

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

HOUSE

NO. 43

House of Representatives, Jan. 21, 1913.

Printed Under Joint Rules.

W. R. ROIX, Clerk.

STATE OF MAINE

RESOLVE, in favor of Fred A. Thurlough.

Resolved: That the sum of three hundred fourteen dollars and ninety-eight cents be and hereby is appropriated for, and that said sum be paid to Fred A. Thurlough for expenses incurred in defending suit in equity in the United States Circuit Court wherein the H. W. Huguley Company asked to have said Fred A. Thurlough enjoined from making seizures of liquor claimed to have been shipped into the State of Maine for illegal sale, and which bill has been dismissed from said United States Court without costs.

STATEMENT OF FACTS TO ACCOMPANY RESOLVE
IN FAVOR OF FRED A. THURLOUGH.

From January 1, 1907, to January 1, 1911, Fred A. Thurlough was sheriff of Aroostook county, and as such in the same way as was done in the various other counties in the State, seized certain liquors which had been shipped in by express, and were supposed by the sheriff to be intended for unlawful sale in the State of Maine, and not protected by Interstate Commerce because of impurity and misbranding. Divers shipments of liquor claimed to be so meant for illegal sale shipped into the State by a liquor firm in Boston, The H. W. Huguley Company, were seized.

The H. W. Huguley Company in 1909 brought a bill in equity against all the sheriffs of this State in the United States Circuit Court for the District of Maine, where a decision adverse to the complainant was rendered because of the multiplicity of defendants. The complainant then discontinued so far as all the other sheriffs in the State were concerned, and amended his bill by filing a substitute bill of complaint against the said Fred A. Thurlough alone. So long as the suit was against all the sheriffs the defence was undertaken by the Attorney General of the State without expense for counsel to said Thurlough.

Since the filing of the substitute bill said Fred A. Thurlough has been put to the expense of employing counsel to the amount of \$134.98 to pay for services and expenses of Hon. Warren C. Philbrook, and \$81.00 to pay for services and expenses of Powers & Archibald of Houlton, attorneys in said case, and \$98.00 cash paid out for personal expenses in attending the various hearings and other necessary consultations in the above case, all of which is shown by bills of items following, to wit:

FRED A. THURLOUGH,
IN ACCOUNT WITH
WARREN C. PHILBROOK, ATTY.-AT-LAW, DR.

1909		
Dec. 20	To examination of amended bill brought against you by Huguley Co., research of legal authorities, consultation with you and Mr. Archibald, drawing demurrer and drawing answer.....	\$25 00

29	To cash paid James E. Hewey, Clerk of of Courts, for fees as per bill rendered	13 37
30	To cash paid Waterville Sentinel Pub. Co. for printing brief.....	5 60
31	To preparation of argument on demurr- er, attending court in Portland and ar- guing demurrer in court.....	25 00
	To mileage to Portland and return.....	3 28
	To meals en route.....	1 50
1910		
Jan. 7	To 4 telepone messages during the month of December as per bill rendered by Telephone Co.....	2 95
Mar. 21	To 1 day in office at work upon the le- gal authorities and preparation for tak- ing deposition in Boston.....	10 00
May 8	To mileage to Portland.....	1 64
	To railroad to Boston.....	2 25
10	To ticket Boston to Portland.....	2 25
	To mileage Portland to Waterville.....	1 64
	To hotel bills during Boston trip with meals en route.....	10 50
	To 2 days' time (May 9-10).....	20 00
1911		
Feb. 21	To correspondence with counsel for plaintiff, obtaining stipulation and agreement to final decree dismissing bill without prejudice and without costs and filing decree in court.....	10 00

 \$134 98

FRED A. THURLOUGH, TO POWERS & ARCHIBALD, DR.

1909

Dec. 22	To services and expenses going with you to Waterville and Bangor consulting with Atty. General W. C. Philbrook re case in U. S. Circuit Court Huguley vs. you, and consulting with you and Prof. Knight at Bangor re analysis of
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	Huguley liquors seized by you and your deputies	\$30 00
31	To services and expenses going with you to Waterville and Portland, consultation with W. C. Philbrook and attending with him hearing, today, in U. S. Circuit Court on demurrer in case Huguley Co. of Boston vs. you as sheriff asking for injunction, gone two days and nights.....	40 00
1910		
Apr. 19	To consultation with you and with Attorney General Philbrook in regard to answer to be filed in U. S. Circuit Court in case H. W. Huguley Co. vs. you, and assisting in framing answer in said case, and having the same drawn in triplicate Feb. 17	10 00
	To letter to Prof. Ora W. Knight re analysis of liquors February 18, 1910..	1 00
		\$81 00
STATE OF MAINE, To FRED A. THURLOUGH, DR.		
1909		
	To expenses in suit H. W. Huguley Co.:	
June 7	To railroad fare to Augusta and return, two trips	\$25 60
15	To hotel bills, two trips.....	8 00
Dec. 22	To Waterville hotel bill.....	4 25
	To railroad fare to Waterville and return	10 80
31	To railroad fare Bangor and return.....	9 20
	To hotel bills, Bangor and Waterville...	3 75
	To railroad fare to Portland and return	15 00
	To hotel bills at Portland.....	4 50
	To telegrams and telephone fees.....	3 65
1910		
Feb. 18	To railroad fare to Orono and return..	9 60
	To hotel bills in Bangor.....	3 75
		\$98 10
Total amount of expenses.....		\$314 08