

MAINE STATE LEGISLATURE

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SEVENTY-THIRD LEGISLATURE

HOUSE.

No. 401

STATE OF MAINE.

RESOLVE in favor of the adoption of an address to the governor for the removal of Harry J. Chapman, Judge of the Municipal Court of the City of Bangor.

Resolved, That both branches of the legislature, after due
2 notice given according to the Constitution, will proceed to
3 consider the adoption of an address to the governor for the
4 removal of Harry J. Chapman, judge of the municipal court
5 of the city of Bangor, Maine, for the causes following:

First. Because the said Harry J. Chapman, as judge of
7 said municipal court of the city of Bangor, has willfully and
8 grossly refused to convict persons charged in said court with
9 the violation of the statutes prohibiting the sale of intoxicating
10 liquors, in cases where the evidence against them was
11 uncontradicted and was so strong and convincing that no
12 person having the requisite qualifications for judge of said
13 court have any reasonable doubt as to their guilt.

Second. Because said Harry J. Chapman, as judge of said
15 municipal court of the city of Bangor, has tried and acquitted
16 persons charged with the illegal sale and keeping for sale of
17 intoxicating liquors without having the respondents present
18 in court at any time during the trial.

Third. Because said Harry J. Chapman, as judge of said
20 municipal court of the city of Bangor, has arranged outside
21 of the dock exclusively, and usually in his office, persons
22 charged with the violation of the statutes prohibiting the
23 sale and keeping for sale of intoxicating liquors, while
24 requiring drunkards and other persons charged with crime
25 to be arraigned in the dock, thus discriminating in favor of
26 persons charged with a violation of our prohibitory laws.

Fourth. Because said Harry J. Chapman, as judge of said
28 municipal court of the city of Bangor, has wilfully and cor-
29 ruptly held in his office for a long time warrants made and
30 signed by him upon complaints for violation of the statutes
31 prohibiting the advertising for sale of intoxicating liquors,
32 in one case holding such warrant three months and three
33 days before service, and then settling with the respondent by
34 telephone without any arraignment or trial in court.

Fifth. Because said Harry J. Chapman, as judge of said
36 municipal court of the city of Bangor, has willfully and cor-
37 ruptly refused to issue warrants against advertisers of the
38 sale or keeping for sale of intoxicating liquors, and has stated
39 as his reason for refusing to issue warrants in such cases
40 that it costs the county about five dollars on each complaint.

Sixth. Because said Harry J. Chapman is, and for a long
42 time has been, a stockholder, director and president of the
43 Madine Cigar Company, a corporation engaged in the manu-
44 facture and sale of cigars in said Bangor, and many liquor
45 dealers in said Bangor purchase cigars of said Madine Cigar
46 Company for retail trade in their saloons, and said Harry
47 J. Chapman has used, and does use, his judicial position and
48 power as judge of said municipal court to promote the busi-
49 ness of said Madine Cigar Company by willfully and cor-
50 ruptly discriminating in his judgments and decisions in favor
51 of liquor sellers who are customers of said Madine Cigar
52 Company, and against those who are not, thus clearly indi-
53 cating to all liquor sellers in Bangor that it is for their inter-
54 est to purchase their cigars of the Madine Cigar Company.

Seventh. Because said Harry J. Chapman, as judge of said
56 municipal court, has, without any authority of law, willfully
57 and corruptly reversed his judgments after sentence of liquor
58 sellers to jail, and after an appeal has been regularly entered
59 by them and allowed, and has accepted fines from such
60 appellants in settlement of their cases, and has neglected and
61 refused to enter such appeals in the supreme court, as
62 required by law.

Eighth. Because the acts and proceedings of said Harry
64 J. Chapman, as aforesaid, in administering his office as judge
65 of said municipal court of the city of Bangor, encourage and
66 protect violators of the laws against the sale and keeping for
67 sale of intoxicating liquors in the city of Bangor, and nullify

68 the proper and just operation of our prohibitory laws in said
69 city of Bangor, and have a tendency to bring judicial pro-
70 ceedings into contempt, and excite disrespect for our courts
71 and laws.

Resolved, The senate concurring, that these resolutions and
73 statements of causes of removal be entered on the journal of
74 the house, and that a copy of the same be signed by the
75 speaker of the house and served on said Harry J. Chapman
76 by such person as the speaker of the house shall appoint for
77 that purpose, who shall make return of such service upon
78 his personal affidavit without delay, and that the twentieth
79 day of March, A. D. 1907, at ten o'clock in the forenoon, be
80 assigned as the time when the said Harry J. Chapman may
81 be admitted to a hearing in his defense.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, March 7, 1907.

Tabled pending adoption by Mr. MARTIN of Bangor, and ordered
printed on motion of Mr. DOW of Brooks.

E. M. THOMPSON, *Clerk*.