, and through them to the Legislature and people of their respective States and Territories. The purpose of this appeal is to bring officially to your notice, and to the notice of the People of your State the organization of this Association, and the object we have in view, viz., to erect over the remains of Abraham Lincoln, late President of the United States, in Oak Ridge Cemetery, near the city of Springfield Illinois, a suitable and enduring Monument, to his memory, and to request that you will in some way bring the subject generally to the notice of the people of your State, and if consistent with your views, and you shall believe its importance and character will justify it, to especially call the attention of the Legislature of your State to the subject. We do not deem it necessary to suggest any plan to you, by which subscriptions may be raised, preferring to leave this matter to your discretion, and control. We will be pleased to correspond with you at any time, upon the subject, and to give you any information or explanation, that may be required.

The National Lincoln Monument Association was formally organized, on the 11th day of May, 1865, at Springfield, Ills, under an Act of the Legislature of our State, approved Feb. 25th, 1859. The Articles of Association, under the provisions of that law have been filed in the office of the Secretary of State, and are now public records. We have obtained from the City of Springfield a

Deed to about six acres of most beautiful grounds, adjoining Oak Ridge Cemetery, accessible at all seasons of the year, with such a location, and such advantages, as to make it in time one of the most lovely, and enchanting spots on earth. The remains of Mr. Lincoln are already temporarily entombed upon these grounds, from which they will never be removed, except by the consent of the Association. It is our intention at the proper time, to consult the very best taste, and talent of the country, before selecting a design for the Monument. Since its organization the Association has been chiefly controlled by the idea, that voluntary donations would in a reasonable time, secure the necessary funds to build the Monument. In this way, we have chiefly from Soldiers, and Sailors, and from Sabbath Schools, and other similar benevolent, and Educational Societies, and from private sources, received about fifty three thousand dollars. We are now impressed with the opinion that a solemn duty devolves upon us, the necessity of inviting from a large field, assistance to enable us to carry out the original designs of erecting over the remains of Mr. Lincoln, a Monument which shall suitably represent his great name and high character, as well as the patriotism, and dignity of the great nation he so faithfully served.

As time passes on other plans to do like honor to him will fail, and be forgotten, having been supplanted by the all engrossing requirements of passing events, under these peculiar circumstances, *this* Association, near his last resting place, in the city of his home, with his sacred remains in its keeping, feels that its relations to this sacred trust, require us to spare no effort to give this great work a National character, and certain and complete success. As the object is a national one, to honor the memory of a national man, endeared to the whole country by his sacrifices to preserve the National Union, we do not hesitate to appeal to the nation to aid us by reasonable subscriptions, to build this Monument. We dislike to begin it with the sum now at our disposal, at least two hundred and fifty thousand dollars will be necessary to build this Monument, in the proper spirit, and consistent with the great character to be represented by it. In this spirit, with these views, and with this honorable purpose, we appeal to you Governor, and to the generous people of your State to assist us, to honor this good man, to assist his old neighbors and friends, about his old home, where for so many years he was the joy and pride of all who

knew him, now that he is dead, to build over his last resting place, this lasting memorial, to his great and acknowledged virtues—known by none, better than they, but loved by all who knew him, the firm friend of freedom, and the true friend of his country, through all the days and years of his long, and laborious life, here his virtues show brightest, here his character was moulded, here he was first known to the world, here he received the highest earthly honor given to mortal man, and here in the midst of those old friends, beneath the soil of that country he served so well, he sleeps his last sleep, in this quiet city, in the very heart of his own State, let him rest forever. It was his living and last wish. Here too, let that Monument be erected which cannot honor him, but which will serve in the long years of the future, to mark the spot, and hold the ashes of this noble man of nature sacred.

Again we appeal to the Nation to aid us, and to your own noble State, especially, to give the subject considerate attention and this Association, such encouragement, as shall assure us that we may go forward with the great work before us, never despairing, until the last stone is laid.

R. J. OGLESBY, *President.*

CLINTON L. CONKLING, *Secretary.*

REPORT OF STATE LIQUOR COMMISSIONER.

*To His Excellency, the Governor and the
Executive Council of Maine.*

In compliance with the law I submit my

FOURTH ANNUAL REPORT.

The business of this office has been conducted since my last report, with no material change, and, it is believed, to the satisfaction generally of those immediately concerned in its affairs.

In the purchase of liquors for city and town Agencies, the consideration that they are wanted for medicinal use, in most cases, has governed in their selection. Prices have fluctuated but are now ruling higher than at any former time. It was hoped that the heavy Revenue Tax on all kinds of liquors, would greatly restrict their use, even in cases where they are held to be indispensable. But prevailing customs do not indicate such a result.

Most of the Agencies have been visited during the year by suitable men employed for that purpose, who have represented the affairs of the State Commission to the municipal boards of leading towns. This has been attended with no inconsiderable expense which has been partially compensated by the opening of new Agencies, and in obviously leading to a more strict observance of the law which requires all liquors for agencies to be purchased, either of the State Commissioner of Maine or Massachusetts.

The difficulty in obtaining reliable articles at the common places of sale has also led to a larger demand at our Agencies. Alcoholic and Vinous Stimulents are now so often prescribed in medical practice, a larger number of Agencies are clearly needed in different parts of the State; and although the citizens in some towns get their supply conveniently from Agencies in towns adjoining, yet in many places the illegal traffic is patronized from necessity and at the risk of obtaining articles entirely unfit for the use designed. Were well conducted Agencies opened in all our larger towns and the

illegal sale suppressed, it cannot be doubted, that temperance and every essential interest of the community would be greatly subserved.

Existing Agencies, I have reasons to believe, are generally well conducted. It has come to my knowledge however, and complaints have been made, that in certain Agencies, liquors purchased in violation of the law and not certified to be pure, were on sale. In some instances this has resulted, as represented, from an omission, on the part of the proper officers, to examine the law which defines their duties in the case. But I regret occasion to represent that obedience to the law has not been, in all cases, so readily yielded. But I omit a particular report of them at this time, hoping that the late action in the Executive Board of the State Government in relation to these violations of the law, will be duly considered by the municipal officers involved, and lead in future to a more strict and honorable maintenance of the integrity of the law in this regard.

So far as I have been able to learn, the State Commission, as a source of supply to city and town Agencies, is very generally appreciated and held to be a necessity, especially as liquors now are so extensively and skillfully adulterated. And very few whose duty it is to establish and take the immediate charge of our Agencies, are critical judges of the quality of liquors, and would be constantly liable to gross impositions in purchasing from the common market.

What amount has been sold to the Agencies in this State during the year, by the Commissioner of Massachusetts, I am not informed. When the law was enacted which authorizes a liquor Commission in this State, it was provided that town agencies in Maine might be supplied from the General Agency of Massachusetts. This provision was made chiefly because the facilities of transportation, from Boston to various points on our seaboard were better at that time than from this city. But the case is now changed, and the facilities of commerce from Portland along the whole line of our sea-board towns and up our rivers will be found regular and sufficient. Besides, it has been arranged to forward all goods to the Express Office in Boston without charge to the towns when that is desired. The law, which opens all our town Agencies to the sales of the Liquor Commissioner of Massachusetts, is not reciprocated by any similar provision in the laws of that

State, and its operation, in several respects, effects unfavorably the interests, both of the State Commission and town Agencies.

In my opinion the law might be so amended as to give the business of supplying town Agencies exclusively to our own State Commission, without detriment to the interests of any Agency or giving occasion for any reasonable dissatisfaction. The Agencies in their integrity and in the objects of their establishment would be better secured. The State Commissioner is required, under heavy bonds, to have all his liquors analyzed and certified to be pure by a competent Assayer. And as a sample of every kind is preserved in the State Assayer's office for reference, were adulterated liquors admitted into an Agency for sale at any time, the fraud could be more readily exposed and there would be no ground of pretense that they were obtained at the State Commission of Massachusetts.

A statement of sales to cities and towns for the year ending November 30, 1865, is annexed.

Respectfully submitted.

EATON SHAW, *Commissioner.*

Portland, December, 1865.

Statement of Sales to Cities and Towns for year ending November 30, 1865.

Town of Albion,	\$469 14	Town of Livermore,	\$527 55
“ Andover,	693 27	“ Lisbon,	1,090 61
“ Athens,	1,375 05	“ Machias,	447 97
“ Auburn,	2,218 04	“ Madison,	654 38
“ Avon,	575 89	“ Mercer,	376 82
City of Bangor,	3,063 66	“ Monmouth,	1,334 00
“ Bath,	2,610 39	Plant. of Monhegan,	34 85
Town of Bethel,	1,561 39	Town of Minot,	888 46
“ Bingham,	401 73	“ Mt. Vernon,	870 61
“ Bowdoin,	512 75	“ Naples,	967 65
City of Biddeford,	783 89	“ New Gloucester,	337 80
Town of Brunswick,	3,243 92	“ New Sharon,	1,331 47
“ Buckfield,	203 14	“ Norridgewock,	1,309 73
“ Bucksport,	194 53	“ Norway,	1,850 69
“ Canaan,	1,292 45	“ Oldtown,	1,374 98
“ Canton,	250 24	“ Oxford,	432 96
“ Cornville,	172 10	“ Palermo,	710 10
“ Chesterville,	1,019 34	“ Palmyra,	999 70
“ Clinton,	691 00	“ Parkman,	456 56
“ Corinna,	515 68	“ Paris,	212 53
“ Cornish,	555 85	“ Phillips,	2,037 81
“ Danville,	1,251 30	“ Poland,	413 96
“ Dexter,	1,742 66	“ Porter,	117 48
“ Dover,	1,217 05	City of Portland,	2,396 73
“ Embden,	144 85	Town of Pittsfield,	472 83
“ Eastport,	797 79	“ Raymond,	649 05
“ East Livermore,	1,870 59	“ Readfield,	2,163 24
“ Farmington,	2,252 01	“ Richmond,	1,200 10
“ Fairfield,	328 81	City of Rockland,	1,214 49
“ Fayette,	712 64	Town of Rumford,	659 88
“ Freedom,	524 82	“ Salem,	102 57
“ Foxcroft,	1,085 53	“ Saco,	885 04
“ Freeport,	757 47	“ Solon,	1,261 01
City of Gardiner,	1,476 51	“ Smithfield,	748 90
Town of Gorham,	96 09	“ Skowhegan,	3,329 50
“ Greene,	329 34	“ St. Albans,	728 02
“ Greenwood,	2,036 50	“ Starks,	328 96
“ Hanover,	355 82	“ Steuben,	704 53
City of Hallowell,	1,148 37	“ Strong,	596 83
Plant. of Hamlin's Grant,	319 21	“ Sumner,	227 46
Town of Harmony,	588 16	“ Topsham,	109 99
“ Hartland,	121 56	“ Turner,	564 38
“ Hebron,	320 27	“ Union,	474 91
“ Jay,	95 85	“ Vienna,	539 35
“ Jonesborough,	103 80	“ Waterville,	1,833 62
“ Jefferson,	884 24	“ Wayne,	525 67
“ Kingfield,	261 44	“ Webster,	966 45
“ Leeds,	446 90	“ Wiscasset,	2,489 93
City of Lewiston,	2,460 06	“ Winthrop,	213 77
Town of Lincoln,	294 74	“ Wilton,	1,500 72
“ Limington,	866 94	“ Woodstock,	395 59

RECAPITULATION.

Whole amount of sales from November 30, 1864, to December 1, 1865, including charges for trucking and packages, and commissions,	\$94,008 01
Whole amount of commissions,	4,938 34

OFFICE EXPENSES.

Rent, taxes, license and insurance,	601 41
Clerk hire and visiting agencies,	1,911 28
Stationery, including post and revenue stamps,	169 29
Analyses, fuel and other incidental expenses,	251 39

\$2,933 37

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
January 10, 1866. }

On motion of Mr. SHEPLEY of Portland, tabled, and ordered that the usual number of copies, with accompanying papers, be printed.

F. M. DREW, *Clerk.*