

MAINE STATE LEGISLATURE

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FOR THE YEAR 1906.

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REPORT

OF THE

ENFORCEMENT COMMISSION

OF THE

STATE OF MAINE

December 31, 1906.

AUGUSTA
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1907

PUBLIC LAWS, 1905, CHAPTER 92.

AN ACT to provide for the better enforcement of the laws against the manufacture and sale of Intoxicating Liquors.

Section 1. The governor is hereby authorized to appoint a commission consisting of three persons, one of whom shall be a lawyer, two members of said commission shall be from the dominant political party and one from the political party casting the next highest vote at the last state election.

Each member of said commission shall be paid a salary of fifteen hundred dollars per year and actual expenses.

The salary shall be payable in four quarterly payments on the first days of January, April, July and October.

Said commissioners shall be provided with an office at the state capitol, with suitable furniture, stationery and other necessary facilities for transacting the business of the commission, and may employ a clerk at the expense of the state.

Section 2. Said commissioners shall be known as enforcement commissioners and with the advice and under the direction of the governor shall have, and are hereby authorized to exercise in any part of the state, all the common law and statutory powers of sheriffs in their respective counties in the enforcement of the law against the manufacture and sale of intoxicating liquors.

Section 3. Said commission shall appoint such number of deputy enforcement commissioners as in its judgment may be necessary, who shall have the same powers as are given said commissioners under the preceding section. Such deputies shall be appointed in writing signed by a majority of said commissioners, which appointment shall be recorded in the office of said commission, and shall hold office during the pleasure of said commission. Upon being discharged they shall immediately surrender their certificate of appointment and all papers and other property relating to their office.

Section 4. Said commissioners and deputies shall be sworn and give bonds to the state for the faithful discharge of their duties, the commissioners in the sum of five thousand dollars and the deputies in the sum of twenty-five hundred dollars.

Any party injured by the official misdoing of any deputy, having first obtained judgment against him and failed to satisfy the execution issued thereon on demand, may, at his own expense, in the name of the commis-

sioners, for the time being, institute suit upon such bond in the county in which the original judgment was obtained or in the county in which such deputy resides, for the purpose of collecting such judgment. The name of the party for whose benefit the suit is brought shall be stated in the declaration and endorsed on the writ and such party shall alone be liable for costs unless the court for good cause shown shall require other endorsers.

Section 5. It shall be the duty of the said deputy enforcement commissioners to exercise all the powers herein conferred when, where and as directed by said commission, and for their services, they shall be paid three dollars per day and the actual expenses occasioned by the performance of such duty, and shall, at such time as may be fixed by the commission, present their accounts for approval and after approval the governor and council shall draw their warrant against any moneys in the treasury not otherwise appropriated, in payment thereof.

Section 6. There shall be taxed for said commissioners and deputies in the bills of costs the same fees as sheriffs and witnesses have been heretofore entitled to receive, which shall be paid directly to the state treasury.

Section 7. The said commission, upon being satisfied that the local authorities fail to enforce the law against the manufacture and sale of intoxicating liquors in any city or town of the state, shall, subject to the limitations of section two, instruct the deputy commissioners in the county, and may send one or more deputy commissioners from some other section of the state to enforce said law.

Section 8. The governor may, after notice to and an opportunity for the attorney for the state for any county to show cause why the same should not be done, create to continue during his pleasure, the office of special attorney for the state in such county and appoint an attorney to perform the duties thereof. Such appointee shall, under the direction of the governor, have and exercise the same powers now vested in the attorney for the state for such county in all prosecutions relating to the law against the manufacture and sale of intoxicating liquors, and shall have full charge and control thereof; he shall receive such reasonable compensation for services rendered in vacation and term time as the justice presiding at each criminal term in the county shall fix, to be allowed in the bill of costs for that term and paid by the county.

Section 9. All fines collected by prosecutions undertaken by said commission or its deputies shall be divided equally between the state and the county in which the prosecution is had, except during the time when a special attorney is appointed to perform the duties of the attorney for the state for said county, in which event all fines collected on prosecutions instituted during such time by said commission or its deputies or by said special attorney, and half of all other fines in all cases in which such attorney shall take part, shall be paid to the state. Each clerk of the court shall within thirty days after the adjournment of each criminal term, certify to said commission a list of all fines collected in his county since his last return, which list shall show the origin of the case in which they were collected, and so far as exhibited by the papers or records, the connection

of any of the special officials herein provided for, therewith. Said commission shall determine what moneys are due from any county to the state under the provisions hereof, and such sum shall be paid by the county treasurer to the treasurer of the state within thirty days after said commission shall notify the county commissioners of any county of its determination.

Section 10. Nothing in this act shall in any way relieve the sheriffs or the municipal officers of cities and towns, or except when such special attorney has been appointed, the attorney for the state for the county, of the duties devolving upon them for the enforcement of the law against the manufacture and sale of intoxicating liquors, and all fines collected by prosecutions instituted by them, except those in which such special attorney shall take part, shall be paid entirely to the county wherein the conviction is secured.

Section 11. Whenever, in the judgment of the governor, either of said commissioners is negligent in the performance of his duty, it shall be the duty of the governor, and he is hereby authorized to remove said commissioner from office.

Section 12. Whenever, in the judgment of the governor, the commission is no longer necessary, he is hereby authorized to remove from office all members of said commission, and the commission shall be thereby suspended, until such time as he deems its services are again required.

Section 13. This act shall take effect when approved.

[Approved March 18, 1905.]

REPORT.

To His Excellency, William T. Cobb, Governor:

The Enforcement Commission has hitherto made no public statement except a financial statement for the year ending Dec. 31, 1905. At that time any extended report would necessarily have been incomplete and unsatisfactory. During the present year no account of the work of the Commission could have been given even for the purpose of clearing away any misunderstanding without a liability of the motive being misconstrued as having a political bearing, and, considering the best interests of the work, this liability was especially to be avoided. At this time, however, it would seem proper for the Commission to make to you, as Governor of the State and the authority with whose advice and under whose direction it has acted, a report of what it has done. We believe that the citizens of the state desire such information and we hope that it may be of some value in the consideration of a question of public importance.

The Commission was appointed by you April 6, 1905, qualified and organized on April 13, with the selection of Mr. Pettengill as chairman and Mr. Bassett as secretary. It was provided with an office in the room of the president of the senate. April 26th Warren P. Doughty was appointed clerk with a salary of \$70 per month, to commence May 1st and to be increased to \$1000 a year after January 1, 1906. Mr. Doughty resigned in April, 1906, to accept another position and another clerk was not appointed. Since May 7 the Commission has employed Miss Marion Brainerd as stenographer with a compensation of \$10 per week. July 18, 1905, Mr. Lang was elected treasurer of the Commission.

POWERS AND DUTIES OF THE COMMISSION.

The first question considered by the Commission was the nature and extent of the powers conferred and the duties imposed by the act creating it (Chapter 92 of the Public Laws of 1905). In this connection we would request all to bear in mind that the act was new legislation, that we had no precedents or past experience to assist, that we fully realized that every step taken would be subject to unsparing criticism, that we should meet with direct and indirect opposition and at best there would be numerous difficulties. It was only after consultation with you as the authority under whose advice and direction our powers were to be exercised that we arrived at those conclusions for which we should be and are willing to be held responsible.

The act contains the following provisions :

"Sec. 1. The governor is hereby authorized to appoint a commission consisting of three persons, one of whom shall be a lawyer, two members of said commission shall be from the dominant political party and one from the political party casting the next highest vote at the last state election."

"Sec. 2. Said commissioners shall be known as enforcement commissioners and with the advice and under the direction of the governor shall have, and are hereby authorized to exercise in any part of the state, all the common law and statutory powers of sheriffs in their respective counties in the enforcement of the law against the manufacture and sale of intoxicating liquors.

"Sec. 3. Said commission shall appoint such number of deputy enforcement commissioners as in its judgment may be necessary, who shall have the same powers as are given said commissioners under the preceding section. Such deputies shall be appointed in writing signed by a majority of said commissioners, which appointment shall be recorded in the office of said commission, and shall hold office during the pleasure of said commission."

"Sec. 5. It shall be the duty of said deputy enforcement commissioners to exercise all the powers herein conferred when, where and as directed by said commission."

"Sec. 7. The said commission, upon being satisfied that the local authorities fail to enforce the law against the manufacture and sale of intoxicating liquors in any city or town of the state, shall, subject to the limitations of section two, instruct the deputy commissioners in the county, and may send one or more deputy commissioners from some other section of the state to enforce said law."

"Sec. 10. Nothing in this act shall in any way relieve the sheriffs or the municipal officers of cities or towns, or except when such special attorney has been appointed, the attorney for the state for the county, of the duties devolving upon them for the enforcement of the law against the manufacture and sale of intoxicating liquors. . . ."

"Sec. 11. Whenever, in the judgment of the governor, either of said commissioners is negligent in the performance of his duty, it shall be the duty of the governor, and he is hereby authorized to remove said commissioner from office.

"Sec. 12. Whenever, in the judgment of the governor, the commission is no longer necessary, he is hereby authorized to remove from office all members of said commission, and the commission shall be hereby suspended, until such time as he deems its services are again required."

Powers of the Commission.—From these provisions the following conclusions were drawn. The Commissioners have in any part of the state in which they act the same powers, so far as the laws concerning the manufacture and sale of intoxicating liquors are concerned, as the sheriff in that county, no more and no less. Each Commissioner has this power but he does not act independently of the others, the three forming and acting as one Commission. The requirement for one of the Commission to be a

lawyer does not enlarge his power by the power of an attorney. By reason of special knowledge, he may be of assistance to the Commission, but he is and acts only as a commissioner. The Commission exercises its powers with the advice and under the direction of the governor, who may at any time suspend its authority. It acts through deputy commissioners, who have the same power as the Commissioners, are appointed by a majority of the Commission, and act when, where, and as directed by a majority of the Commission. Commissioners and deputies are absolutely independent of other officers and authorities and by acting neither supplant, relieve nor excuse them.

We wish to emphasize the point that our powers are those of sheriffs only, and we do so because of some apparent misunderstanding. Requests were made for opinions and advice as to various provisions of the prohibitory laws, as if the Commission was a body to which such questions could be referred. Serious difficulties would have been created by assuming to give opinions concerning the law, and all requests were declined with reasons given. We have also declined to appear as an attorney in court to prosecute liquor cases. Each of the Commissioners has, as has been stated before, the same powers. They are not prosecuting officers, and in this respect have no advantage over a sheriff or any other official.

Duties of the Commission.—But a most important and at the same time difficult question was to determine when it became a duty to exercise our powers. We refer again to Section 7: "The said commission, upon being satisfied that the local authorities fail to enforce the law against the manufacture and sale of intoxicating liquors in any town or city of the state, shall, subject to the limitations of section two, instruct the deputy commissioners in the county, and may send one or more deputy commissioners from some other section of the state to enforce said law." The limitation in Section 2 referred to is "with the advice and under the direction of the governor," and accordingly in no instance did the Commission act in any county until the facts, conclusions therefrom and purposes of the Commission had been presented to and approved by Your Excellency.

The important clause is "upon being satisfied that the local authorities fail to enforce the law. . . . in any city or town."

Who are "the local authorities"?—We construed these words to mean not the authorities of any city or town, but those having authority to enforce the law in any city or town, and therefore that "local authorities" included the sheriff of the county and his deputies, as well as constables and police. We based this construction on the general purpose of the act, because our powers were the same as a sheriff's, and because Section 10 expressly states that "sheriffs or municipal officers of cities and towns" are not relieved of duty by the act.

What is the meaning of "fail to enforce"?—The purpose of the prohibitory laws is the prevention of the manufacture and sale of intoxicating liquors. To accomplish this purpose they declare that certain acts shall not be done except on pain of suffering a penalty, which penalty the legislature presumably intended should be efficient to deter the offender, who has been convicted, and by his example other persons from future offenses.

The purpose of the law may not be accomplished, because offenders are not brought into court and convicted or because the penalty has no deterrent effect. If offenses are committed, it is first necessary to obtain the evidence, next to apprehend and bring the offender into court, then to present the evidence to the tribunal, judge or jury, which determines guilt or innocence, and to obtain conviction and lastly to impose the penalty. Constables, police, deputy sheriffs and sheriffs have nothing to do with the imposition of the penalty. That is the province and duty of the court. In obtaining conviction they can only be witnesses themselves or call in others to testify, the presentation of the evidence and guiding the case through all the requirements of judicial procedure being the duty of the attorney for the state. But they can obtain evidence, apprehend and bring the offender and the evidence into court, and broadly speaking, that is their part and all their part in accomplishing the purpose of the law. Theoretically speaking, their duty is to be efficient and faithful in this work, but this definition is general, and a better understanding will be had if some practical phases of the question are considered.

The prohibitory laws forbid the possession of intoxicating liquors with intent to sell, or that the same shall be sold, selling (except as provided by law), being a common seller, keeping a drinking house and tippling shop, maintaining a nuisance, or transporting with intent to sell or to aid in a sale. This is not an exhaustive list, and the offenses are not defined with legal precision. It is only a general statement and comprises those offenses with which officers have most to do, and the offenses are commonly spoken of as illegal possession, single sale, common seller, drinking house and tippling shop, nuisance, illegal transportation. Further, liquor kept or deposited within the State and intended for unlawful sale within the state is contraband, and in order to take it and at the same time to obtain evidence of illegal possession, nuisance, etc., power is given constables, police, deputies and sheriffs to search for and seize such liquor. These cases, which are of course the most common, are called search and seizure cases.

All search and seizure cases are by means of a complaint begun and first tried before a trial justice or the judge of a police or municipal court, who are commonly spoken of as the lower courts. Such courts determine guilt or innocence and impose the penalty. If the defendant be discharged for any reason, the state cannot appeal but if the facts are also evidence of an indictable offense, they may be presented to the grand jury at its next term. If the defendant be found guilty he may appeal to the next term of the superior or supreme court, and have a trial by jury. If after conviction in the lower court there is no appeal or the appeal is withdrawn the sentence of that court stands.

Cases of common seller, drinking house and tippling shop and nuisance can be begun only by indictment by the grand jury, although an offender may be arrested for the offense and put under bonds by a lower court for appearance before the grand jury. Upon conviction or admission of guilt in these cases penalty is imposed by the judge of the superior or supreme court.

The other cases, viz : illegal possession, single sale and illegal transportation, may be begun either by complaint before a lower court, in which case it has power to determine, subject to appeal, upon guilt or innocence and to impose penalty, or the cases may be begun by indictment, and the penalty, upon conviction or admission of guilt, is then imposed by the superior or supreme courts.

The complaints by which cases are begun in the lower courts may be made by the officer to whom the warrant to search and seize is given, or it may be made by any other citizen. The evidence of the offense may be what an officer himself sees or knows, and such proof may have been obtained by observation with or without the aid of a search. Unless an officer has proof of his own, the case must of course rest on the evidence and testimony of others.

In the lower court the person accused is usually represented by counsel, but the case for the state is usually not so represented. County attorneys generally consider that their duty is to appear in cases in the superior and supreme courts only, and do not like to appear in the lower courts, giving as a reason that their appearance in all the courts of a county would compel their constant attendance and attention. In the city of Lewiston, by provisions of the city charter, as we are informed, the city solicitor must appear for the state in the municipal court. In the absence of counsel for the state in the lower courts, the judge usually questions the witnesses. In several special cases when the Commissioners believed that the state ought to have counsel in the lower courts, they have, at their own expense, provided it. In many cases the deputies have wished for assistance, but the Commissioners had no funds at their disposal for this purpose.

The procedure of the lower courts is comparatively simple and convictions or acquittals are speedily obtained. But if the defendant believes that he will fare worse in the upper court he accepts the decision of the lower, otherwise he appeals, and usually does so if only for delay.

In the superior and supreme courts an officer can only bring the evidence before the grand jury and if an indictment is found or a case has been appealed testify before the trial jury if there is a trial. In these courts the attorney for the state has most important work to do. Offenders by means of legal technicalities and otherwise continually seek to delay conviction, to lessen or avert punishment, and much in the results accomplished depends upon the efficiency and faithfulness of the county attorney. He can if so disposed, legally so far as form and procedure are concerned, weaken the enforcement of the law, or he can insist upon and work for that speed in obtaining conviction or admission of guilt, and in the performance of the penalty which so materially strengthens the law.

As has been said before, constables, police, deputies and sheriffs can do no more than to obtain evidence of offenses, apprehend offenders and bring them and the evidence into the proper court. Some of the legal means at their disposal to effect this have just been outlined. Conviction may not result or it may be delayed by various proceedings, and after conviction there may be further delay by various proceedings before the

sentence imposed is carried out, and even after conviction and punishment the offender may still continue to offend and others may not be deterred by his example. But when an officer has been diligent and faithful, and has used reasonable efforts and legal means to obtain proof and to apprehend and bring into court offenders and the proof, the law has been, so far as his duties are concerned, "enforced," and the commission was concerned with his duties only. Failure on his part to do this is, according to our construction, the "failure to enforce" referred to in this act.

But further, the conditions in a given locality may require the work of more than one or two officers with such powers. A sheriff has power by the appointment of deputies to meet that need, and he should meet it if conditions require it. The necessity and number is a matter of reasonable judgment, but he has this power for the enforcement of the law and should exercise it.

We have attempted in this general way to outline the duties resting upon the various officials in the enforcement of the law and the accomplishment of its purpose, because in the general discussion it has seemed that the dividing lines between such duties were often confused and they should be kept clearly defined in the consideration not only of the act creating the Commission but also of the prohibitory law and the results to be accomplished by such law.

"Upon being satisfied."—The meaning of this phrase requires no explanation or elaboration. It involved more questions of fact than of law. But its force and importance should be carefully considered. It placed upon the Commission the responsibility of finding out what the conditions were throughout the state, whether liquor was sold, how it was sold and what the authorities were doing to get offenders into court. This was a task of no small proportions. Further action by the Commission would be construed to reflect by implication upon legally constituted authorities and this result demanded conservative action. We were advised by many to enter at the earliest moment and upon the first opportunity every county, and "give them the law until they were satisfied." To use power in such temper as to abuse it. The Commission concluded that by the use of the word "satisfied", one of no trivial significance, and by the obvious spirit, scope and purpose of the law, the legislature intended that the powers given by the act to the Commission should not be invoked until it had by reasonable, impartial and fair investigation and consideration satisfied itself that the local authorities were not diligently and faithfully seeking to apprehend offenders and to institute proceedings, and that, until the Commission was so satisfied, it had no authority to undertake to enforce the law in such locality. On this point there was obvious misunderstanding, many apparently thinking that deputies, whether the Commission was acting in the county or not, could be used to search any suspected place and could act as detectives for any occasion. We believe this misunderstanding was due to the provisions of the act being misunderstood, and in this connection we wish to state that by actual inquiry we found very few who had even read the act or examined its provisions although they were discussing it freely. And we furthermore determined

that even if in any locality there were persistent and continued violations of the prohibitory law, nevertheless if the "local authorities" were in our opinion doing all that we could do if there and accomplishing all that we could accomplish, we were not "satisfied" of a failure to enforce within the meaning of the act and had no authority to intervene. Surely we ourselves could be expected to have no better measure of "satisfaction", even if our critics did not adopt that standard. This question of satisfaction has been one of the causes of seeming delay, and the sole cause for our refusing to intervene in certain places. We do not expect and do not wish to escape responsibility and criticism, for our judgment on this preliminary question, but we will show in the report that follows what was done. We will then abide as we must by the decision of the people.

METHODS OF WORK.

The Commission construed in the foregoing manner the act with reference to its powers and duties, and its methods of work will next be explained.

It was necessary in the first place to obtain as accurate information as possible concerning the conditions of liquor selling in the various localities, and it was not an easy task. With reference to the appointment of deputies the act provides:—"Sec. 3. . . Such deputies shall be appointed in writing, signed by a majority of said commissioners, which appointment shall be recorded in the office of said commission. . . ." If the Commission could have appointed men without publicity to remain unknown and to go about investigating suspected places and to make frequent reports, all at the expense of the state, there would have been a most practical and speedy method of obtaining accurate information. But the state has never yet established a secret service, and this act did not. It contemplated, in our opinion, the public appointment of deputies, when needed, by analogy to the appointment of deputy sheriffs. While we did have some advantage over a sheriff in being able to use deputies from other counties, practically this advantage does not amount to as much as it seems. The deputies were, as we knew would be the case, marked men from the start, and liquor sellers have many friends, a fact which is not to be glossed over, and the telephone is a quick and effective means of communication. It would have been impractical and ineffective to have appointed at once deputies in the public manner provided by the act and attempted to make a secret service of them. But besides, at the outset of this untried law we did not believe that we should assume there would be need of deputies, and we certainly hoped there would not be, and therefore in our opinion, in fairness to all authorities, deputies should not be appointed until needed. After we had appointed deputies, we used them in several instances as we shall hereafter explain.

We also could have employed at our own expense some person or persons to go about and report. Sheriffs have to our knowledge done this and borne the expense. We did it in one instance which we shall refer to later. But that was outside of the act and the means therein provided,

and officials cannot be expected to employ at their own expense measures not provided by law.

We therefore made use of those means which are at the disposal of every officer and did the best we could with them. Whether we received complaints or not, we endeavored by investigation to ascertain the conditions throughout the state. Individuals voluntarily in person or by letter made complaints or gave us information. When complaints were made by letter we obtained by personal interview or correspondence what information the complainant could give, and a personal interview was used where it could be conveniently arranged. In this connection we wish to say that few complainants would allow their names to be brought into the matter, and in no instance was their confidence violated. Anonymous communications usually show upon their face that they deserve the waste basket. Some, however, gave such detail and information as to be of assistance. We also went to friends, acquaintances and others in whom we had confidence, and who had opportunity to know themselves or could get from others the information desired. It is not necessary and would be impossible to give all the details. We tried, in short, to get reliable information as to the exact conditions under which the traffic was conducted. We found persons differing in opinions and in the facts on which the opinions were founded. The practical difficulties in obtaining accurate information will appear upon consideration, but we accepted, as we were obliged to, the same situation which confronts other officials. At the same time we were obtaining information as to the measures taken by the authorities to meet the conditions.

We had as we interpreted the act no authority to undertake to enforce the law in a county until we were satisfied that the sheriff had failed to enforce the law. Our powers and those of the deputies were the same as the sheriff's. We therefore referred to the sheriffs many of the complaints received. This was not done because we assumed or presumed to have, as we did not legally, any authority over them, but in order that they might have the benefit of information received by us, and that we might at the same time learn of their intentions and capacity. We also wished to assist in having local enforcement. We believed as proved by experience that we should meet with greater difficulties than the local officers. Enforcement at its best has difficulties enough without injecting the prejudice and resentment generally shown toward the deputies.

When we began to believe that the sheriff was not doing all he could and should, we went to him frankly and without any publicity, to talk over the situation and state our doubts. We did not come to a final conclusion with one interview only. In each case when we had finally concluded that if the conditions were not changed by the local authorities, we should use our powers, we informed the sheriff personally and without any publicity of that conclusion. This was done as a final measure, to satisfy ourselves, and in order to follow an open and fair course.

Upon concluding to undertake in any county the work of enforcement we made plans to have the first movement as effective as possible and to be prepared for continuous effort thereafter, although we would willingly

have withdrawn from any county at any time upon satisfactory evidence that there was and would be enforcement by the local authorities.

It was in obtaining deputies, the starting point of effective, practical work, that the greatest difficulty was met. If we could have had all the men wanted, of the kind wanted and when wanted, there would not have been the delay which was certainly so unsatisfactory at least to the Commission.

In the first place as regards the general character of the deputies, we wanted men who were trustworthy, intelligent, physically able to endure hard work and possessed of backbone. But besides this the larger portion must be experienced and familiar with the methods employed by liquor sellers and with legal processes. All green men could not be taken, however capable physically and mentally. They needed the assistance of experienced men. And still further some of those to work in a locality should be from it or well acquainted with it. Strangers, until acquainted with persons and places, could not do much.

Careful inquiry was made as to the qualifications of applicants and of those suggested to or recommended to us. When men were found it did not follow that they would consent to serve. Some did not wish to change from steady work at home, even though receiving less compensation than is paid to a deputy. There were objections to being kept away from home, to the irregularity of the hours of the work to be done, to working in any other but their own county, to our inability to promise continuous employment (and the act allowed (Sec. 5) compensation for "services" only), to probable unpopularity and possible effect upon their employment in the future.

We appointed in some cases deputies who had been on the local police, and were criticised for so doing. We have observed that the conduct of men is controlled in great part by their belief in the intentions of those behind them, and how much support can be relied upon. We informed all with whom we conferred that we desired impartial, effective enforcement, and if they accepted a position, we should hold them to a strict account; if we had any occasion to believe that there was fault on their part and they were not playing square, we should discharge them immediately; that we would give them all the assistance that we could; that we should never ask them to act as "spotter" witnesses in court; we expected of them the same kind of work that any self-respecting deputy sheriff, endeavoring to the best of his ability to enforce the law, could do. It is a fact to be noted that after such statements as these on our part we were frequently asked if we should really be impartial or was it to be a "case of politics after all". When men whom we believed to be qualified to make efficient deputies would with this understanding accept an appointment, we were ready to accept them and test their capacity and intention. We had to meet not theories but conditions. We have kept squarely to our understanding with the deputies.

The enforcement act was untried law. Its provisions and procedure would not at first be generally understood. We therefore knew that the need of our intervention in any county would be judged especially by the

conditions first exposed. We accordingly attempted to make the first movement in a locality as effective as possible and to accomplish this purpose secrecy was needed. Without entering into details any person can understand what this involved by attempting in his own mind to arrange the details necessary to find local men for the work, to meet them and make plans, get bonds for them, have them qualify before a dedimus justice of the county, to bring into the locality whatever other deputies may have been assigned to assist, arrange for warrants wherever it was deemed necessary to have them, and all this done in such a manner as to keep the plans secret when every movement by the commission was carefully noted. With each additional person obtaining knowledge of what was contemplated the danger of the plans being known increased, not by intentional but by unintentional disclosure. In only one instance were our plans made known and that was not due to any disclosure by those appraised beforehand.

With reference to the appointment of deputies the act provides: "Sec. 3. . . . Such deputies shall be appointed in writing . . . which appointment shall be recorded in the office of said commission. . . ." We were charged with seeking to evade this provision by withholding the record. We not only had no such intention, but our action in this respect was in our opinion in full accord with the law. It did not state the exact time when the record was to be made and in the absence of such statement a reasonable time would be implied. The purpose of the law was to have in the office of the Commission a list of the deputies appointed and qualified and a record open to the inspection of the public in order that the validity of the appointments might be examined. In almost every instance the appointment was made in the absence of the appointee and forwarded to him for qualification which was endorsed on the appointment. It was then returned to the office and recorded, the appointment being open to inspection as soon as it reached the office whether there had been time to make up the record or not.

With reference to the continuous work in a county, we appointed in various localities what, in our opinion, was a sufficient number of deputies to meet the conditions. Instead of having all local men we believed that the best results could be obtained by associating with local men others who lived elsewhere and were free from local influences. Deputies were frequently changed from place to place in order that they might become acquainted with various localities and be able to work anywhere.

A deputy cannot do effective work alone. What situation may arise can never be foreseen and where a person is caught with any quantity of liquor, it needs two at least to take and keep the custody of both. We therefore assigned at least two to a locality. The denser the population the more men are needed. Upon special occasions when there were fairs or other events calling in a crowd the number of deputies was temporarily increased.

There are two ways for an officer to attack liquor selling, one to seize liquor on its arrival, the other to arrest a person with liquor in his possession, or under such circumstances as to show an offense is being or has

been committed. Officers should be vigilant to use both methods. While the first hampers the liquor sellers, and the practical difficulties of enforcement would be greatly increased, if an officer could not use it, nevertheless it is less effective than catching and convicting offenders, because the loss of the liquor, being a money loss only, has not much deterrent effect, and the points of shipment are numerous. If an officer will confine his efforts only to seizing liquor shipped into the state the liquor sellers will not complain. In several instances we were informed by persons living in places outside of the centers but on the line of railroad or water communication that liquor was being shipped into such places and hauled away and they had never seen this in times of non-enforcement. But these very facts were evidence that the law was being enforced for the liquor sellers were attempting to bring into outside places what they feared to have brought in at home. To cover all points of shipment would take many men. The second method is hard work and calls for patient, persistent effort in which an officer has to match his wit and ability against that of the liquor sellers. One attempt after another may be unsuccessful but in almost every instance the persistent officer finally succeeds and secures sufficient evidence for conviction, and conviction gives the opportunity for the imposition of the penalty feared by almost all liquor sellers, the jail. While, therefore, the deputies attempted to seize all the contraband liquor possible their main purpose in accordance with our directions was to secure the conviction of persons who had violated the law.

COUNTIES IN WHICH THE COMMISSION HAS UNDERTAKEN TO ENFORCE THE LAW.

The Commission has undertaken to enforce the law in five of the sixteen counties of the State and these will be considered in the order in which the work was begun.

Androscoggin.

The Commission began to act in this county June 24, 1905. Soon after the organization of the Commission complaints came to us of the condition in Lewiston. Upon investigation it was found to be bad and apparently grew worse until, so far as we could learn, it was practically as found by us on June 24. The municipal authorities were inactive. Up to June 8 there were two special deputies who were making few searches and were chiefly engaged in seizing liquor arriving by freight or express. We believed more could be done. We were in doubt as to the position of Sheriff Cummings. Prior to May 22 members of the Commission had talked with him and on both occasions he stated that he intended to enforce the law. On May 22 he was informed of our opinion that more could be done. He again stated that he intended to enforce and was doing all he could and better, as he believed, than we could do for if we came into Lincoln street we would in his opinion be clubbed out. We began preparations to act and on June 12 voted to appoint George F. Ayer of Athens and James R. Tucker of So. Paris deputies, but withheld the appointment for the time being. On June 8 and 9 two more special depu-

ties were appointed by the sheriff but we could not see any marked change in policy or results. We determined to have another interview with Sheriff Cummings and did so June 14. He was informed the Commission was not satisfied with the situation. He thereupon said he was doing his best, and wanted the Commission to come in and see what it could do. On June 19 we voted to appoint Ferdinand E. Stevens of Lewiston deputy and on June 21 the appointments in writing of Mr. Ayer, Tucker and Stevens were made, after appointments in writing made June 19 had been recalled. The three deputies qualified June 23. We had obtained the assent of Maxime Beaulieu of Lewiston to accept an appointment as deputy, but, as he was a constable we determined that it was better for the sake of secrecy for him to act as constable at the initial movement and to be appointed deputy later.

On the evening of June 24 seizures and arrests were made by Mr. Stevens, Ayer, Beaulieu and Tucker. In the Theodule Rancourt place, so called, these conditions were exposed. There was a large room and three private rooms with tables. At each table were persons drinking beer and other liquors. Men were lined up at the bar drinking. There were fifty or more men in the main and private rooms. There were two assistants behind the bar and another serving the persons at the tables. Whiskey and gin were in a closet behind the bar and beneath the bar 300 or more bottles of beer. In the cellar were a barrel of whiskey tapped, cases of beer and whiskey unopened, barrels of beer untapped and some thirty or forty barrels of beer iced. On reliable information we believe that similar conditions save only in quantity would have been found in any of the saloons, although immediately all doors were locked and lights put out.

The Commission continued to work in this county until December 31 of this year.

Mr. Beaulieu was appointed June 28, and qualified June 29.

We have kept in the county with headquarters at Lewiston on an average four men, believing that the conditions of the county required at least that number. On special occasions we have increased the number and during some periods five deputies have been kept there.

Mr. Stevens, Mr. Beaulieu and Austin B. Howard of Auburn who was appointed February 27, 1906, have worked steadily in the county except when called to assist in other places. The other deputies who have worked in this county for varying periods are Mr. Ayer, Mr. Tucker, William R. Gifford of Skowhegan appointed June 28, 1905, Heber H. Allen of Jay appointed Aug. 9, 1905, Charles E. Varney of Mercer and Charles F. Dunbar of Madison appointed Aug. 31, 1905, and Almon S. Bisbee appointed July 19, 1906.

Summaries of the amounts of liquors seized and of the disposition of the various cases instituted in the courts of the county by the Deputy Enforcement Commissioners are given below. From them the great amount of work done is evident.

We wish to acknowledge the efficiency and faithfulness of Ralph W. Crockett, County Attorney, who has rendered great assistance to the commission. Androscoggin county illustrates how much can be accomplished when efficient and faithful officials work harmoniously together to enforce the law.

Liquors Seized and Disposal of Same from June 26, 1905, to November 22, 1906.

LEWISTON MUNICIPAL COURT.

	Whiskey.	Rum.	Gin.	Brandy.	Alcohol.	Wine.	Beer.	Cider.	
Gallons seized.....	1888	60	122	19	42	105½	2598	478	
Returned to claimants by order of court.....	94	10	15	3	3	22	716	61	
Delivered to sheriff by order of court.....	1778	50	107	16	39	.....	.....	.....
Held pending decision of law court.....	16	.....	.....	.....	.....	.....	15	.....
Spilled by order of court.....	.....	.....	.....	.....	.....	83	1867	417
Seized, ownership unknown.....	184	13	.....	.....	.....	5	11	.....
Seized from known persons.....	774	45	68	14	39	77	1345	478	
Seized from freight and express....	930	2	54	5	3	23	1227	.....
Claims for liquor filed.....								91	
Claims allowed.....								76	
Claims not allowed.....								15	
								91	

AUBURN MUNICIPAL COURT.

	Whiskey.	Rum.	Gin.	Brandy.	Alcohol.	Wine.	Beer.	Cider.	
Gallons seized.....	810	.....	43	.....	.....	11	52	.....
Returned to claimants by order of court.....	236	.....	43	.....	.....	1	14	.....
Delivered to sheriff by order of court.....	559	.....	.....	.....	.....	.....	.....	.....
Held pending decision of law court.....	15	.....	.....	.....	.....	.....	.....	.....
Spilled by order of court.....	.....	.....	.....	.....	.....	10	38	.....
Seized, ownership unknown.....	55	.....	.....	.....	.....	.....	9	.....
Seized from known persons.....	75	.....	.....	.....	.....	.....	.....	.....
Seized from freight and express....	680	.....	43	.....	.....	11	43	.....
Claims filed.....								7	
Claims allowed.....								5	
Claims not allowed.....								2	
								7	

LIVERMORE FALLS MUNICIPAL COURT.

	Whiskey.	Rum.	Gin.	Brandy.	Alcohol.	Wine.	Beer.	Cider.
Gallons seized.....	861 $\frac{1}{2}$	1 $\frac{1}{2}$	3		4	8 $\frac{2}{3}$	721 $\frac{1}{2}$	
Returned to claimants by order of court.....	24				3	8 $\frac{2}{3}$	411 $\frac{1}{2}$	
Delivered to sheriff by order of court.....	621 $\frac{1}{2}$		3		1	8		
Spilled by order of court.....							31	
Seized from known persons.....	91 $\frac{1}{2}$					1 $\frac{1}{2}$	17	
Seized from freight and express.....	77		3		4	8 $\frac{2}{3}$	551 $\frac{1}{2}$	
Claims filed.....								9
Claims allowed.....								8
Claims not allowed.....								1
								9

SUMMARY.

	Whiskey.	Rum.	Gin.	Brandy.	Alcohol.	Wine.	Beer.	Cider.
Gallons seized.....	2784 $\frac{1}{2}$	60 $\frac{1}{2}$	168	19	46	124 $\frac{2}{3}$	2722 $\frac{1}{2}$	478
Returned to claimants by order of court.....	354	10 $\frac{1}{2}$	58	3	6	23	771 $\frac{1}{2}$	61
Delivered to sheriff by order of court.....	2399 $\frac{1}{2}$	50	110	16	40	8		
Held pending decision of law court.....	31					1	15	
Spilled by order of court.....						93	1936	417

*Summary of Municipal Court Cases, from June 26, 1905, to
November 22, 1906.*

LEWISTON MUNICIPAL COURT.

Warrants sworn out by Deputy Enforcement Commissioners:		
Search and seizure,		435
Seizure,		201
Illegal transportation,		5
Illegal possession,		3
Single sale,		6
Nuisance,		207
Common seller,		17
		<hr/>
		874
Nuisance warrants:		
Discharged,		74
Bound over to grand jury,		133
		<hr/>
		207
Common seller:		
Discharged,		2
Bound over to grand jury,		15
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		17
Search and seizure warrants, nothing found,		360
Search and seizure warrants, liquor seized,	75	
Seizure warrants, liquor seized,	201	276
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		636
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Persons arrested:		293
Discharged,		130
Convicted,		163
		<hr/>
		293
Sentence fine,	142	
Sentence fine and jail,	21	
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		163

AUBURN MUNICIPAL COURT.

Warrants sworn out:		
Search and seizure,		74
Seizure,		13
Illegal possession,		5
Illegal transportation,		4
Nuisance,		3
		<hr/>
		99

Nuisance warrants:

Bound over to grand jury,		3
Search and seizure warrants, nothing found,		60
Search and seizure warrants, liquors seized,	14	
Seizure warrants, liquors seized,	13	27

Persons arrested:

Convicted,		11
Sentence fine,	3	
Sentence fine and jail,	7	
Sentence jail,	1	
		11

LIVERMORE FALLS MUNICIPAL COURT.

Warrants sworn out:

Search and seizure,		11
Seizure,		19
Nuisance,		2

Nuisance warrants:

Discharged,		1
Bound over to grand jury,		1
Search and seizure warrants, nothing found,		9
Search and seizure warrants, liquor seized,	2	
Seizure warrants, liquors seized,	19	21

Persons arrested,

Discharged,		2
Convicted,		1
		3
Sentence fine,	1	

Disposal of Cases in Supreme Judicial Court for Androscoggin County, September Term, 1905, January, April and September Terms, 1906.

I. Appealed cases,		156
A. Illegal transportation,		3
Defaulted and sentence below (fine and jail) affirmed,	3	
Recognizance sued,	2	
B. Single sale,		3
(1) Defaulted and sentence below affirmed:		
Fine,	1	
Fine and jail,	1	

(2) On special docket with plea of guilty or nolo contendere and ready for sentence,		1	
C. Seizure and search and seizure,			150
			<hr/>
			156
(1) Nol prossed,		14	
(2) Convicted,		21	
Plea guilty,	21		
Sentence fine,	17		
Sentence fine and jail,	3		
Sentence jail,	1		
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	21		
(3) Defaulted, sentence below affirmed,			57
Sentence fine,	52		
Sentence fine and jail,	5		
Recognizance sued,	14		
(4) Now on docket,			5 ¹
			<hr/>
			150
On special docket with plea nolo contendere or guilty and ready for sentence,	41		
On general docket continued,	17		
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			58
Open and with or without recognizance,	14		
Marked law,	3		
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			17
2. Indictments:			
Cases presented to grand jury,			379
Indictments found,			368
Nuisance,		194	
Common seller,		174	
A. Nuisance.			
(1) Nol prossed,		15	
(2) Acquitted,		3	
(3) Convicted,		63	
Plea nolo contendere,	18		
Plea guilty,	39		
Trial,	6		
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Sentence fine,	45	
Sentence fine and jail,	7	
Sentence jail,	11	
(4) Now on docket,		113
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		194
On special docket, plea nolo contendere or guilty and ready for sentence,	60	
On general docket continued,	53	
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		113

In these continued cases there are 14 where defendants have not been apprehended, 28 defaulted, 39 recognizances sued.

B. Common seller,		174
(1) Nol prossed,	22	
(2) Dismissed,	1	
(3) Convicted,	20	
Plea guilty,	16	
Trial,	4	
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		20
Sentence fine,	11	
Sentence fine and jail,	4	
Sentence jail,	5	
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		20
(4) Now on docket:		
On special docket with plea of nolo contendere or guilty and ready for sentence,	77	
On general docket continued,	54	
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		174

Among these continued cases are 32 where defendants are not apprehended, 15 defaulted, 20 recognizances sued, in law court 1.

KENNEBEC COUNTY.

The Commission began to act in this county September 2, 1905.

During the time intervening between the appointment of the Commission and its beginning work in Androscoggin County it was charged with the intention of avoiding action and statements were freely made that for political reasons it would not act at all. But the time which elapsed was necessary for our plans with reference to that county. During this time there were many complaints made to the Commission of the inactivity of the sheriff's office in Kennebec County. In Waterville there was friction between the mayor and the local deputy sheriff. In May the sheriff was asked by the mayor to appoint special deputies as had been done the year before. On May 20 the sheriff announced that no special deputies would be appointed in the county. The mayor informed us that he wanted assistance. With any controversy between the mayor and county officials or with any dispute as to whether the officers of Waterville should do their own enforcing the Commission had no concern and took no part. We received many complaints of the conditions in the city of Augusta and outskirts and in the town of Randolph. On June 28 a member of the Commission conferred with Sheriff Ham and discussed the situation as understood by the Commission, stating that its purpose was to be frank and fair. The sheriff said he had tried to enforce the law but was noncommittal as to what he intended to do. No change of policy resulted. On August 9 the sheriff met by appointment the Commission and was informed that the Commission was not satisfied with the situation. The sheriff stated that he had done nothing in Waterville during the summer and the local deputy whom he had not seen since the June term of court had done nothing since the mayor came into office: he relied upon the local authorities there to look after the matter and had recently been told by the mayor that conditions were good: in Gardiner he relied upon the local authorities, turning over all complaints to the city marshal, who told him there wasn't much for the deputy sheriff to do: in Augusta he did not rely on the local authorities but acted with the marshal; he was doing all he could except to appoint special deputies and he should not do this; if the Commission was not satisfied with those conditions as far as he was concerned the deputies could come in.

The Commission believed that the sheriff would do no more than he was then doing, and that for some reason he had changed the policy of his first term. Complaints continued to be made and the Commission determined to act. The mayor of Waterville expressed a further desire for aid. The city marshal of Gardiner was informed of our plans just prior to beginning work and informed us that he needed assistance and was doing all he could practically alone and that the conditions in Randolph just across the river but outside of his jurisdiction were a great annoyance.

On the night of September 2, Obed F. Stackpole of Biddeford and Benjamin F. Towne of Waterville, both appointed August 31, searched a place in Waterville without results. Mr. Gifford and Mr. Ayer, who

had worked in Androscoggin County, seized a small quantity of liquor in a hotel in Gardiner, the jury afterwards disagreeing upon the case. Mr. Stevens came to Augusta and worked with Benj. O. Pare of Lewiston and James Tebbetts of Belgrade, both appointed August 31. A small quantity of whiskey was seized in one barroom and in another in which were a number drinking, standard ale on draught was seized. The next day beer and whiskey were seized at a place near Togus pond which had been complained of as a Sunday resort, and on Monday 20 gallons of rum, 10 gallons of whiskey and 120 bottles of beer were taken from a place in Hallowell, to which the liquors had been removed from a neighboring saloon when the fact of the presence of the deputies became known.

The deputies have been kept in the county until December 31, 1906. Except when called to work in other places, Messrs. Stackpole and Towne have been at Waterville, Mr. Pare and Frank L. Page of Augusta, appointed September 16, 1905, have worked at Augusta. Mr. Tebbetts has been at Augusta and in Gardiner. Mr. Gifford has been some of the time at Gardiner. Mr. Allen also worked in the county for a short time.

Summaries of the amounts of liquors seized, and of the disposition of the cases instituted by the Deputy Enforcement Commissioners in the Municipal Courts and Superior Court, together with the proceedings in the Superior Court in these cases as shown by docket entries, are given below.

WATERVILLE MUNICIPAL COURT.

	Whiskey.	Rum.	Gin.	Brandy.	Alcohol.	Wine.	Beer.	Ale.
Gallons seized.....	78	5	6½	2½	4½	11½	7 bbls	5 bbls
Returned to claimants by order of court	17½					10	2 bbls	
Delivered to sheriff by order of court	60½	5	6½	2½	4½			
Spilled by order of court						11½	5 bbls	5 bbls
Seized from known persons	60½		1½	1½	4½			
Seized from freight and express ...	17½	5	5	1½		11½	7 bbls	5 bbls
Claims filed.....								6
Claims allowed.....								5
Claims not allowed								1
								6

AUGUSTA MUNICIPAL COURT.

	Whiskey.	Rum.	Gin.	Brandy.	Alcohol.	Wine.	Beer.	Cider.
Gallons seized.....	719 $\frac{1}{2}$	112 $\frac{1}{2}$	6 $\frac{3}{4}$	3 $\frac{1}{2}$	.....	2	380 $\frac{3}{8}$	.....
Returned to claimant by order of court	106 $\frac{3}{4}$	21	$\frac{3}{4}$	3 $\frac{1}{2}$	.....	.....	.....	.....
Delivered to sheriff by order of court	612 $\frac{1}{2}$	91 $\frac{1}{2}$	6	.....	.....	.....	128	.....
Spilled by order of court .....	.....	.....	.....	.....	.....	2	252 $\frac{3}{8}$	.....
Seized from known persons	69 $\frac{1}{2}$	.....	.....	.....	.....	.....	17 $\frac{3}{8}$	.....
Seized from freight and express....	650	112 $\frac{1}{2}$	6 $\frac{3}{4}$	3 $\frac{1}{2}$	.....	2	363	.....

HALLOWELL MUNICIPAL COURT.

	Whiskey.	Rum.	Beer.
Gallons seized	25 $\frac{9}{16}$	51 $\frac{5}{8}$	15
Returned to claimant by order of court.....	.....	.....	.....
Delivered to sheriff by order of court.....	25 $\frac{7}{16}$	51 $\frac{5}{8}$	.....
Spilled by order of court .....	.....	.....	15
Kept for evidence in court	$\frac{7}{16}$	.....	.....
Seized from known persons.....	25 $\frac{9}{16}$	29 $\frac{1}{2}$	.....
Seized from freight and express.....	.....	22 $\frac{1}{8}$	.....

No claims filed.

GARDINER MUNICIPAL COURT TO DECEMBER 31, 1906.

	Whiskey	Rum.	Gin.	Brandy.	Malt.	Wine.	Beer.	Cider.
Gallons seized.....	10211 gill 8 pt	21 pt			97 8	2	74 4	
Returned to claimants by order of court.....	20 3	1				2	32 2	
Delivered to sheriff by order of court.....	75 1	1 1						
Spilled by order of court.....					97 8		42 8	
Seized from known persons.....	711 gill 8 pt				97 8			
Seized from freight and express....	95	2					72 8	
Kept for evidence in court.....	711 gill 8 pt	2 1	pts					
Claims filed.....								8
Claims allowed.....								7
Claims not allowed.....								1
								<u>8</u>

Municipal Court Cases from September 1, 1905, to December 26, 1906.

WATERVILLE MUNICIPAL COURT.

Illegal transportation (two defendants),		1
Sentence fine \$50 each and appealed,		1
Illegal possession,		5
Sentence fine, paid,	2	
Sentence fine and jail, appealed,	3	
Search and seizure and seizure,		26
Continued,		1
Discharged,		6
Convicted,		19
Under bond for appearance from day to day for sentence,		1
Sentence fine,		8
Paid,	3	
Committed,	1	
Appealed,	4	
		<u>8</u>

REPORT OF ENFORCEMENT COMMISSION.

29

Sentence fine and jail,	10	
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	19	
Committed,	1	
Suspended during good behavior,	1	
Appealed,	8	
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	10	
Nuisance,		2
Held for grand jury,	2	

AUGUSTA MUNICIPAL COURT.

Illegal possession,		1
Sentence fine, appealed,	1	
Illegal transportation,		2
Sentence fine, appealed,	2	
Single sale,		3
Sentence fine, appealed,	3	
Search and seizure and seizure,		45
Decision reserved,	2	
Discharged,	4	
Convicted,	39	
Sentence fine, paid,	7	
Sentence fine, committed,	2	
Sentence fine, appealed,	28	
Sentence fine and jail, appealed,	2	
	<hr/>	
	39	
Nuisance,		10
Quashed,	1	
Held for grand jury,	9	
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	10	

HALLOWELL MUNICIPAL COURT.

Seizure and search and seizure,		4
Convictions,	4	
Sentence fine, paid,	1	
Sentence fine and jail, appealed,	3	
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	4	

GARDINER MUNICIPAL COURT.

Single sale,		1
Discharged on payment of costs,	1	
Seizure and search and seizure,		17
Discharged,	1	
Convictions,	16	
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	17	

Sentence fine, paid,	1
Bond to keep out of business two years,	1
Sentence fine and jail,	14
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	16
Committed,	2
Appealed,	12
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	14

TRIAL JUSTICE, OAKLAND.

Search and seizure,	1
Sentence fine and jail, appealed,	1

TRIAL JUSTICE, NORTH VASSALBORO.

Search and seizure,	1
Sentence to pay costs, appealed,	1

SUPERIOR COURT CASES.

At the September Term, 1905, there were the following enforcement cases, which have proceeded as shown by docket entries as follows:

Charles H. Douglas, Gardiner—On liquor nuisance indictment was tried and jury disagreed and case nol prossed at January Term, 1906.

Harry Hopkins, Augusta—On liquor nuisance indictment was tried and convicted, filed exceptions at January Term, 1906, which were overruled by law court in June, 1906, and at September Term, 1906, case was continued for sentence.

William W. Shaw, Augusta—September 4, 1905, Shaw was found guilty in the Augusta Municipal Court on a case of search and seizure, fined \$100 and costs and appealed. The case does not appear on records of Superior Court. On indictment for liquor nuisance, indictment was quashed, (and same evidence being presented to same grand jury, January Term, 1906, no indictment was found.)

At the January Term, 1906, there were the following cases:

Charles E. Sturgis, Augusta—Was indicted for liquor nuisance, defaulted at the April Term, 1906, demurred September Term, 1906, sentenced \$300 and costs and 60 days and in default of payment 4 mos. add. and motion to stay sentence allowed. December 20 motion overruled. Judgment for the State.

Arthur Cormier, Augusta—Indicted for liquor nuisance, pleaded not guilty, withdrew plea and pleaded nolo con. Sentenced \$250 and costs and in default of payment 4 mos. Paid to clerk.

Charles E. Miller, Chelsea—Indicted for liquor nuisance, pleaded nolo con. Sentenced to \$300 and costs and 4 mos. and in default of payment 4 mos. add. and January 15 mittimus issued. Sentence amended to \$300 and costs and 3 mos. and in default of payment 4 mos. January 31 mittimus issued.

Harford H. Noble, Chelsea—Indicted for liquor nuisance (left State).

Wilfred Langlois, Waterville—Indicted for liquor nuisance, demurred, sentenced to \$300 and costs and 3 mos. and in default of payment 3 mos. Sentence amended to \$300 and costs and 2 mos. and in default of payment 3 mos. additional. On exceptions carried to Law Court. June Term exceptions overruled. September Term prin. and sureties defaulted.

Edward Ouillette, Waterville—Indicted for liquor nuisance, pleaded nolo con. and sentenced to \$250 and costs and 30 days and in default 4 mos. add. May 12 mittimus issued.

Hannah Nolan, Chelsea—Search and seizure. Appealed (from Augusta Mun. Court). Plea guilty. Judgment below (\$100 and costs) affirmed. Paid Clerk.

Charles Miller, Chelsea—Search and seizure. Appealed (from Augusta Mun. Court). Plea nolo con. Placed on file.

Harford Noble, Chelsea—Search and seizure. Appealed (from Augusta Mun. Court). (Left the State).

Arthur Cormier, Augusta—Search and seizure. Appealed (from Augusta Mun. Court). Prin. and sureties defaulted. Plea not guilty withdrawn and plea nolo con. Sentence \$100 and costs. Paid.

John Granger, Augusta—Search and seizure. Appealed (from Augusta Mun. Court). Continued.

Emma Davidson, Chelsea—Search and seizure. Appealed (from Augusta Mun. Court). Plea guilty. Judgment below affirmed. \$100 and costs. Paid.

Simon Harvey, Augusta—Search and seizure. Appealed (from Augusta Mun. Court). Plea nolo con. Sentence below affirmed. \$100 and costs. Paid.

Paul Lovejoy, et als—Search and seizure. Appealed (from Augusta Mun. Ct.) Nol pros. for want of evidence.

James E. Wade, Augusta—Search and seizure. Appealed (from Augusta Mun. Ct.) Trial and not guilty.

Dwight L. Tasker, Augusta—Search and seizure. Appealed (from Augusta Mun. Ct.) Pleaded nolo con. Placed on file.

D. A. Garrity, Hallowell—Search and seizure. Appealed (from Hallowell Mun. Ct.) Trial and not guilty.

Ole Martin Johnson, Gardiner—Search and seizure. Appealed (from Gardiner Mun. Ct.) Tried and disagreement. April Term same. September Term nol prossed.

Wilfred Langlois, Waterville—Search and seizure. Appealed (from Waterville Mun. Ct.) Tried and convicted. Exceptions filed and allowed. Sentenced to \$100 and costs and 60 days in addition. July 12 exceptions overruled and September Term principal and sureties defaulted.

Edw. Ouillette, Waterville—Search and seizure. Appealed (from Waterville Mun. Ct.) Plea nolo con. Sentenced to \$100 and costs and 60 days and in default 60 days add. May 12, mittimus issued.

At the April Term, 1906, there were the following cases:

Oberlin Breton, Augusta—Indicted for single sale. Nol prossed.

Vede Vigue, Waterville—Indicted for liquor nuisance.

Albert Burr—Indicted for liquor nuisance.

Richard Ycaton, Belgrade—Indicted for liquor nuisance and nol prossed.

Arthur Cormier, Augusta—Indicted for liquor nuisance. Plea nolo con. September Term placed on file on payment of costs. Costs paid.

Harry R. Lishness, Augusta—Indicted for liquor nuisance. Tried, convicted. Exceptions filed and allowed. Sentenced to \$200 and costs and 30 days and in default 4 mos. additional. December 20 exceptions overruled. Judgment for State.

Peter Rancourt, Augusta—Search and seizure. Appealed (from Augusta Mun. Ct.) Nol prossed.

Napoleon Breton, Augusta—Search and seizure. Appealed (from Augusta Mun. Ct.) Nol prossed.

Oberline Breton—Illegal sale. Appealed (from Augusta Mun. Ct.) Tried. Not guilty.

Harry E. Goodrich, Augusta—Search and seizure. Appealed (from Augusta Mun. Ct.) Tried. Not guilty.

Richard Yeaton, Belgrade—Search and seizure. Appealed (from Augusta Mun. Ct.) Nol pros.

Max Bravaman, Augusta—Search and seizure. Appealed (from Augusta Mun. Ct.) Prin. and sureties defaulted. Sci. facias. September Term. Tried, convicted. Sentence below (\$100 and costs) affirmed. Paid.

Simon Harvey, Augusta—Search and seizure. Appealed (from Augusta Mun. Ct.) Nol pros.

Arthur Cormier, Augusta—Search and seizure. Appealed (from Augusta Mun. Ct.) Prin. and sureties defaulted. Judgment below (\$100 and costs) affirmed. September Term. Plea not guilty withdrawn and pleaded nolo con. On file on payment of costs. Paid.

Frank Coro, Waterville—Search and seizure. Appealed (from Waterville Mun. Ct.) September Term. Tried and not guilty.

William Bolduc, Waterville—Search and seizure. Appealed (from Waterville Mun. Ct.) Prin. and sureties defaulted. September Term. Surrendered into court by bail. On file.

George Fortier, Waterville—Single sale. Appealed (from Waterville Mun. Ct.) September Term. Nol prossed.

H. Leroy Simpson, Waterville—Search and seizure. Appealed (from Waterville Mun. Ct.) Prin. and sureties defaulted. Judgment below (\$100 and costs and 60 days and in default 60 days add.) affirmed. September Term, placed on file on payment of costs. Paid. (In April, 1905, defendant had given \$1,000 bond to keep out of business two years.)

At the September Term, 1906, there were the following cases:

Frank Vashan, Waterville—Indictment, common nuisance. Plea not guilty. Nol pros.

Edward Gero, Waterville—Indicted for liquor nuisance. Nol pros.

*Thomas Guerne*y, common seller. Indicted for common seller. Trial. Disagreement. Nol pros.

Wilfred J. Moeller, Chelsea—Indicted for liquor nuisance. Tried, convicted. Sentenced to \$100 and costs and in default 60 days. October 5, mittimus issued.

James McGuire, Chelsea—Indicted for liquor nuisance. Tried, convicted. Sentenced \$200 and costs and in default 4 mos.

Charles Miller, Chelsea—Indicted for liquor nuisance.

Charles Miller, Chelsea—Search and seizure. Appealed (from Augusta Mun. Ct.) Prin. and sureties defaulted. Judgment below (\$100 and costs) affirmed. Sci. facias.

Wilfred J. Moeller, Chelsea—Search and seizure. Appealed (from Augusta Mun. Ct.) Plea nolo con. On file.

Simon Harvey, Augusta—Search and seizure. Appealed (from Augusta Mun. Ct.) Prin. and sureties defaulted. Judgment below (\$100 and costs) affirmed. Sci. facias.

Bernard E. Getchell, Augusta—Search and seizure. Appealed (from Augusta Mun. Ct.) Tried, convicted. Sentence \$100 and costs and in default 60 days.

Mary McGee, Augusta—Search and seizure. Appealed (from Augusta Mun. Ct.) Prin. and sureties defaulted. Sci. facias.

James McGuire, Chelsea—Search and seizure. Appealed (from Augusta Mun. Ct.) Plea nolo con., on file.

Demeritt Sawtelle, Sidney—Search and seizure. Appealed (from Augusta Mun. Ct.) Tried. Not guilty.

Arthur Cormier, Augusta—Search and seizure. Appealed (from Augusta Mun. Ct.) Prin. and sureties defaulted. Judgment below (\$100 and costs) affirmed. Nol pros.

John Coughlin, Augusta—Search and seizure. Appealed from Augusta Mun. Ct.) Nol pros.

Edward Gero, Waterville—Search and seizure. Appealed (from Waterville Mun. Ct.) Dismissed.

*Thomas Guerne*y, *Waterville*—Search and seizure. Appealed (from Waterville Mun. Ct.) Tried, guilty. Sentence \$100 and costs and 60 days and in default 60 days add. Amended sentence \$100 and costs and in default 60 days. October 9, mittimus issued.

Thomas Simpson, Waterville—Search and seizure. Appealed (from Waterville Mun. Ct.) Nol pros.

Thomas C. King, Waterville—Search and seizure. Appealed (from Waterville Mun. Ct.) Dismissed by order of court.

Fred Cyr, Waterville—Search and seizure. Appealed (from Waterville Mun. Ct.) Demurrer. Sentence \$100 and costs and in default 60 days. Motion for stay filed.

Luther O. Folsom, Frank Dumont, Waterville—Illegal transportation. Appealed (from Waterville Mun. Ct.) Sentence \$50 and costs each. Judgment below affirmed. Fine \$50 and costs. Paid Clerk.

Arl Wolman, Gardiner—Search and seizure. Appealed (from Gardiner Mun. Ct.) Nol pros.

Harry A. Jones, Gardiner—Search and seizure. Appealed (from Gardiner Mun. Ct.) Sentence \$100 and costs and 60 days and 60 days add. Nol pros. Nol pros. off by order of court. Trial. Convicted. Sentence to \$100 and costs and 60 days and stand committed until sentence performed. Exceptions filed and bonds \$500 for appearance from term to term. December 1, amended sentence. Fine \$100 and costs. Paid Clerk.

Reuben Gage, Oakland—Search and seizure. Appealed (from Geo. W. Field, trial justice). Prin. and sureties defaulted. Judgment below (\$100 and costs and 60 days) affirmed. Sci. fac.

Thomas Flynn, Vassalboro—Search and seizure. Appealed (from trial justice). Dismissed.

Joseph F. Young—Illegal possession. Appealed (from Augusta Mun. Ct.) Continued. Cont. off. Nol pros.

Summary of the Preceding Cases in the Superior Court for September Term, 1905, January, April, September Terms, 1906.

APPEALED CASES.

Appeals entered,		46
Single sale,		1
Nol pros,	1	
Illegal sale,		1
Tried and acquitted,	1	
Illegal transportation,		1
(Two defendants in Waterville Municipal Court fined \$50 and costs "each"),	1	
Docket entry Superior Court, "Fine \$50, paid."		
Search and seizure,		43
Dismissed,	3	
Disagreement of jury and nol pros.,	1	
Defaulted and nol pros.,	1	
Nol pros.,	10	
Not apprehended,	1	
Tried, acquitted,	5	
Continued from term to term,	1	
Defaulted,	6	
Plead guilty,	1	
Plea nolo con.,	9	
Tried and convicted,	5	22
		<hr/>
		43

Placed on file,	7	
Without sentence,	6	
With sentence, fine and jail,	1	
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	7	
Sentence fine, case pending,	1	
Sentence fine and paid, (changed from fine and jail.)	1	
Sentence fine and committed,	1	
Sentence fine and jail pending,	1	
Sentence fine and jail committed,	1	
Judgment below (fine) affirmed and paid,	5	
Judgment below (fine) affirmed and pending,	5	
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	22	

DISPOSAL OF INDICTMENTS OBTAINED.

Cases presented to grand jury,		39
Indictments found,		22
Single sale,		1
Nol prossed,	1	
Common seller,		1
Nol prossed,	1	
Nuisance,		20
Quashed,	1	
Nol prossed,	3	
Disagreement of jury and nol prossed,	1	
Left State,	1	
Not apprehended,	3	
Demurred,	2	
Plea nolo con.,	4	
Tried and convicted,	5	11
	<hr/>	<hr/>
		20
Placed on file,	1	
Unsentenced and pending,	1	
Sentence fine and jail, pending,	3	
Sentence fine, paid,	2	
Sentence fine, committed,	4	
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		11

OXFORD COUNTY.

The Commission began to act in this county March 1, 1906.

In October, 1905, one of the Commissioners conferred with Sheriff McIntire and informed him that, while the conditions in the rest of the county appeared to be good, at Rumford Falls the deputies were doing little and the conditions were becoming bad. The sheriff came to Rumford the last of the month and spent several days there. On November 17 by request the sheriff came to Rumford Falls to confer with one of the Commission and then stated that he should send a stranger into the place to obtain evidence and make a report to him. December 11 he wrote that he had done so and inquired if there was any change in conditions. Reply was made that there was no change and that his deputies were still inactive. On December 21 the sheriff wrote that the information which he received did not agree with the reports in the public press, but that he would clean up things as fast as he could, and that he had made special plans to be carried out at once. On January 4 one of the Commission by appointment met the sheriff at South Paris and frankly discussed the situation. The sheriff was told that in the opinion of the Commission the local deputies must know the real situation and were not keeping him informed and that he must get after them. He was also told that if the Commission found matters were still not improved we would inform him. January 18 a letter was sent to him stating there was no change and that unless Rumford Falls was cleaned up satisfactorily to the Commission within the next two or three weeks, the Commission would undertake the enforcement. This time was ample for the sheriff to make plans. This was the situation when reports of the condition in Rumford Falls appeared in the public press. On February 6 the local deputies made raids, but the Commission was convinced that the movement was only for appearance's sake. Well-known suspected places were not touched, beer, some "uno" and some standard, was taken, but less than a gill of hard liquor, and even in the cases brought into court one of the deputies urged the municipal judge to impose a fine only.

Selling was at once resumed and nothing further was done. The Commission believed that the sheriff did know or ought to know the real situation by this time, and that so far as Rumford Falls was concerned, the law would be enforced no better than in the past by him and his deputies.

Under the circumstances it became important to have the first movement made by the Commission effectual, and we planned to bring into the place deputies enough to search a number of places not searched by the local deputies. At this wintry season the problem of getting the deputies into the place was difficult. They were well known by this time, to come in by regular train was useless and to use teams for the distances required was almost impracticable. The chairman of the Commission volunteered to provide a special train, and this was done without expense to the State. The plan was used successfully, but with no

RUMFORD FALLS MUNICIPAL COURT.

Warrants sworn out,		320
Search and seizure,	148	
Seizure,	153	
Illegal possession,	8	
Illegal transportation,	1	
Giving liquor to prisoner,	1	
Nuisance,	8	
Common seller,	1	
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		320
Giving liquor to prisoner,	1	
Sentence, fine and jail and committed,	1	
Illegal transportation,	1	
Sentence, fine and jail, appealed,	1	
Illegal possession,	8	
Sentence, fine, paid,	3	
Sentence, fine, appealed,	1	
Sentence, fine and jail, committed,	1	
Sentence, fine and jail, appealed,	1	
Sentence, jail, committed,	2	
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	8	
Search and seizure,		17
Continued,	1	
Fine paid,	3	
Fine appealed,	3	
Fine and jail, committed,	2	
Fine and jail, appealed,	8	
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		17
Seizures made:		
Search and seizure warrants,	148	
Search and seizure warrants, nothing found,	111	
Search and seizure warrants, liquors seized,	37	
Seizure warrants, liquors seized,	153	
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		190
Nuisance warrants,		8
Continued,	1	
Held for grand jury,	7	
Common seller warrant,		1
Continued,	1	

SUPREME JUDICIAL COURT, MARCH TERM, 1906.

INDICTMENTS.

Nuisance cases bound over from Rumford Falls Mun. Ct.,		5	
Nuisance indictments obtained,		5	
Not apprehended, capias issued,	1		
Plead guilty,	4		
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		5	
Sentence fine, paid,	2		
Sentence fine and jail, com- mitted,	1		
Sentence jail, committed,	1		
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		4	
Depositing with intent to sell,			1
Plea guilty,		1	
Continued for sentence, defendant already committed on nuisance indictment,	1		
Single sale,			1
Not apprehended, capias issued,		1	
Nuisance,			1
Not apprehended, capias issued,		1	

APPEALED CASES.

All from Rumford Falls and sentence below fine and jail,			5
Not apprehended and capias issued,		2	
Defaulted, capias issued,		1	
Plead guilty,		2	
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		5	
Continued (defendant being committed on nuisance indictment),	1		
Sentence fine (two defendants), each paid,	1		
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		2	

SUPREME JUDICIAL COURT, OCTOBER TERM, 1906.

INDICTMENTS.

Nuisance cases bound over from Rumford Falls Mun. Ct.,			2
Trial, not guilty,		1	
Entered on docket, defend. being commit- ted on appealed search and seizure case and on indictment for illegal possession,		1	

Depositing with intent to sell,	1	
Sentence jail and committed,	1	
Single sale,		4
Trial, acquitted,	2	
Entered, defendant being committed on nuisance indictment,	2	
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	4	
Nuisance,		9
Entered,	2	
Tried, acquitted,	1	
Tried, guilty,	4	
Pleas guilty,	2	
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	9	
Sentence fine, paid,	4	
Sentence fine and jail, committed,	2	

APPEALED CASES.

From Rumford Falls,		6
From trial justice,		1
Defaulted, capias issued,	2	
Tried, acquitted,	1	
Entered,	2	
Plea guilty,	2	
Sentence fine, paid,	1	
Sentence fine and jail, committed,	1	
Appealed cases for March Term, 1907,		3
Bound over to grand jury on nuisance,		1

SAGADAHOC COUNTY.

The Commission began to act in this county April 13, 1906.

Prior to entering Androscoggin County some complaints had been received from Bath of conditions there. But the appearance of the deputies in Lewiston had a salutary effect for a time, according to reports received. Complaints were again made and in August one of the Commission conferred with a resident of the county well recommended about accepting an appointment as deputy if the Commission decided to act. The appointment was declined. In September and October one of the Commission saw Sheriff Ballou and informed him that complaints had been made. The sheriff thought the reports were erroneous and that the conditions in the city were excellent, and he would be pleased to do whatever the Commission desired. The entry into Kennebec County also had a good effect for a time. Complaints were again made and in December the Commission determined to have a stranger from another county investigate. A man spent several days in and about the city, entirely at the expense of the Commissioners themselves. The report was that there had been considerable selling but that recent raids in Lewiston had frightened the sellers, and the enforcement deputies were expected to come in. For this reason and also because the Supreme Court was in session the conditions of the city were good. But during January, according to reports, the notion prevailed that the deputies would not come and conditions became worse. On February 10 one of the Commissioners conferred with Sheriff Ballou. The sheriff stated that he had no special deputies, that he or his deputies had not made a single search or seizure, but believed there was no occasion for any: he was then informed that complaints were made to the Commission, that the Commission had made inquiries and believed there was need of both searches and seizures, that a great deal of liquor was being brought in and the Commission was not satisfied with the conditions; the sheriff stated that he would be glad to carry out definite requests; he was told we had no definite requests to make, all we wanted was to have the law enforced and he had ample means to know the situation and to meet it; several places were named which were on reliable information known to be selling, but the sheriff said the reports must be untrue, as he had not heard of their selling; he was then told that the Commission took this means to be fair with him and that he might know what it intended to do unless conditions were changed. The Commission determined that any further conference with the sheriff was unnecessary, and to take up enforcement in Sagadahoc as soon as arrangements could be made. We had at this time come to the same conclusion with reference to Knox. Having obtained the consent of W. J. Caddy of St. George in Knox County, on February 23 we voted to appoint him a deputy but deferred the appointment until plans were completed. As soon as enforcement had been undertaken in Oxford County, we endeavored to find deputies in Sagadahoc and some

others beside Mr. Caddy in Knox. It was very important to have some efficient local men in each county. Not succeeding in this, we determined from necessity to use men from other counties and give them the slow and difficult task of becoming acquainted with the locality without local assistance, and plans were made accordingly. But in the latter part of March we ascertained that we could have in Sagadahoc the services of two local men and the same number in Knox. On April 13, Mr. Stevens, Beaulieu, Howard, Allen, Page, Poor, Ayer and Varney were sent to Bath by a special electric car. Arrangements were made which were thought would insure secrecy, but some of the deputies were seen to board the car and a warning was telephoned to Bath, and the liquor was removed from various places before they were searched. There was sufficient evidence to hold one person on the charge of illegal possession. There was evidence enough to show what had been the conditions before arrival.

April 17, Roy E. French and William J. Conway, both of Bath, were appointed and they have remained during the year in Bath and Sagadahoc County. Mr. Allen was with them for a time. April 25, Fred J. Lucas of St. Albans was appointed, sent to Bath and remained there until the close of the year.

Summaries of liquors seized and of the disposal of the cases of the Commission follow.

Liquors Seized and Disposal of Same, April 13 to December 31, 1906.

	Whiskey.	Rum.	Gin.	Brandy.	Alcohol.	Wine.	Beer.
Gallons seized.....	154	7½	¼	.....	.....	¼	299
Returned to claimants by order of court .	9½	.....	.....	.....	.....	.....	193
Delivered to sheriff by order of court	134½	7½	¼	.....	.....	.....	.....
Libel not expired.....	10½	.....	.....	.....	.....	.....	.....
Spilled by order of court.....	.....	.....	.....	.....	.....	¼	106
Seized from known persons	78½	.....	¼	.....	.....	¼	.....
Seized from freight and express	75½	.....	.....	.....	.....	.....	54
Claims filed.....							7
Claims allowed.....							7

Cases Begun in Bath Municipal Court and Disposal of Same, April 13 to December, 1906.

Search and seizure,			11
Discharged,		6	
Convicted,		5	
		<hr/>	
			11
Sentence fine,	2		
Committed,	1		
Appealed,	1		
defaulted at Aug. Term S. J. C.			
Sentence fine and jail,	3		
	<hr/>		
		5	
Committed,	1		
Appealed to Dec. Term S. J. C.,	2		
Seizure,			10
Discharged,		7	
Convicted,		3	
		<hr/>	
			10
Sentence fine and jail,	2		
Committed,	1		
Appealed to Dec. Term, S. J. C.,	1		
Illegal possession,			2
Convicted,		2	
Sentence fine,	2		
Appealed and defaulted at Aug. Term, S. J. C.,	2		
Illegal transportation,			1
Convicted, sentence fine, committed,		1	
Obtaining orders,			1
Convicted, fine paid,		1	
Nuisance warrants,			3
Discharged,		1	
Held for grand jury, August Term,		1	
Indicted, not apprehended, left State,	1		
Held for grand jury, December Term,		1	

Cases Begun Before Trial Justice, Richmond.

Search and seizure,			2
Convicted, sentence fine and jail, appealed,		2	
Demurred at Aug. Term S. J. C. and went to law court.			
Nuisance,			1
Held for Aug. Term, indicted, sentence 6 months in jail, demurred and went to law court,		1	

KNOX COUNTY.

The Commission began to act in this county April 19, 1906.

Sheriff Tolman, shortly after the appointment of the Commissioners, stated to one of them that he should enforce the law. During the summer he kept making seizures of liquor arriving by rail and boat. A few search warrants were taken out but nothing was found in Rockland. During April, May and July a number of searches were made in Camden and other places. Two only were successful, and one was a seizure of malt extract from a firm of grocers, who pleaded guilty and paid a fine. Having received complaints from Rockland and especially Camden, in November, 1905, the Commission sent one of the deputies to investigate. The Commissioners paid themselves the expenses and travel of the deputy. Liquor was purchased in a number of places in Camden and Rockland, but it was sold carefully to a stranger. One of the Commission then saw the sheriff in the early part of December and gave him the information we had obtained about specific places and the method of sale. No searches were made by the sheriff. After December 1 the sheriff practically gave up seizing liquors. In January one warrant only was sworn out, and none thereafter. January 18, 1906, one of the Commissioners met him by appointment, informed him that the Commission was not satisfied with conditions: he had made no use of the information given and was apparently giving up all efforts and the conditions according to information given us was growing worse; the sheriff said that the county commissioners objected to his making much expense to the county and he was inclined to believe the deputies should come in; the fact that this would mean more expense to the county than less was explained to him; the sheriff also thought that if the deputies came in for a month or so and cleaned up things he could then attend to it; he was advised that the only proper course was for him and his own officers to enforce the law and that the Commission was not satisfied with the situation as it was.

The sheriff after this did nothing to enforce the law. February 23 the Commission voted to appoint William J. Caddy of St. George deputy, the appointment in writing being made April 16. We were unable to obtain other local men until the last of March, when Walter J. Fernald and Albert H. Newbert consented to serve and were appointed April 16. From the middle of March until the deputies began work liquor was brought in in large quantities and there was no effort whatever to enforce the law.

The entrance into Sagadahoc County the week before had an immediate effect in Rockland and Camden and the stock of liquors was cleaned out from many places. We determined, however, as we were prepared to begin work in Knox County, to do so at once. Mr. Ayer, Pare, Page, Stackpole, Dunbar, Caddy, Fernald and Newbert made searches April 19. They were unsuccessful.

Mr. Caddy, Dunbar, Fernald and Newbert have worked continuously in the county until December 31.

Summaries of liquors seized and of the disposal of cases begun in the Municipal Court of Rockland and before C. E. Meservey, trial justice, and at the September Term of the Supreme Court follow.

Liquors Seized, April 19 to December 1, 1906.

	Whiskey.	Rum.	Gin.	Brandy.	Alcohol.	Wine.	Beer.
Gallons seized	556 $\frac{1}{2}$	1071 $\frac{1}{16}$	44 $\frac{1}{2}$	12 $\frac{1}{2}$	$\frac{1}{2}$	118 $\frac{1}{2}$	223 $\frac{3}{4}$
Returned to claimants by order of court	253 $\frac{3}{4}$	12 $\frac{1}{2}$	35 $\frac{1}{4}$	6	$\frac{1}{4}$	39	64 $\frac{1}{2}$
Delivered to sheriff by order of court...	302 $\frac{3}{8}$	95 $\frac{3}{16}$	9 $\frac{1}{4}$	6 $\frac{1}{2}$	$\frac{1}{4}$	.....	.....
Spilled by order of court .....	.....	.....	.....	.....	.....	79 $\frac{1}{2}$	159 $\frac{1}{4}$
Seized from known persons	83 $\frac{1}{2}$	43 $\frac{3}{16}$	37 $\frac{1}{2}$	5 $\frac{1}{2}$	$\frac{1}{4}$	49 $\frac{1}{4}$	50 $\frac{1}{4}$
Seized from freight and express.....	472 $\frac{3}{8}$	64 $\frac{1}{4}$	7	7	$\frac{1}{4}$	69 $\frac{1}{4}$	173 $\frac{1}{2}$

Municipal Court and Trial Justice Cases.

Warrants sworn out:		
Search and seizure,		113
Seizure,		59
Illegal transportation,		1
Nuisance,		11
Nuisance warrants,		
held for grand jury,	11	
Arrests made (two cases with two defendants each),		29
Discharged,	7	
Convictions,	22	
Sentence fine and jail,	22	
Appealed,	22	
Search and seizure warrants,		113
Nothing found,	85	
Seizures,	28	
Total seizures:		
On search and seizure warrants,	28	
On seizure warrants,	59	
		87

*Disposal of Enforcement Commission Cases at September Term of
Supreme Judicial Court, 1906.*

Cases presented to grand jury,		10
Indictment found,		2
Nuisance,		2
Continued,	1	
Tried, guilty,	1	
Sentence, 60 days in jail, com- mitted,	1	
Appealed cases entered,		25
Libels,		4
Decree of forfeiture below affirmed,	4	
Illegal transportation,		1
Nol prossed,	1	
Search and seizure,		20
		<hr/>
		25
Nol prossed,	3	
Motion to quash overruled, to law court on exceptions,	1	
Continued,	2	
Defaulted,	7	
Bail sued,	7	
Plead guilty,	7	
Continued,	1	
Sentence, fine, paid,	6	
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The Commission has not in the other eleven counties of the State undertaken to enforce the law, not being satisfied that the local authorities had failed to enforce within the meaning of the act. No complaint has been received from the counties of Aroostook and Hancock. Of the others we wish to comment upon the following:

FRANKLIN.

Deputies have made searches in Chisholm in this county and accordingly the county has sometimes been named with those in which the Commission has undertaken to enforce the law. This is an error. Chisholm is adjacent to Livermore Falls in Androscoggin County and we had reason to believe that certain liquor sellers in Livermore Falls kept liquor in places across the line. When searches were made at Livermore Falls, some of these places in Chisholm were searched. The reason for so doing was explained to Sheriff Coolidge of Franklin County, in order that he might understand the action taken.

Ten search and seizure warrants have been sworn out. In nine cases nothing was found. There was one conviction in which an appeal from a sentence of fine and imprisonment was taken to the Supreme Court, and the jury disagreed.

SOMERSET.

During the past summer the Commission received complaints of the conditions in several places in the county. One of the Commissioners conferred with Sheriff Smith, who stated that he believed the reports were exaggerated, that the conditions throughout the county were good and he was endeavoring to enforce the law. In August a deputy went to two of the towns in the county and found that two places commonly reported to be selling were selling and with little precaution. He also obtained information that the conditions in other places were bad. The sheriff was thereupon given full information as to the methods used in the two places visited and was told that conditions elsewhere were reported to be bad, and unless improved deputies would be sent into the county. The sheriff searched the two places and caught one. He has since that time apprehended other offenders.

YORK.

The Commission has not sent deputies into this county, although criticised for not doing so, being unanimously of the opinion that Sheriff Athorne was honestly and efficiently endeavoring to enforce the law. The Commission has had various conferences with the sheriff both with reference to specific complaints and to conditions generally in the county. Every complaint brought to his attention by the Commission has been followed up to the satisfaction of the Commission and successful searches have been made. We have found in almost every instance that he had also received complaints and was making plans for raiding the same places. He has made repeated and successful

searches in Biddeford, Old Orchard, Sanford and other places. Upon reliable information we have believed that the statements as to conditions in Biddeford were exaggerated, and that liquor was sold under difficulties and with apprehension of being searched at any time by the sheriff.

WALDO COUNTY.

During the summer of 1905 there were complaints about the conditions in Belfast, and the Commission was criticised for not sending the deputies there. We investigated and found that Sheriff Carleton was making repeated and successful raids upon apparently defiant liquor sellers. He frankly explained his intentions and plans, that he was earnestly striving to enforce, so far as he could, the laws and was obtaining cases against violators. Not only in the case of Belfast but also in other places in the county he was making searches and in several instances the Commission furnished him information it had received. We believed that the sheriff was doing all that we could do, was doing his best and that we were not authorized under the circumstances to intervene. We awaited, as did Sheriff Carleton, the September Term of the Supreme Court. At the April Term John A. Warren, who had been employed by Fred Staples, had been sentenced to 60 days in jail and committed. Staples, L. L. Gentner and W. S. Edminster had carried to the law court cases in which they had been sentenced each to 60 days in jail, and during the summer the cases came back from the law court with decisions adverse to the defendants. Immediately on the convening of the court the persons named were arrested and brought into court. To these sentences 60 days more upon other cases were given each to Edminster and Gentner. Jesse E. Staples was sentenced upon a case 60 days and John Avery 30 days. Avery had been in the employ of Edminster. They were all committed.

The effect was striking and instantaneous, employers as well as employees were in jail, and Sheriff Carleton had at last the situation under control.

At the January Term, 1906, in addition to fines imposed on them, John Wood, who had been in the employ of Gentner, was sentenced to 30 days, Jesse E. Staples to 60 days, James J. Mellen to 60 days, L. L. Gentner 60 days, Fred M. Staples 3 months, and W. S. Edminster to 13 months. Edminster carried his cases to the law court and after adverse decisions was committed in September.

The sheriff has not abated his efforts in the least and has throughout the county kept after the liquor sellers. He has explained to us the various difficulties to be met in various parts of the county and he has met them in a way satisfactory to the Commission and whenever we could assist him with information we have done so.

After September, 1905, the efforts of the sheriff were understood and recognized and there has been no more criticism of the Commission for not entering Waldo County. A good illustration has been furnished of the effect of landing liquor sellers in jail.

PENOBSCOT.

The Commission has been most criticised for not sending deputies into Penobscot County and especially into Bangor, and has been accused of "playing politics" and animated by a desire to promote the interests of one party, although composed of members of two parties. The Commission has been unanimously of the opinion that Sheriff Gilman and his deputies were honestly endeavoring to enforce the law, were active in obtaining evidence and instituting cases and were accomplishing under the circumstances all that enforcement deputies could accomplish. While it is always possible that the Commission may have been deceived, yet in no instance has it hesitated to act when in its judgment the necessities of the case required such action. But it has also been ready to support officials who were, as it believed, doing their duty, in order that injustice should not be done them. If the course of the Commission is in this case justified, it will call the attention of the public sharply to the practical limitations of the efforts of any sheriff's office in stopping the sale of liquor.

Immediately after the appointment of the Commission Sheriff Gilman stated to us that he should enforce the law in accordance with his promise to Your Excellency, that he had on the question of expense the full support of the county commissioners, and that he should have always a force of three special deputies in Bangor, and, except in winter, four. This force has been maintained.

We have endeavored in every way to keep informed both as to conditions and the work of the deputies. During April, May and June, 1905, conditions were good in Bangor. There had been continuous searching and seizing and offenders had been caught; some places had closed up. But after the adjournment of the Supreme Court in August, liquor sellers became bolder and places began to be opened up again, and at no time since have conditions been as good as in the three months named. But the efforts of the sheriff and the deputies did not abate or change. The press contained but little reference to the work of the sheriff except in the way of criticism. We knew there were repeated seizures and searches; unsuccessful attempts to obtain the evidence against offenders would be at last followed by success; the deputies were meeting the same difficulties that all officers do when known.

In November, 1905, a deputy was sent into Bangor to investigate, the Commission paying themselves a part of the expense. There was pocket peddling in some saloons, in others sales from a bottle kept under the bar; in one place one of the persons in the room went out and brought back a bottle of beer; there was "uno" beer on draught; in most places there were loungers near the entrance.

We have made repeated inquiries as to conditions from those who could give information. We found reports differed, and that frequently general statements were made to us which the actual facts known to the persons making them would not justify.

In October, 1906, we again sent in part at the expense of the Commissioners a deputy of experience to Bangor who spent several days in the place. He found many places where liquor could be bought, but precautions were used and while in his opinion officers that were unknown by getting into the saloons could have made seizures, that regular known officers would find the open evidences removed.

We have during the two years conferred a number of times with the sheriff, who gave us full information as to what he was doing and with what results. From all the evidence we could obtain we could not see that Sheriff Gilman was failing in his efforts to enforce the law.

But the records of the Municipal Court of Bangor throw light upon the amount of work done by the deputies. We obtained copies of the docket entries of that court in every seizure and search and seizure case from April 1, 1905, to the last part of November, 1906; also docket entries of the new cases at the August Term, 1905, and the February and August Terms, 1906, of the Supreme Court. We have grouped the various Municipal Court cases against the various defendants appearing therein and shown the disposal of such cases and whatever indictments were obtained in the Supreme Court in the terms subsequent to April, 1905, and how they were disposed of. Summaries of the results have been made. We trust these tabulations will be examined carefully, for it throws light on the conditions in Bangor and also on the whole question of enforcement.

We believe that Sheriff Gilman has honestly endeavored to apprehend liquor sellers and has apprehended them again and again; and he has collected a great deal of evidence and brought numerous offenders into court. But we also believe that the use of the evidence in the courts and the outcome of the cases, a matter beyond the control of the sheriff, has been such that runsellers believed they could sell without much danger of imprisonment and as a result the traffic has been persistent and defiant. We also believe that in April, May and June, 1905, the liquor sellers feared the results of their cases and later did not, and the beginning of the change was in July, 1905, when in thirteen cases in the Bangor Municipal Court the sentence of fine and jail which had been appealed from was remitted to fine and paid.

We have been advised to enter Bangor "if only to please the people." We do not believe the people wish to be pleased that way. They want the facts and we have used our honest judgment on the facts as we believed them to exist.

DISPOSITION OF CONVICTIONS IN LIQUOR CASES IN BANGOR MUNICIPAL COURT.

From April 1, 1905, to August Term of Supreme Judicial Court, 1905.

Total cases,		42
Single sale,		1
Sentence, fine, paid,	1	
Illegal transportation,		2
Sentence, fine, paid,	1	
Sentence, fine, appealed, not on docket of August term,	1	
	<hr style="width: 50px; margin-left: auto; margin-right: 0;"/>	
	2	
Illegal possession,		3
Sentence, fine, paid,	2	
Sentence, fine and jail, appealed, defaulted and warrant issued,	1	
	<hr style="width: 50px; margin-left: auto; margin-right: 0;"/>	
	3	
Search and seizure,		36
		<hr style="width: 50px; margin-left: auto; margin-right: 0;"/>
		42
Sentence, fine, paid,	4	
Sentence, fine and jail, but later remitted to fine and paid July 10 (1), July 14 (1), July 15 (1), July 24 (1), July 27 (1), Aug. 1 (1), Aug. 3 (3), Aug. 7 (2), Aug. 8 (2),	13	
Sentence, jail, committed,	2	
Sentence, fine, appealed,	3	
Sentence, fine and jail, appealed,	14	
	<hr style="width: 50px; margin-left: auto; margin-right: 0;"/>	
	36	

DISPOSITION OF THESE APPEALED CASES IN SUPREME JUDICIAL COURT.

Fine appealed,		3
Nol prossed,	1	
Defaulted and continued,	1	
Sentence below affirmed, fine paid,	1	
	<hr style="width: 50px; margin-left: auto; margin-right: 0;"/>	
	3	
Fine and jail appealed,		14
Nol prossed,	2	
Plead guilty and case put on special docket,	2	
Defaulted and warrants issued,	3	
Defaulted, sentence below affirmed and warrants issued,	4	
Committed,	3	
	<hr style="width: 50px; margin-left: auto; margin-right: 0;"/>	
	14	

From August Term, 1905, to February Term, 1906.

Total cases,		44
Single sale,		1
Sentence fine and jail, appealed, defaulted and warrant issued,	1	
Illegal transportation,		2
Sentence, fine, paid,	1	
Discharged on payment of costs,	1	
	<hr/>	2
Illegal possession,		5
Sentence, fine, paid,	3	
Sentence, fine, appealed, nol pros,	1	
Discharged on payment of costs,	1	
	<hr/>	5
Search and seizure,		36
		<hr/>
		44
Sentence, fine, paid,	26	
Sentence, jail, committed,	2	
Sentence, fine, appealed,	4	
Sentence, jail and fine, appealed,	4	
	<hr/>	36

DISPOSITION OF THESE APPEALED CASES IN SUPREME JUDICIAL COURT.

Fine appealed,		4
Placed on special docket,	1	
Paid,	1	
Nol pros,	2	
	<hr/>	4
Fine and jail appealed,		4
Sentence changed to fine and paid,	2	
Placed on special docket,	1	
Defaulted and warrant issued,	1	
	<hr/>	4

From February Term, 1906, to August Term, 1906.

Total cases,		62
Single sale,		2
Sentence fine and paid,	2	
Illegal transportation,		2
Sentence, fine, appealed, continued,	1	
Sentence, fine and jail, appealed, nol pros,	1	
	<hr/>	2

Illegal possession,		3
Sentence, fine, appealed, continued,	2	
Sentence, fine and jail, appealed, warrant issued,	1	
	<hr/>	3
Search and seizure,		55
		<hr/>
		62
Continued for sentence,	2	
Discharged on payment of costs,	2	
Sentence, fine, paid,	29	
Sentence, fine and jail, committed,	2	
Sentence, fine, appealed,	5	
Sentence, fine and jail, appealed,	15	
	<hr/>	55

DISPOSITION OF THESE APPEALED CASES IN SUPREME JUDICIAL COURT.

Fine appealed,		5
Continued,	3	
Defaulted, sentence affirmed and warrant issued,	2	
	<hr/>	5
Fine and jail appealed,		15
Not entered on docket,	1	
Nol pros,	3	
Continued,	10	
Defaulted and warrant issued,	1	
	<hr/>	15

From August Term, 1906, to November 24, 1906.

Total cases,		28
Illegal possession,		2
Sentence, fine, paid,	1	
Discharged on payment of costs,	1	
	<hr/>	2
Illegal transportation,		2
Sentence, fine, paid,	2	
Search and seizure,		24
		<hr/>
		28
Continued for sentence,	1	
Sentence, fine, paid,	15	

Sentence, fine, appealed,	2
Sentence, fine and jail, appealed,	6
	<hr/>
	24

At the August Term, 1905, and February and August Terms, 1906, of the Supreme Judicial Court, the following indictments were found against defendants in the preceding cases and were disposed of as follows:

Single sale,		2
Continued,	I	
Entered on docket,	I	
	<hr/>	
		2
Nuisance and liquor nuisance,		86
Committed,	3	
Sentence fine and paid,	14	
Nol prossed,	18	
Plead guilty or nolo contendere and placed on special docket,	10	
Warrants issued or defendants defaulted and warrants issued,	22	
Continued,	6	
Entered on docket,	10	
Tried, acquitted,	I	
Plead nolo contendere and filed,	I	
Sentence fine (in case of defendant already committed),	I	
	<hr/>	
		86

BANGOR CASES.

Andrew T. Barry.

1906, Mar. 26, May 17, July 9, Oct. 16, searched. Nothing found.

1906, Nov. 15, search and seizure. Plea guilty. \$100 and costs. Paid.

Edgar Bailey.

1905, July 8, search and seizure. Plea guilty. \$100 and costs, and in default 60 days add. Appealed.

S. J. C., 1905, Aug. Term. Prin. and bail defaulted. Judgment below affirmed. Fine and costs paid.

T. J. Beartram.

1905, May 5, liquors seized. Nol prossed.

James P. Beck.

1905, Nov. 10, illegal possession. Plea nolo con. \$100 and costs. Paid.

1905, Nov. 24, Dec. 18, 28, Jan. 13, 26, Feb. 14, searched and nothing found.

S. J. C., 1906, Feb. T., indicted for nuisance. Aug. T., capias issued.

S. J. C., 1906, Aug. T., indicted for nuisance. Aug. T., capias issued.

Henry Bowman.

1905, Apr. 22, searched, nothing found.

1905, June 10, search and seizure. Liquors seized. Plea guilty. \$100 and costs and 30 days and 30 days add. Appealed.

S. J. C., 1905, Aug. T., prin. and bail defaulted. Judgment below affirmed. Aug. 23, warrant issued.

1905, S. J. C., Aug. T., indicted with Hugh Jameson for liquor nuisance. Plea guilty. \$200 and costs. Paid.

S. J. C., 1905, Aug. T., indicted for nuisance. 1906, Feb. T., plea guilty and carried to special docket.

1905, Aug. 4, 5, 12, searched. Nothing found.

Frank Brown.

1905, Apr. 20, searched, liquor found, guilty. \$100 and costs and 60 days and 60 days add. Appealed.

1905, Apr. 28, same.

S. J. C., Aug. T., 1905, on appeal one of these cases defend. defaulted. Sentence below affirmed and defend. committed. The other case was continued and nol prossed, Feb. T., 1906.

1906, Feb. 7, searched and nothing found.

1906, Mar. 3, searched and liquor found. Discharged.

1906, Mar. 8, searched and liquor found. Guilty. \$100 and costs and 60 days and 60 days add. Mar. 10, committed.

1906, Mar. 13, searched, liquor found. \$100 and costs and 60 days and 60 days add. Appealed.

S. J. C., Aug. T., 1906, one appealed case. Bonds in \$500 given to appear Feb. T., 1907.

Robert Brown.

1906, Feb. 14, searched, liquors found. Nol pros. Costs, \$7.15, paid

Michael J. Buckley.

1905, May 22, June 16, July 17, Oct. 13, Dec. 5, 1906, Jan. 4, Feb. 7, searched and nothing found.

1906, Mar. 8, searched and liquors found. \$100 and costs. Paid.

1906, Mar. 24, May 3, July 11, Oct. 17, searched and nothing found.

S. J. C., Aug. T., 1906, not indicted.

Noah E. Bunker.

1905, Dec. 19, illegal transportation. Guilty. \$50 and costs. Paid.

Christopher Burke.

1905, Nov. 6, searched and liquors seized. Nol pros.

1905, Oct. 30, Nov. 10, searched and nothing found.

John E. Burke.

1905, Nov. 27, search and seizure. Guilty. \$100 and costs. Paid.

S. J. C., Feb. T., 1906, indicted for liquor nuisance. Nol pros.

John T. Burke.

1905, May 9, search and seizure. Guilty. \$100 and costs and 60 days and 60 days add. Appealed. Aug. 1, appeal withdrawn, all sentence remitted except fine and costs. Paid and discharged.

S. J. C., Aug. T., 1905, not indicted.

1905, Sept. 12, 18, Oct. 19, Dec. 30, 1906, Apr. 19, May 17, July 21, Sept. 10, searched and nothing found.

1906, Sept. 15, search and seizure. Discharged.

S. J. C., Feb. T., indicted for liquor nuisance. Nol pros.

Mark E. Burke.

1906, Jan. 8, search and seizure from person. Guilty. \$100 and costs. Appealed. Feb. 5, appeal withdrawn and paid.

S. J. C., 1906, Feb. T., indicted for liquor nuisance. Continued. Aug. T., nol pros.

Patrick Burke.

1905, Oct. 17, search and seizure. Discharged.

1906, Mar. 15 (twice), May 2, April 21, May 12, June 25, 28, Aug. 3, 15, 28, searched and nothing found.

1906, Oct. 2, search and seizure. Guilty. \$100 and costs. Paid.

1906, Oct. 3, 20, searched and nothing found.

Harold S. Burrill.

1906, July 6, search and seizure. Nol pros.

Thomas Butler.

1905, May 4, search and seizure. Nol pros.

1906, Mar. 20, search and seizure. Discharged.

Robert Carlson.

1905, Aug. 4, search and seizure. Nol pros.

Robert Cassidy.

1905, May 22, seizure warrant. Discharged.

Victor Chaison, "Aroostook House."

1905, Apr. 10, search and seizure. Guilty. \$100 and costs and 60 days and 60 days add. Aug. 3, appeal withdrawn. All of sentence remitted except fine and costs. Paid and discharged.

1905, Aug. 7, Sept. 25, Oct. 30, Nov. 17, Dec. 15, 28; 1906, Jan. 16, Feb. 8, Mar. 7, Apr. 6, 18, May 2, 21, June 6, July 9, 26, Aug. 15, 27, Oct. 17, Nov. 5, 15, searched and nothing found.

1905, Oct. 9, search and seizure. Guilty. \$100 and costs. Paid.
 1905, Nov. 24, same.
 1906, Jan. 31, same.
 1906, Mar. 24, same.
 1906, Mar. 30, same.
 1906, June 25, same.
 1906, June 25, nuisance. Bound over in \$1,000 to grand jury.
 1906, Aug. 7, search and seizure. Guilty. \$100 and costs. Paid.
 1906, Sept. 17, same.
 S. J. C., Aug. T., 1905, not indicted.
 S. J. C., Feb. T., indicted for liquor nuisance.
 S. J. C., Aug. T., indicted for liquor nuisance, *capias* issued.

William F. Chaplin.

1905, June 15, search and seizure. Guilty. \$100 and costs and 60 days and 60 days additional. Appealed.
 S. J. C., Aug. T., 1905, *prin.* and bail defaulted. Aug. 23, warrant issued.

Aug. T., indicted for liquor nuisance.

1906, May 2, search and seizure. Guilty. \$100 and costs. Paid.
 S. J. C., Aug. T., 1906, not indicted.

1906, May 22, June 1, 13, July 3, Aug. 3, 8, Sept. 20, Oct. 18, Nov. 10, searched and nothing found.

Charles Chipman.

1905, Apr. 25, search and seizure. Guilty. \$100 and costs and 60 days and 60 days add. Committed.

Daniel H. Clement (Hampden House).

1905, June 22, search and seizure. Guilty. \$100 and costs and 60 days and 60 days additional. Appealed. Aug. 8, appeal withdrawn, all of sentence except fine and costs remitted. Fine and costs paid. Discharged.

S. J. C., Aug. T., 1905, indicted for nuisance. Feb. T., 1906, plea guilty. Carried to special docket.

1906, Apr. 13, search and seizure. Guilty. \$100 and costs. Paid.

1906, Sept. 8, same.

1906, Sept. 17, search and seizure. *Nol pros.*

S. J. C., 1906, Aug. T., not indicted.

1905, Apr. 25, June 3, 28, Aug. 4, 1906, July 28, 30, searched and nothing found.

Alva A. Clewley.

1906, Sept. 13, search and seizure. \$100 and costs. Appealed.

1906, June 28, July 28, Sept. 28, searched and nothing found.

Jeremiah Clifford.

1905, July 18, search and seizure. Discharged.

1905, Sept. 29, 1906, Jan. 4, searched and nothing found.

Frank Cockran.

1905, May 4, search and seizure. *Nol pros.*

James Connors and Michael Dolly.

1905, May 22, search and seizure. *Nol pros.*

Winfield S. Costigan.

1905, Feb. 14, 20, 21; 1906, Apr. 19, June 8, Oct. 17, searched and nothing found.

1906, June 19, search and seizure. Discharged.

1906, June 28, search and seizure. Nol pros.

1906, June 28, illegal possession. Guilty. \$100 and costs or 60 days. Appealed.

S. J. C., 1906, Aug. T., indicted for nuisance. \$500 bond given for appearance at Feb. T., 1907.

Hugh D. Cox.

1906, Jan. 29, search and seizure. \$100 and costs. Paid.

1906, May 11, June 11, 18, 29, July 23, searched and nothing found.

S. J. C., 1906, Feb. and Aug. Terms, not indicted.

Mitchell Cowan.

1905, Dec. 13; 1906, Feb. 24, June 25, searched and nothing found.

1906, Sept. 21, search and seizure. Discharged.

James L. Cratty.

1905, Sept. 15, Dec. 6, 7, 12, 20; 1906, Feb. 7, 10, Mar. 9, 16, 21, searched and nothing found.

1906, Jan. 16, seizure warrant. Discharged.

1906, Mar. 21, search and seizure. Guilty. \$100 and costs. Paid

S. J. C., Aug. T., 1906, not indicted.

Joseph J. Crowe.

1905, Dec. 30, search and seizure. Nol pros.

1906, Apr. 18, search and seizure. Discharged.

S. J. C., Aug. T., 1905, indicted for liquor nuisance. \$100 and costs. Paid.

Richard D. Crowe.

1906, Jan. 1, illegal possession. Discharged.

S. J. C., Aug. T., indicted for liquor nuisance. \$100 and costs. Paid.

F. A. Curran.

1905, May 4, search and seizure. Nol pros.

Peter Curran.

1905, May 4, search and seizure. Nol pros.

Wilford Daigle.

1905, June 17, Aug. 29, Oct. 18, searched and nothing found.

1905, Oct. 4, search and seizure. Guilty. \$100 and costs and 60 days and 60 days add. Appealed. Nov. 28, appeal withdrawn, ordered to abide by sentence. Committed.

S. J. C., Feb. T., 1906, indicted for liquor nuisance. Aug. T., capias issued.

Fredk. W. Daley.

1906, Jan. 16, search and seizure. Nol pros.

Fred Dalton.

1905, Nov. 9, search and seizure. Guilty \$100 and costs and 60 days and 60 days add. Committed.

1906, Feb. T., S. J. C., indicted for liquor nuisance.

George Dalton.

1905, Aug 4, search and seizure. Nol pros.

Wm. J. Dalton.

1905, July 13, search and seizure. Guilty. \$100 and costs and in default 60 days. Paid.

1905, July 18, search and seizure. Guilty. \$100 and costs or 60 days. Paid.

1905, July 21, searched and nothing found.

John Dillon.

1906, June 15, search and seizure. Guilty. \$100 and costs and 60 days and 60 days add. Appealed.

S. J. C., Aug. T., 1906, gave bonds \$500 for appearance at Feb. T., 1907. *Cornelius Donovan.*

1906, June 23, search and seizure. Guilty. \$100 and costs. Paid.

1906, Apr 27, Aug. 1, searched and nothing found.

Irving Dinsmore.

1905, June 16, search and seizure. Guilty. \$100 and costs and 60 days and 60 days add. Appealed. July 15, appeal withdrawn, all of sentence remitted except fine and costs. Paid. Discharged.

1906, June 19, search and seizure. Nol pros.

1906, June 28, search and seizure. Guilty. \$100 and costs or 60 days. Appealed.

S. J. C., June T., app. entered. \$500 bonds for app. at Feb. T., 1907.

1905, July 27, Oct. 7, 13, Nov. 10; 1906, Mar. 30, May 11, May 2, June 21, 29, Sept. 15, Oct. 16, Nov. 7, searched and nothing found.

Lizzie Donovan.

1905, Oct. 25, illegal possession. Nol prossed.

1906, June 29, searched and nothing found.

1906, Sept. 27, search and seizure. Continued for sentence.

Arthur R. Drew.

1906, Jan. 20, searched and nothing found.

1906, Mar. 22, search and seizure. Guilty. \$100 and costs. Paid.

S. J. C., 1906, Aug. T., not indicted.

Frank W. Durgin.

1905, Dec. 13; 1906, Jan. 13, 17, Feb. 7, 20, March 22, July 2, Sept. 20, Oct. 12, searched and nothing found.

1905, July 6, search and seizure. Discharged.

Peter Duran.

1906, Apr. 9, search and seizure. Guilty. \$100 and costs and 60 days and 60 days additional. Appealed.

S. J. C., 1906, Aug. T. This appealed case not on docket.

Hugh Ellis.

1905, Aug. 12, illegal possession. Guilty. \$100 and costs or 60 days. Paid.

J. Emery.

1905, May 5, search and seizure. Nol prossed.

Andrew Erickson.

1905, Aug. 12, Sept. 25, Oct. 10, 23, Nov. 8, 15, 28, Dec. 9, 26; 1906, Jan. 10, 18, Mar. 24, Apr. 19, May 17, June 9, 19 (twice), July 3, Aug. 7, 15, Oct. 3, 20, searched and nothing found.

1906, May 17, search and seizure. Guilty. \$100 and costs. Paid.
S. J. C., Feb. T., 1906, indicted for nuisance. Aug. T., 1906, nol
prossed.

Edward M. Fahey.

1906, June 4, search and seizure. Discharged.

1906, Apr. 18, May 11, June 21, 29, July 23, Aug. 15, Oct. 1, searched
and nothing found.

Mary Ferguson and John Stone.

1906, Nov. 5, common nuisance. Held in \$1,000 for grand jury.
Mittimus issued.

Amos Fezette (Etna).

1905, Nov. 10; 1906, July 7, searched and nothing found.

1906, June 26, search and seizure. Guilty. \$100 and costs and 60
days and 60 days add. Appealed. Committed.

S. J. C., 1906, Aug. T., appeal entered. Prin. and bail defaulted.

Con.

John E. Fleming.

1906, Mar. 28, search and seizure. Guilty. \$100 and costs. App.

S. J. C., Aug. T., 1906, appeal entered. Bonds \$500 given for appear-
ance at Feb. T., 1907.

S. J. C., Aug. T., 1905, indicted for single sale.

Wm. T. Finnigan.

1905, Dec. 9, illegal possession. Nol prossed.

J. Edward Foley.

1905, Apr. 21, search and seizure. Guilty. \$100 and costs and 60
days and 60 days add. Appealed

S. J. C., July 28, search and seizure. Discharged.

1906, July 2, search and seizure. Guilty. \$100 and costs and 60
days and 60 days add. Appealed.

S. J. C., Aug. T., 1906, appeal entered. Nol pros.

1906, Aug. 1, search and seizure. Continued. Aug. 7, dismissed.

1905, July 28, Oct. 24, Dec. 4; 1906, Aug. 3, Oct. 4, searched and noth-
ing found.

Samuel J. Foster.

1906, Mar. 14, search and seizure. Discharged.

1906, Mar. 30, search and seizure. Discharged.

1906, June 18, search and seizure. Guilty. Continued. June 25,
\$100 and costs. Appealed.

1906, July 5, nuisance. Held in \$1,000 bonds for grand jury.

1906, July 5, search and seizure. \$100 and costs and 60 days and
60 days add. Appealed.

1906, Aug. 1, search and seizure. \$100 and costs and 60 days and 60
days add. Appealed.

1906, Aug. 3, search and seizure. Continued.

1906, Oct. 6, search and seizure. \$100 and costs and 60 and 60 days
add.

S. J. C., Aug. T., 1906, three appeal cases entered and indicted for
liquor nuisance, and on each case gave bond for appearance at Feb.
T., 1907.

1906, Feb. 14, Mar. 7, 12, 19, 24, 30, Apr. 4, 19, May 1, 22, 26, June 9, July 20, Aug. 8, 21, 24, Sept. 26, Oct. 17, Nov. 20, searched and nothing found.

Frank Frost.

1905, Nov. 27, search and seizure. \$100 and costs. Paid.

1905, Dec. 18, search and seizure. Discharged.

1905, Dec. 30, search and seizure. Nol prossed.

S. J. C., 1905, Aug. T., indicted for liquor nuisance.

S. J. C., 1906, Feb. T., indicted for liquor nuisance.

1905, Dec. 26; 1906, Feb. 7, Mar. 3, searched and nothing found.

John H. Gallagher.

1905, Apr. 15, search and seizure. Discharged.

1905, Dec. 15, search and seizure. \$100 and costs. Paid.

S. J. C., 1906, Feb. T., indicted for liquor nuisance.

1905, June 28, Sept. 12, Oct. 6, 7, Dec. 28; 1906, Jan. 20, Feb. 7, Mar. 15, 24, Apr. 19, June 29, July 21, Aug. 11, Sept. 14, Nov. 17, searched and nothing found.

Maurice Gallagher.

1905, May 31, search and seizure. Guilty. \$100 and costs and 60 days and 60 days add. Appealed. July 14, app. withdrawn, all of sentence remitted except fine and costs. Paid.

1905, Sept. 8, search and seizure, liquors seized.

1906, Apr. 9, search and seizure. \$100 and costs. Paid.

1906, July 5, same.

S. J. C., Aug. T., 1906, indicted for liquor nuisance. Nol pros.

1905, July 3, Sept. 11, Oct. 4, Nov. 4, 20, Dec. 13, 26; 1906, Jan. 16, 17, 23, Feb. 7, Mar. 2, 16, 30, Apr. 6, May 1, 16, 26, June 1, 13, 21, July 2, 18, 28, Aug. 15, 24, Sept. 24, Oct. 20, 31, Nov. 7, 20, searched and nothing found.

Frank Gallant (Gallant House).

1905, June 20, ill. poss. Guilty. \$100 and costs and 60 days and 60 days add. Appealed. July 24, app. withdrawn, all of sentence remitted except fine and costs. Paid.

1905, Aug. 17, search and seizure, nol prossed.

1905, Dec. 6, search and seizure. Discharged.

1906, Jan. 27, search and seizure. \$100 and costs. Appealed. Feb. 5, app. withdrawn. Fine and costs paid.

1906, Mar. 13, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed.

1906, Mar. 29, same.

1906, May 2, same.

1906, July 6, same.

1906, July 7, nuisance. Bound over in \$1,000 bonds for grand jury.

1906, Oct. 1, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed.

1906, Nov. 15, same.

S. J. C., 1905, Aug. T., indicted for liquor nuisance. Continued. Aug. T., 1906, capias issued.

S. J. C., 1906, Feb. 1., indicted for liquor nuisance. Aug. T., capias issued.

S. J. C., 1906, Aug. T., four appeal search and seizure cases entered and all continued. Indicted for liquor nuisance, con.

1905, June 7, Sept. 16, 25; 1906, Feb. 10, 14, Mar. 6, 10, 17, 24, 30, Apr. 10, 19, May 24, June 13, July 2, 8, Aug. 28, Sept. 24, Oct. 16, 23, Nov. 1, 19, searched and nothing found.

Geo. L. Gorman.

1905, Nov. 15, search and seizure. \$100 and costs. Paid.

1905, Dec. 22, search and seizure. \$100 and costs. Paid.

1905, Dec. 30, search and seizure. Nol prosed.

1906, Jan. 30, search and seizure. \$100 and costs. Paid.

1906, Feb. 26, search and seizure. \$100 and costs. Paid..

S. J. C., Aug. T., 1905, indicted for liquor nuisance. Feb. T., 1906, plead guilty. \$100 and costs. Paid.

1906, Feb. 1., indicted for liquor nuisance. Plea of guilty. Carried to special docket.

1905, Nov. 22; 1906, Feb. 7, searched and nothing found.

Wm. A. Gleason.

1906, Nov. 5, com. nuisance. Held in \$1,000 bond for grand jury. Committed.

Annie Golden.

1905, Oct. 7, search and seizure. \$100 and costs. Paid.

1906, Mar. 2, search and seizure. Nol pros.

S. J. C., 1906, Feb. T., indicted for liquor nuisance. Nol pros.

1905, Oct. 2, 20, Nov. 8, 18, Dec. 1, 23; 1906, Jan. 20, Feb. 14, Mar. 12, 26, Apr. 6, May 24, searched and found nothing.

Robert Goodwin.

1905, May 29, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed. Committed.

1905, June 23, searched, nothing found.

1906, Mar. 2, search and seizure. Nol pros.

E. Gosslyn.

1905, May 2, search and seizure. Nol pros.

Charles P. Green.

1905, Aug. 7, search and seizure. \$100 and costs. Appealed.

S. J. C., Aug. T., prin. and bail defaulted. Judgment below affirmed. Hold mittimus until further orders. All entries taken off. Con.

Indicted for liquor nuisance.

1905, Oct. 13, search and seizure. \$100 and costs. Appealed.

1906, Jan. 13, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed.

S. J. C., Feb. T., both appealed, search and seizure case entered. Judgment below affirmed and cases carried to special docket. Feb. T., indicted for liquor nuisance and nol pros.

1905, June 9, Oct. 30, Nov. 4, 21, Dec. 6; 1906, Mar. 12, Apr. 10, 18, May 2, 21, June 8, 13, searched and nothing found.

Roland Hall.

1905, May 5, search and seizure. Discharged.

Henry Haney.

1905, June 3, ill. transp. Plea nolo con. \$100 and costs. Paid.

Frank Haney.

1906, Nov. 15, search and seizure. \$100 and costs. Paid.

Frank Henry.

1905, Aug. 9, searched and nothing found.

Frank H. Henry.

1905, Dec. 26, searched and nothing found.

Henry Hayes.

1905, Apr. 14, ill. possession. \$100 and costs. Paid.

1905, June 1, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed.

1905, June 20, search and seizure. Nol pros.

1905, June 28, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed.

S. J. C., Aug. T., 1905, two appealed search and seizure cases, on both prin. and bail defaulted, sentence of lower court affirmed and warrant issued.

1905, Dec. 13, search and seizure. Nol pros.

1905, Dec. 30, search and seizure. Nol pros.

1906, Feb. T., S. J. C., indicted for liquor nuisance. Aug. T., capias issued.

1905, July 14, 27, Sept. 15, 16, Dec. 2, searched and nothing found.

Catherine Hennessey.

1905, Apr. 22, single sale. \$50 and costs. Paid.

1905, Apr. 22, search and seizure. Nol pros.

1905, May 17, 21, Oct. 13, Nov. 28, Dec. 30; 1906, Mar. 17, May 24, Aug. 21, Oct. 25, searched and nothing found.

Lewis Hegwcn.

1905, Oct. 26, search and seizure. Discharged.

J. T. Helliher.

1905, May 4, search and seizure. Nol pros.

F. W. Huggins.

1905, May 5, search and seizure. Nol pros.

Mary Igo.

1905, Dec. 30, search and seizure. Nol pros.

1905, July 17, Aug. 23, 29, Sept. 15, Dec. 12; 1906, Jan. 4, Feb. 14, searched and nothing found.

Mary and Thomas P. Igo.

1906, Sept. 24, search and seizure. Nol prossed as to Mary. As to Thomas, \$100 and costs. Appealed.

1906, Nov. 8, search and seizure. Nothing found.

Thomas P. Igo.

1905, July 13, search and seizure. \$100 and costs and in default of payment 60 days. Fine paid.

1906, Mar. 13, search and seizure. \$100 and costs. Paid.

1906, July 9, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed.

S. J. C., 1906, Aug. T., on appeal, bond of \$500 given for app. at Feb. T., 1907.

1906, July 21, search and seizure. Discharged.

S. J. C., 1905, Aug. T., indicted for liquor nuisance. 1906, Aug. T., capias issued.

1906, Feb. T., indicted for liquor nuisance. Aug. T., bond \$500 given for app. at Feb. T., 1907.

1905, June 27; 1906, Apr. 19, June 15, Sept. 4, 14, 21, Nov. 8, searched and found nothing.

John M. James.

1906, July 10, ill. poss. Discharged.

Hugh Jameson.

1905, Apr. 22, searched, nothing found.

1905, June 15, search and seizure. Nol pros.

1905, S. J. C., Aug. T., indicted for liquor nuisance. Feb. T., 1906, plead guilty, \$50 and costs, paid. Aug. T., 1905, indicted with Henry Bowman for liquor nuisance. Feb. T., 1906, plead guilty.

John M. Jameson.

1905, June 15, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed. July 10, appeal withdrawn, all of sentence remitted except fine and costs. Paid.

1906, July 10, search and seizure. Nol pros.

1906, Sept. 21, search and seizure. Plea guilty. \$100 and costs. Paid.

1906, Sept. 22, search and seizure. \$100 and costs. Paid.

S. J. C., 1905, Aug. T., indicted for liquor nuisance. Feb. T., 1906, pleaded guilty and placed on special docket.

1905, Apr. 1, June 27; 1906, Mar. 15, 26, Apr. 9, 19, May 22, June 15, July 2, Aug. 3, 20, Sept. 1, 7, 17, Oct. 3, 8, 17, Nov. 1, 20, searched and nothing found.

Arthur Jenkins.

1906, Mar. 16, search and seizure. Nol pros.

S. J. C., 1905, Aug. T., indicted for liquor nuisance. Feb. T., plea guilty, 90 days in jail. Aug. 21, war. issued.

1906, Feb. T., indicted for liquor nuisance. Aug. T., capias issued.

Chris Johnson.

1905, July 20, search and seizure. \$100 and costs or 60 days. Mit. issued. July 21, appealed.

S. J. C., Aug. T., 1905, on appeal, judgment below affirmed. Affirmation off. Continued. Feb. T., 1906, nol pros.

S. J. C., Feb. T., 1906, indicted for liquor nuisance. Nol pros.

Joseph Johnson.

1905, May 22, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed.

S. J. C., Aug. T., 1905, on appeal. Judgment below affirmed. Committed.

Aug. T., 1905, indicted for liquor nuisance. Feb. T., 1906, plea guilty. \$100 and costs. Paid.

1906. Nov. 5, search and seizure. Continued to Nov. 6. Discharged.
Michael C. Kanally.

1905, Dec. 23, 26; 1906, Jan. 20, Mar. 10, 12, 13, 14, 24, May 26, June 13, July 21, Sept. 14, Oct. 3, 12, searched and nothing found.

1906, Nov. 5, search and seizure. \$100 and costs. Paid.
Patrick C. Kavanaugh.

1906, July 3, search and seizure. \$100 and costs. Paid.
Wm. H. Kelley.

1906, Mar. 10, search and seizure. \$100 and costs. Paid.

1906, Feb. 20, Mar. 17, search and nothing found.

S. J. C., Aug. T., indicted for liquor nuisance. Nol pros.
Cornelius Kirkpatrick.

1905, Oct. 16, search and seizure. Plea nolo con. \$100 and costs. Paid.

1905, Oct. 23, search and seizure. Plea nolo con. \$100 and costs. Paid.

1906, May 28, search and seizure. Discharged.

1905, July 17, Nov. 8; 1906, Jan. 13, Apr. 2, May 31, July 2, searched and nothing found.

S. J. C., 1906, Feb. T., indicted for keeping nuisance. Aug. T., prin. and sureties defaulted.

S. J. C., 1906, Aug. T., indicted for liquor nuisance. Capias issued.
Natl. W. Ladd.

1905, June 12, Dec. 23; 1906, Apr. 9, searched and nothing found.

1905, Dec. 14, search and seizure. \$100 and costs. Appealed.

S. J. C., Feb. T., 1906, on appeal. Plea guilty. Fine and costs paid. Aug. T., 1905, indicted for liquor nuisance. Feb. T., 1906, nol pros. Feb. T., indicted for liquor nuisance. Tried. Acquitted.

Peter Larsen.

1905, Nov. 23, search and seizure. \$100 and costs. Paid.

1906, Mar. 26, search and seizure. Discharged.

1906, June 19, search and seizure. \$100 and costs and 60 days and 60 days add. Mittimus issued. Appealed. App. withdrawn, ordered to abide by sentence. Committed.

1906, Aug. 9, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed.

S. J. C., 1906, Feb. T., indicted for liquor nuisance. Plea guilty. Carried to special docket.

1906, Aug. T., indicted for liquor nuisance. Capias issued.

1905, Sept. 19, Oct. 25, Dec. 13; 1906, Jan. 4, Mar. 8, May 11, searched and nothing found.

Peter Lawson.

1905, Sept. 25, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed.

S. J. C., Feb. T., on appeal. Plea guilty. Sentence \$100 fine and costs. Paid.

Adolphus Lamore.

1905, Apr. 10, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed.

1905, Apr. 26, search and seizure. Same sentence. Mittimus issued. Appealed.

S. J. C., Aug. T., 1905, on one of the appealed cases, pleaded guilty. Sentence \$100 and costs and 60 days and 60 days add. Committed. Other case, plea guilty. Continued. Feb. T., 1906, placed on special docket.

1905, Nov. 25; 1906, Jan. 27, Mar. 14, Aug. 28, Sept. 20, searched and found nothing.

Joseph K. Lamb.

1905, June 12, search and seizure. \$100 and costs and 60 days and 60 days add. Aug. 7, app. withdrawn, all of sentence remitted except fine and costs. Paid.

S. J. C., 1905, Aug. T., indicted for liquor nuisance. Feb. T., 1906, placed on special docket.

1905, May 9, 24, July 10, 13, searched and nothing found.

Frank Largay (Waverley House).

1905, Dec. 28; 1906, Jan. 20, Feb. 7, Mar. 19, 31, May 22, July 23, Sept. 14, Oct. 12, 16, Nov. 1, searched and found nothing.

1906, July 26, search and seizure. \$100 and costs. Paid.

1906, Aug. 28, search and seizure. \$100 and costs. Appealed.

1906, Sept. 13, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed.

Sullivan Leavitt.

1906, Oct. 19, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed.

James J. McCann.

1905, June 29, search and seizure. \$100 and costs. Paid.

1905, Oct. 25, search and seizure. \$100 and costs. Paid.

1905, Nov. 20, search and seizure. Same.

1906, Mar. 17, ill. possession. Nol prossed on payment of costs.

1906, June 2, search and seizure. \$100 and costs. Paid.

S. J. C., 1906, Feb. T., indicted for liquor nuisance. Plea guilty. \$100 and costs. Paid.

1905, Aug. 7; 1906, Feb. 7, Mar. 24, May 7, July 10, Aug. 15, Sept. 17, searched and nothing found.

Thomas McCann.

1906, Apr. 22, illegal transportation. \$100 and costs. Appealed.

S. J. C., 1906, Aug. T., con.

Daniel H. McCann.

1906, Oct. 22, search and seizure. Nol pros.

Henry J. McCarty.

1905, Dec. 30, search and seizure. Nol pros.

S. J. C., Aug. T., 1905, indicted for liquor nuisance. Feb. T., 1906, plea nolo con. \$100 and costs. Paid. 1906, Feb. T., indicted for liquor nuisance. Plea nolo con. Placed on special docket.

John J. McCarty.

1905, Apr. 21, illegal transportation. \$50 and costs. Appealed.

1906, S. J. C., Aug. T., appeal not on docket.

Thomas H. McCarty.

1906, July 20, illegal transportation. \$50 and costs and 60 days. Appealed.

S. J. C., 1906, Aug. T., on appeal, \$500 bond given for app. at Feb. T., 1907.

Daniel J. McDonald (Eagle Hotel).

1905, June 26, Nov. 15; 1906, Mar. 15, 16, July 18, Oct. 3, 10, 16, Nov. 3, searched and nothing found.

1906, Aug. 7, search and seizure. \$100 and costs. Paid.

Reginald McDougal (Globe Hotel).

1905, Dec. 4, illegal possession. \$100 and costs. Paid.

1905, Dec. 27, search and seizure. Discharged.

1906, Mar. 19, search and seizure. \$100 and costs. Paid.

1905, Dec. 26; 1906, Jan. 20, Feb. 10, Mar. 3, 8, 29, 5, searched and nothing found.

John T. McGuire (Hotel Royal).

1905, Oct. 7, search and seizure. \$100 and costs. Costs paid.

1906, June 4, search and seizure. Nol prossed.

S. J. C., 1906, Feb. T., indicted for liquor nuisance. Pleaded guilty. \$100 and costs. Paid.

1905, Oct. 21, Nov. 16, Dec. 7, 13, 23; 1906, Jan. 10, Feb. 14, Mar. 10, 16, 30, Apr. 13, May 3, 4, July 26, Aug. 3, Sept. 14, Nov. 3, searched and found nothing.

Daniel J. McGuire.

1905, Dec. 18, search and seizure. \$100 and costs. Paid.

1905, Dec. 20; 1906, June 4, searched and nothing found.

S. J. C., 1906, Feb. T., indicted for liquor nuisance. Plea nolo con. \$100 and costs. Paid.

Dennis McGuire.

1905, Nov. 10, Dec. 12; 1906, Feb. 20, Mar. 26, 31, Apr. 13, July 2, 10, Aug. 11, Oct. 5, searched and nothing found.

1906, July 11, search and seizure. \$100 and costs. Paid.

1906, July 26, search and seizure. \$100 and costs. Paid.

William H. McGuire.

1905, June 10, search and seizure. Nol pros.

1905, June 5; 1906, Jan. 20, Mar. 26, Apr. 9, May 7, 11, June 4, Oct. 5, searched and nothing found.

Augustine A. McIntire.

1905, Nov. 8, search and seizure. \$100 and costs. Paid.

1906, Mar. 23, search and seizure. \$100 and costs. Paid.

S. J. C., 1906, Feb. T., indicted for liquor nuisance. Aug. T., 1906, prin. and bail defaulted. 1906, Aug. T., indicted for liquor nuisance. Capias issued.

1905, June 19, Dec. 6, 30; 1906, Feb. 2, Apr. 9, June 7, June 29, July 2, Sept. 15, Oct. 16, Nov. 16, searched and nothing found.

Martin McKinnon.

1905, May 19, illegal transportation. \$100 and costs. Paid.
Pope D. McKinnon (Globe Hotel).

1905, Sept. 25, Nov. 18, 28; 1906, Apr. 4, May 2, 16, 17, 31, June 4, 7, 29, July 23, 26, Aug. 7, 24, Sept. 7, Oct. 3, 18, Nov. 1, 7, 19, searched and nothing found.

1905, Dec. 4, illegal possession. Nol pros. on payment of costs.

1906, Apr. 18, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed.

S. J. C., 1906, Aug. T., on appeal, continued.

1906, Apr. 20, search and seizure. \$100 and costs. Paid.

1906, July 2, search and seizure. Nol pros.

1906, July 8, single sale. \$50 and costs. Paid.

1906, S. J. C., Feb. T., indicted for liquor nuisance. Continued. Capias issued. Aug. T., indicted for liquor nuisance. Capias issued.

George McMunn.

1905, June 20, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed. July 27, appeal withdrawn, all of sentence remitted except fine and costs. Paid.

1906, July 27, search and seizure. \$100 and costs. Paid.

1906, June 13, discharged.

S. J. C., 1905, Aug. T., indicted for liquor nuisance. Feb. T., 1906, plea nolo con. \$100 and costs. Paid. 1906, Feb. T., indicted for liquor nuisance.

1905, Sept. 10, 19; 1906, Jan. 4, 10, 13, 20, Mar. 7, 13, 23, May 17, June 26, Sept. 1, 28, Oct. 12, searched and nothing found.

Florence McNeil.

1905, Nov. 8, search and seizure. \$100 and costs. Paid.

1905, Dec. 28; 1906, Apr. 5, Oct. 20, searched and nothing found.

George McNelly.

1905, July 1, search and seizure. \$100 and costs and 60 days and 60 days additional. Appealed. Aug. 3, appeal withdrawn. All of sentence remitted except fine and costs. Paid.

1906, Sept. 16, searched and nothing found.

Peter Mogan.

1905, Apr. 11, Aug. 4, Oct. 2, 12, 30, Dec. 23; 1906, Jan. 26, Apr. 5, May 16, June 8, 13, July 12, 23, 28, Aug. 8, 13, 27, Sept. 8, 21, 27, Oct. 3, 9, 10, 16, 17, searched and nothing found.

1905, June 20, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed. Aug. 8, appeal withdrawn. All of sentence remitted except fine and costs. Paid.

S. J. C., 1905, Aug. T., indicted for liquor nuisance, and 1906 Feb. T. indictment filed.

1905, Nov. 24, search and seizure. \$100 and costs. Paid.

S. J. C., 1906, Feb. T., indicted for liquor nuisance. Plea nolo con. \$100 and costs. Paid.

1906, June 22, illegal possession. \$100 and costs and 60 days and 60 days add. Appealed.

1906, June 22, nuisance. Held in \$1,000 bonds for the grand jury.

1906, July 24, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed.

S. J. C., 1906, Aug. T., on two appealed cases. Prin. and bail defaulted. Judgment below affirmed. Sept. 1, warrants issued. Aug. T., 1906, indicted for liquor nuisance. Capias issued.

Fred G. Moon.

1906, Jan. 13, Feb. 20, Mar. 9, Apr. 12, May 23, Oct. 18, searched and nothing found.

1906, July 5, search and seizure. \$100 and costs. Paid.

1906, S. J. C., Aug. T., not indicted.

Charles W. Morse.

1905, Apr. 29, search and seizure. Discharged.

Arthur B. Nash.

1906, Sept. 24, illegal transportation. \$75 and costs. Paid.

Eugene Neal.

1906, Sept. 7, search and seizure. Continued for sentence. Costs, \$12.17. Paid.

William Newman.

1905, Apr. 29, nuisance. Held in \$1,000 bond for the grand jury.

1905, S. J. C., Aug. T., indicted for liquor nuisance. Plea nolo contendere. \$200 and costs and in default of payment within 10 days three months in jail to take effect on expiration of sentence in No. 113 and 300. (No. 113, \$100 and costs and 60 days; No. 300, three months to take effect on expiration of 113).

1906, Mar. 21, 26, 31, Apr. 9, Sept. 14, Oct. 8, 9, 10, searched and nothing found.

Patrick H. O'Donahue.

1906, Oct. 19, illegal possession. \$100 and costs. Paid.

Luke O'Toole.

1905, June 13, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed. Aug. 7, appeal withdrawn and all of sentence remitted except fine and costs. Paid.

1905, June 9, July 5, Aug. 18, searched and nothing found.

S. J. C., 1905, Aug. T., indicted for liquor nuisance. Aug. T., 1906, capias issued.

Alvin H. Perley.

1906, Oct. 12, nuisance. Held in \$1,000 bonds for the grand jury.

Asa R. Pickard.

1905, Oct. 24, illegal possession. \$100 and costs or 60 days. Appealed.

S. J. C., 1906, Feb. T., appeal entered. Aug. T., nol pros.

Frank Powers.

1905, Sept. 7, single sale. \$50 and costs and 30 days and 30 add. Appealed.

S. J. C., Feb. T., 1906, prin. and bail defaulted. Judgment below affirmed. Feb. 23, warrant issued.

Patrick Powers.

1905, May 15, seizure. \$100 and costs. Paid.

Edward A. Prout.

1905, Oct. 16, search and seizure. \$100 and costs. Paid.

1905, Oct. 25, search and seizure. \$100 and costs. Paid.

S. J. C., 1906, Feb. T., indicted for nuisance. Plea guilty. \$100 and costs. Paid. Aug. T., indicted for nuisance. Nol pros.

1905, July 13, Oct. 16, 25, Nov. 8, 10; 1906, Jan. 6, Apr. 2 (three times), July 3 (twice), search and nothing found.

Catherine Quirk.

1905, July 1, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed.

1905, July 14, same.

S. J. C., Aug. T., 1905, both cases entered. Prin. and bail defaulted. Aug. 23, warrant issued.

1905, Dec. 30, search and seizure. Nol pros.

1906, May 23, search and seizure. \$100 and costs and 60 days and 60 days additional. Appealed.

S. J. C., 1906, Aug. T., appeal entered. Prin. and bail defaulted. Judgment below affirmed. Sept. 1, warrant issued.

1906, Aug. 28, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed.

1905, July 6, Aug. 9; 1906, May 23, searched and nothing found.

Charles O. Ree.

1906, Oct. 16, illegal transportation. \$50 and costs. Paid.

A. H. Readman.

1906, Feb. 10, search and seizure. Nol pros.

S. I. Rosen.

1906, Oct. 2, illegal possession. Continued for sentence. Costs \$8.87 paid.

Jacob M. Ross.

1906, Jan. 27, search and seizure. \$100 and costs. Appealed.

S. J. C., Feb. T., 1906, on appeal, nol pros. for want of evidence.

John H. Russell.

1905, Nov. 6, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed.

1905, Dec. 30, search and seizure. Discharged.

1906, Feb. 1, search and seizure. \$100 and costs. Appealed. Feb. 2, appeal withdrawn. Paid.

S. J. C., Feb. T., 1906, on appeal. Plea guilty. \$100 and costs. Paid. Feb. T., indicted for liquor nuisance. Plea nolo con. \$100 and costs. Paid.

1906, May 22, search and seizure. \$100 and costs. Paid.

1906, May 23, search and seizure. Nol pros.

1906, July 2, search and seizure. \$100 and costs. Paid.

1906, July 2, nuisance. Held in \$1,000 bond for grand jury.

S. J. C., 1906, Aug. T., indicted for liquor nuisance. Capias issued.

1906, Sept. 30, search and seizure. Discharged.

1906, Oct. 3, search and seizure. \$100 and costs. Paid.

1905, Apr. 20, Sept. 19, 22, Oct. 12, Nov. 25, Dec. 16; 1906, Jan. 13, Feb. 14, Mar. 7, 24, Apr. 3, May 2, June 7, 23, 26, Aug. 2, Sept. 1, Oct. 12, 22, Nov. 3, searched and nothing found.

Charles Saindon.

1905, Apr. 17, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed.

S. J. C., Aug. T., 1905, on appeal prin. and sureties defaulted. Judgment below affirmed. Con. 1906, Feb. T., plea guilty. Placed on special docket. Aug. T., 1905, indicted for nuisance. 1906, Feb. T., plea nolo con. Put on special docket.

1906, June 2, search and seizure. \$100 and costs. Paid.

S. J. C., 1906, Aug. T., not indicted.

1905, May 22, July 28, Dec. 7; 1906, Mar. 21, 30, Apr. 17, June 23, July 10, July 16, Aug. 15, Oct. 8, searched and nothing found.

James F. Searway.

1905, June 19, nuisance. Held in \$1,000 bonds for grand jury.

S. J. C., Aug. T., 1905, indicted for nuisance. Tried. Guilty. Sentence 10 mos. in jail. Aug. 23, warrant issued. Aug. T., 1905, indicted for single sale. Plea not guilty. Aug. T., 1905, indicted for liquor nuisance. Plea not guilty. Feb. T., 1906, indicted for liquor nuisance.

1905, July 24, Aug. 9; 1906, July 5, searched, nothing found.

Sylvester Sevoy.

1905, July 17, search and seizure. Nol prossed.

S. J. C., Aug. T., indicted for nuisance.

Silva Shehan.

1906, Oct. 4, nuisance. Held in \$500 bonds for grand jury.

1906, Oct. 31, nuisance. Held in \$1,000 bonds for grand jury. Committed.

1906, Oct. 8, searched, nothing found.

Fred Soucie.

1905, Apr. 6, 28, May 22, Nov. 13, Dec. 20, searched and nothing found.

1905, July 17, search and seizure. Discharged.

1906, Aug. 15, search and seizure. \$100 and costs. Paid.

S. J. C., Aug. T., 1905, indicted for liquor nuisance. Plea guilty. Three mos. in jail. 1906, Feb. 24, warrant issued. Feb. T., 1906, indicted for liquor nuisance. Plea guilty. Carried to special docket.

John M. Sprague.

1905, Dec. 18, illegal transportation. Continued for sentence. Costs paid.

William T. Taylor.

1905, Nov. 15, search and seizure. Costs paid. Dismissed.

1906, S. J. C., Feb. T., indicted for liquor nuisance. Aug. T., capias issued.

Christopher Toole (St. James Hotel).

1905, Oct. 14, seizure.

1906, Mar. 17, search and seizure. \$100 and costs. Paid.

1906, Mar. 21, search and seizure. \$100 and costs. Paid.

1906, July 6, search and seizure. \$100 and costs. Paid.

1906, Oct. 10, search and seizure. \$100 and costs. Paid.

S. J. C., 1905, Aug. T., indicted for liquor nuisance. Feb. T., plea nolo con. \$200 and costs. Paid. 1906, Feb. T., indicted for liquor

nuisance. Aug. T., nol pros. Aug. T., 1906, indicted for nuisance. Capias issued.

1905, Apr. 6, Aug. 9, Dec. 13; 1906, Jan. 12, Mar. 3, 19, 30, Apr. 9, 14, 27, May 25, June 19, 20, July 20, 26, Aug. 10, 13, 15, 28, Sept. 18, 29, Oct. 3, 6, 26, 29, 31, Nov. 2, searched and nothing found.

Everett P. Washburn.

1905, June 12, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed.

1905, June 30, same.

S. J. C., Aug. T., 1905, both cases entered. Prin. and bail defaulted. Judgment below affirmed. Aug. 23, warrant issued. 1906, Feb. T., indicted for liquor nuisance. Nol pros.

1906, May 28, search and seizure. Nol pros.

1906, May 28, single sale. \$50 and costs. Paid.

1906, June 21, search and seizure. Discharged.

1905, May 1, July 27, Nov. 28, Dec. 20; 1906, Jan. 20, 29, Mar. 2, 15, 30, Apr. 27, June 21, July 23, Oct. 1, 15 searched and nothing found.

John B. Welch.

1905, July 20, search and seizure. Discharged.

Agnes White.

1906, Apr. 10, search and seizure. \$100 and costs. Appealed.

S. J. C., Aug. T., 1906. Prin. and bail defaulted. Judgment below affirmed. Sept. 1, warrant issued.

1906, May 5, searched and nothing found.

Edward D. White.

1905, Dec. 2, search and seizure. Nol pros.

Fred Wiley.

1906, July 5, search and seizure. Continued for sentence.

William A. Withee.

1905, Apr. 1, June 12, 23, July 21, Sept. 15, Nov. 10, 15, Dec. 7, 30; 1906, Feb. 10, Mar. 14, 30, Apr. 12, May 17, June 1, July 9, Aug. 28, Sept. 14, Oct. 12, searched and nothing found.

1906, June 25, search and seizure. Discharged.

1906, July 13, search and seizure. \$100 and costs and 60 days and 60 days add. Appealed.

S. J. C., Aug. T., 1906, on appeal, nol pros. 1905, Aug. T., indicted for nuisance. Feb. T., 1906, carried to special docket.

In Bangor alone there have been served from April 1, 1905, to the latter part of November, 1906, warrants where nothing was found as follows:

April, 1905	32
May, "	21
June, "	27
July, "	33
Aug., "	24
Sept., "	26
Oct., "	45
Nov., "	42
Dec., "	79

Jan., 1906	59
Feb., "	43
Mar., "	107
Apr., "	59
May, "	68
June, "	73
July, "	65
Aug., "	55
Sept., "	46
Oct., "	89
Nov., "	36

1029

In Penobscot County there were seized in 277 seizures from April 1, 1905, to January 1, 1906:

39 barrels of liquor containing more than 20% alcohol.
 4½ barrels of draught ale.
 ½ barrel of draught beer.
 10,291 bottles of beer.
 9,108 bottles of ale.

And from January 1, 1906, to January 1, 1907, in 423 seizures:

38 barrels of liquor containing more than 20% alcohol.
 1,099 gallons of draught ale.
 15,872 bottles of beer.
 10,719 bottles of ale.

EFFECT OF THE PENALTY IN PREVENTING LIQUOR SELLING.

We have found so much misunderstanding as to the penalties which can be legally imposed for violations of the prohibitory law, that it seems important to have the matter explained. We have received many inquiries as to the right of the courts to impose a fine only when the statute expressly provides for fine "and" imprisonment or fine "and in addition thereto" imprisonment. A review of legislation upon this point is of value.

By the Revised Statutes of 1883 the following penalties were provided:

Search and Seizure—(Chapter 27, Sec. 40.) First offense, fine "or" imprisonment; second offense, fine "and in addition thereto" imprisonment.

Single Sale—(Sec. 34.) First offense, fine "or" imprisonment; second offense, fine "and" imprisonment.

Drinking House and Tippling Shop—(Sec. 37.) First offense, fine "or" imprisonment; second offense, fine "and . . . in addition thereto," imprisonment.

Common Seller—(Sec. 35.) First offense, fine "or" imprisonment; second offense, fine "and . . . additional" imprisonment.

Illegal Transportation—(Sec. 31.) Fine.

Nuisance—(Chapter 17, Sec. 2.) Fine “or” imprisonment.

But although some of the penalties were fine “and” imprisonment they were governed by this provision in Sec. 1 of Chapter 135 of the Revised Statutes of 1883: “. . . When it is provided that he (a person convicted) shall be punished by imprisonment and fine or by imprisonment or fine he may be sentenced to either or both . . .” This provision had existed for many years, it appearing in slightly different language in Sec. 4 of Chapter 168 of the Revised Statutes of 1840 and in practically the same language in Sec. 1 of Chapter 135 of the Revised Statutes of 1857 and 1871.

The effect of this provision was to leave to the discretion of the court punishment of fine or imprisonment instead of both.

Apparently with this provision in mind the legislature made after 1883 changes in the penalties.

In 1887 (Chapter 140, Secs. 5-6-7) the punishment for first offenses were changed, in the case of single sale to fine “and in addition thereto” imprisonment, in case of common seller and drinking house and tipping shop to fine “and” imprisonment.

In 1891 (Chapter 132, Secs. 2-3-4) in the case of drinking house and tipping shop, illegal transportation and search and seizure, the punishment for every offense was made fine “and in addition thereto” imprisonment.

In 1891 therefore imprisonment was the specific penalty for conviction in cases of search and seizure, which are very important in enforcing the law, single sale, drinking house and tipping shop and illegal transportation, and the penalty was not left to the discretion of the court.

But in 1893 the effect of these changes was annulled not directly by amending the penalties but indirectly by amending Section 1 of Chapter 135. This bill was introduced:

“Sec. 1 of Chapter 135 of the Revised Statutes is hereby amended, by inserting after the words ‘imprisonment or fine’ in the sixth line of said section, ‘or by fine and in addition thereto imprisonment,’ so that said section shall read as follows: . . . ‘When it is provided that he shall be punished by imprisonment or fine or by imprisonment and fine or by fine and in addition thereto imprisonment, he may be sentenced to either or both.’”

It does not appear from the reports of the legislative proceedings published in the state paper that there was any debate upon the bill or any discussion of its broad effect. The bill appears to have taken practically a routine course and became Chapter 248 of the laws of that year. Accordingly it has been for thirteen years and is now wholly within the discretion of the court to impose fine or imprisonment, notwithstanding the express wording of the penalties.

The public generally in its discussion of enforcement has fixed attention upon the sheriff’s office. It is a matter of ready observation whether seizures and arrests are made and cases begun in some court. But little information has been obtained by the public as to the progress through the courts and ultimate disposition of the cases. The public ought to

have full information on this topic. Sec. 71 of Chap. 29 of the Revised Statutes provides: "The clerk of courts shall within thirty days after the adjournment of any superior or supreme judicial court publish in some newspaper of the county, the disposition of each appealed case and indictment for violation of the laws regulating the use and sale of intoxicating liquors." This provision was obviously intended to furnish to the public a complete list of the cases so that results as a total could be seen. But in only one of the five counties in which we have acted, Knox, was this provision complied with. It had in the others fallen into disuse. Attention of the clerks was called to it and it is believed the lists will now be published.

The importance of the sheriff's office is not to be underestimated. Unless an attempt is made to secure evidence, offenses go unpunished. Equally important is the county attorney. Bringing evidence into court does not without assistance obtain indictments and convictions or keep a case from a side track or the scrap heap. But when conviction has been obtained, it is the penalty, whether the purse only or the person of the liquor seller shall suffer, that is found to be the crucial point of prohibition. The liquor sellers themselves, as a general rule, admit that they will not continue to sell when being convicted is known to mean imprisonment, and that if enforcement is continuously maintained with imprisonment as the penalty for convictions, liquor selling will be confined to those who would break the law under any circumstances and have no fear of imprisonment. If liquor sellers can be assured that conviction means a fine only, they well understand that the practical result is a system of county license, which in the past has been in vogue in some counties in Maine, with the amount of the fee determined by the number of cases during the year obtained against each individual and the fee passing into the county treasury through the courts and not through a licensing board. It is claimed that juries will not convict when it is known that the penalty will be imprisonment. If that is the case, we shall then know that the people do not want liquor selling stopped, for in our judgment imprisonment is the only punishment that will keep liquor sellers reduced to a small criminal class.

DEPUTIES.

Twenty-three deputies were appointed by the Commission. They were:

Heber H. Allen.....	Jay.
George F. Ayer.....	Athens.
Maxime Beaulieu.....	Lewiston.
Almon S. Bisbee.....	South Portland.
William J. Caddy.....	St. George.
William J. Conway.....	Bath.
Charles F. Dunbar.....	Madison.
Walter J. Fernald.....	Rockland.
Roy E. French.....	Bath.
William R. Gifford.....	Skowhegan.
Austin B. Howard.....	Auburn.
Fred Lucas.....	St. Albans.
Albert H. Newbert.....	Rockland.
Frank L. Page.....	Augusta.
Benjamin O. Pare.....	Lewiston.
Eben A. Poor.....	Rumford Falls.
Obed F. Stackpole.....	Biddeford.
Ferdinand E. Stevens.....	Lewiston.
George W. Taylor.....	Rumford Falls.
James Tebbetts.....	Belgrade.
Benjamin F. Towne.....	Waterville.
James R. Tucker.....	South Paris.
Charles E. Varney.....	Mercer.

We desire to record our belief that these deputies have done their duty faithfully and well and to express our appreciation of services rendered under conditions at times exceedingly disagreeable. To them is due what has been accomplished in the attempt of the Commission to procure better enforcement of law. They have suffered abuse, and have been opposed directly by liquor sellers and indirectly by others in ways which cannot be pinned down and labeled but are oftentimes effective. They have found hostile grand juries and trial juries. They have worked both day and night when necessary and in all kinds of weather. And yet they were only seeking to enforce those laws which the people have enacted. Is not work of this kind entitled to some support and credit, not of course from the lawbreakers but at least from the citizens who made the laws?

WITHDRAWAL OF DEPUTIES.

On the 12th day of December, 1906, the Commission received from Governor William T. Cobb the following letter:

STATE OF MAINE.

EXECUTIVE DEPARTMENT,

AUGUSTA, December 11, 1906.

Waldo Pettengill, Norman L. Bassett and Alfred H. Lang, Enforcement Commissioners, Augusta, Maine:

GENTLEMEN:—Chapter 92 of the Public Laws of the State of Maine for the year 1905 is "An Act to provide for the better enforcement of the laws against the manufacture and sale of intoxicating liquors." This act is the so-called Sturgis Law and it created the Enforcement Commission. It also specifies the powers and duties of that Commission and states that the authority of the latter shall be exercised "with the advice and under the direction of the Governor."

Inasmuch as nothing in the act in question relieves the local officials of any responsibility assumed by them when they took their oath of office, it was hoped that its mere enactment by the Legislature would call the attention of such officials sharply to the fact that the people of the State resented both nullification of the prohibitory law and illegal local option. In some counties its enactment immediately corrected or lessened the abuses against which it was aimed; in others it produced no marked change.

Since the appointment and confirmation of the Commission in April, 1905, you have been satisfied that there has been no occasion to put the law in operation in any counties of the State except the following, namely, Androscoggin, Kennebec, Knox, Oxford and Sagadahoc, and in this opinion, with full knowledge of the facts, I have concurred. I believe, too, that the same reasons that first prompted you to exercise your authority in the above named counties exist today, and that your presence there now is altogether justifiable.

But on January 1, 1907, as a result of the September elections, every sheriff-elect must take his oath of office, and no one has any right to assume that such sheriff-elect will be faithless to the trust imposed upon him by the votes of a majority of the citizens of his county.

In three of the five counties now requiring your services new sheriffs have been elected. In all fairness to them, and in full accord with what I conceive to be the real purpose and spirit of the law, there can be no question but that you should withdraw from those counties January 1, 1907, in order that such sheriffs may have full opportunity to prove their intention and ability to enforce the laws.

In the two remaining counties the sheriffs have been re-elected, and it may be argued that there is no good reason for believing that they would change the course pursued by them at the time the Commission was created, and the course that logically and finally caused you to take

action in those counties. But in a sense they, too, are new officials. They at least take a new oath of office, and in view of the public attention heretofore focused upon the conditions prevailing there, it may not be expecting too much to believe or hope that if you withdraw from their counties also, they, too, will undertake after January 1, 1907, to enforce the prohibitory laws with vigor and determination. Surely no harm can come from affording to all sheriffs the same opportunity to begin the new year under precisely the same conditions.

I am convinced, therefore, that in all fairness to the officials in question, and out of regard for this particular law it is for the best interests of the State that you notify every deputy enforcement commissioner that his service will terminate December 31, 1906, and that his commission will be withdrawn. I advise and direct that this be done.

Beginning January 1, 1907, the sheriff in every county in Maine will be the master of his own opportunity, and it will be for him to demonstrate, as he properly should, whether he possesses both desire and capacity to enforce the laws of the State without aid or interference.

The Enforcement Commission itself should be retained in full authority and power, ready to act again as before should occasion require, for I believe more firmly than ever that until some better measure can be devised or until our present prohibitory laws are changed, the law creating that Commission, designed as it was for no purpose other than to prevent nullification, will ultimately win its way and completely justify its existence.

Very truly yours,

(Signed)

WILLIAM T. COBB,
Governor of the State of Maine.

On the 29th day of December, in obedience to the instructions contained in this letter and in accordance with the unanimous vote of the Commission passed December 12, the following letter was sent to each deputy enforcement commissioner:

AUGUSTA, Dec. 29, 1906.

Dear Sir:

Pursuant to the advice and direction of Governor William T. Cobb, the Enforcement Commission hereby notifies you that your services and authority as deputy enforcement commissioner will terminate at 12 o'clock midnight, December 31, 1906, and you are requested to surrender immediately after said date your certificate of appointment, and all papers and other property relating to your office.

Yours respectfully,

(Signed)

NORMAN L. BASSETT,
Secretary.

EXPENSES.

Chapter 395 of the laws of 1905 made this appropriation for 1905, "salaries and expenses of Enforcement Commission, \$7,500." Chapter 396 made a similar appropriation for 1906.

Section 1 of Chapter 92 of the laws of 1905 provides: "The Governor is hereby authorized to appoint a commission, consisting of three persons . . . each member of said commission shall be paid a *salary* of fifteen hundred dollars per year and actual *expenses*. . . . Said commissioners shall be provided with an office at the state capitol, with suitable furniture, stationery and other necessary facilities for transacting the business of the commission, and may employ a clerk at the expense of the state." Section 2 states, "said commissioners shall be known as enforcement commissioners." Throughout the act the commissioners are referred to sometimes as "commissioners" and sometimes as "the commission." The words used in the appropriation are those used in sections 1 and 2 of the act, and obviously refer to the Commission itself.

The compensation of the deputy enforcement commissioners is provided for in Section 5 as follows: "And for their *services* they shall be paid three dollars per day, and the actual expenses occasioned by the performance of such duty, and shall, at such time as may be fixed by the commission present their accounts for approval, and after approval the governor and council shall draw their warrant against any moneys in the treasury *not otherwise appropriated* in payment thereof." The money therefore to be used to pay the "services" and "expenses" of the deputies was by express provision of the act not the appropriation for "salaries" and "expenses" of the Commission but moneys *not otherwise appropriated*.

The statements made that the only sum available for enforcing the law was \$7,500 each year not only overlooks the express provisions of the act but places the legislature of 1905 in the position of creating a commission whose salaries and expenses incurred in travelling about the state, the compensation of the clerk and expenses of the office must of necessity approximate the amount of the appropriation, and then providing not enough in addition to cover the continuous services and expenses of even three deputies.

Deputies were first employed in June, 1905. On June 18 before the meeting of the Council for that month Alfred H. Lang was elected treasurer of the Commission. By the act the deputies are directed to present their accounts for approval, and every item of the bills presented has been carefully examined before approval. The Commission was not obliged to do more than approve the bills and leave them to be paid under various separate warrants by the State Treasurer. But as a matter of business convenience both to the treasurer and to the deputies it seemed proper to have one warrant drawn each month to one of the Commission as treasurer and have the deputies paid through the Commission. This course was followed.

Below there is given a statement of the amounts paid for salaries and expenses of the Enforcement Commission and the expenses of the office, for services and expenses of deputy enforcement commissioners and additional bills allowed by the Governor and Council.

The total expense to the State on account of the Commission and the deputy enforcement commissioners has been \$28,748.70, after deducting the amounts paid into the state treasury by the different counties for fines and fees, the proceeds of the sale of vessels to which the counties were not entitled, the fees of the deputies in the United States Court, and \$12 paid by United States for storage of liquors at Rumford Falls.

With reference to the fees in United States Court, Section 6 of the act provides, "there shall be taxed for said commissioners and deputies in the bills of costs the same fees as sheriffs and witnesses have heretofore been entitled to receive, which shall be paid directly to the state treasury." This mandatory provision could of course apply only to the courts of the state. The deputies have in a number of instances been summoned to appear as witnesses in the United States Courts and it became a question as to what should be done with the fees paid them as witnesses. We concluded that if the spirit of the law was to be carried out these fees should be paid over to the state. We therefore informed the deputies that they could keep the fees, in which case we should not allow them the compensation for services during the time they were in the United States Court, or we would approve bills just as when they were serving in the state courts, provided the fees received by them would be turned over to the state. As a matter of fact the deputies would receive practically the same amount in either case. We expressed our desire to have the spirit of the law complied with, and the deputies, although there was no special provision covering the point, were of the same opinion.

We would also here call attention to an obvious oversight in the enforcement act. No provision was made in the act for the disposal of contraband liquor seized by the deputies. Sec. 53 of Chapter 29 of the Revised Statutes provides, that "all spirituous and distilled liquors and all other liquors declared forfeited by any court under this chapter . . . shall, by order of the court rendering final judgment thereon, be turned over to the sheriff of the county where such seizure was made, by any officer competent to serve the process on which they were forfeited," and then follow provisions with reference to the sheriffs contracting with responsible rectifying distillers outside the limits of the state to take the liquors and distill therefrom the alcohol and pay over to the treasurer of the county an agreed price for each gallon distilled. The Commission was of the opinion that the provisions of Section 2 of the enforcement act by which the Commissioners were "authorized to exercise in any part of the state all the common law and statutory powers of sheriffs in their respective counties," did not go so far as to modify the express provisions of Sec. 53. It would seem to be more in accord with the general purpose of the enforcement act by which the Enforcement Commission is made independent of other authorities.

to have the Commission contract for the distilling of the alcohol and that the proceeds should be paid into the state, not the county treasury. The state bearing the expense of enforcement should in fairness be entitled to whatever can accrue from the work of its officers.

1905.

SALARIES AND EXPENSES OF ENFORCEMENT COMMISSION.

Waldo Pettengill:			
Salary	\$1,070 83		
Expenses	119 94	\$1,190 77	
Norman L. Bassett:			
Salary	1,070 83		
Expenses	39 38	1,110 21	
Alfred H. Lang:			
Salary	1,070 83		
Expenses	395 86	1,466 69	
Clerk:			
Warren P. Doughty:			
Salary	560 00		
Mrs. G. W. Leadbetter, stenographer	24 00	584 00	
Office:			
Telephone bills and tolls.....	39 73		
Furniture and fittings.....	97 25	136 98	\$4,488 65
	<hr/>	<hr/>	

SERVICES AND EXPENSES OF DEPUTY ENFORCEMENT COMMISSIONERS.

Heber H. Allen:			
Services	\$333 00		
Expenses	123 97	\$456 97	
George F. Ayer:			
Services	264 00		
Expenses	135 10	399 10	
Maxime Beaulieu:			
Services	564 00		
Expenses	103 89	667 89	
Charles F. Dunbar:			
Services	333 00		
Expenses	101 98	434 98	
William R. Gifford:			
Services	522 00		
Expenses	193 08	715 08	
Frank L. Page:			
Services	318 00		
Expenses	44 63	362 63	

Benjamin O. Pare:			
Services	366 00		
Expenses	123 56	489 56	
Obed F. Stackpole:			
Services	360 00		
Expenses	142 93	502 93	
Ferdinand E. Stevens:			
Services	498 00		
Expenses	211 53		
Accident expenses	117 25	826 78	
James Tebbetts:			
Services	363 00		
Expenses	138 76	501 76	
Benjamin F. Towne:			
Services	363 00		
Expenses	54 64	417 64	
James R. Tucker:			
Services	201 00		
Expenses	91 38	292 38	
Charles E. Varney:			
Services	147 00		
Expenses	45 44	192 44	\$6,260 14
Additional bills:			
Rent of storehouse in Auburn.....		\$72 67	
Rent of storehouse in Augusta.....		16 00	
Fitting out storehouse in Augusta.....		63 62	
Supplies for officers		24 00	
Services of Emile H. Tardival as attorney at Berlin, N. H.		11 50	
Team hire		2 50	
Ralph W. Crockett, trip to Augusta.....		5 70	195 99
Total expense for 1905.....			\$10,944 78

1906.

SALARIES AND EXPENSES OF ENFORCEMENT COMMISSIONERS.

Waldo Pettengill:			
Salary	\$1,500 00		
Expenses	67 42	\$1,567 42	
Norman L. Bassett:			
Salary	1,500 00		
Expenses	86 45	1,586 45	
Alfred H. Lang:			
Salary	1,500 00		
Expenses	569 80	2,069 80	
Clerk:			
Warren P. Doughty:			
Salary	297 11		

Stenographer:

Marion Brainerd:

Salary 340 00

Mrs. G. W. Leadbetter..... 23 00 660 11

Office:

Underwood Typewriter Co..... 2 00

Kennebec Journal 6 00

Telephone 58 99 66 99

\$5,950 77

SERVICES AND EXPENSES OF DEPUTY ENFORCEMENT
COMMISSIONERS.

Heber H. Allen:

Services \$1,080 00

Expenses 423 69 1,503 69

George F. Ayer:

Services 252 00

Expenses 156 43 408 43

Maxime Beaulieu:

Services 1,090 50

Expenses 199 24 1,289 74

Almon S. Bisbee:

Services 420 00

Expenses 172 11 592 11

William J. Caddy:

Services 861 00

Expenses 251 04 1,112 04

William J. Conway:

Services 774 00

Expenses 41 18 815 18

Charles F. Dunbar:

Services 981 00

Expenses 360 38 1,341 38

Walter J. Fernald:

Services 771 00

Expenses 34 65 805 65

Roy E. French:

Services 765 00

Expenses 154 25 919 25

William R. Gifford:

Services 1,008 00

Expenses 406 97 1,414 97

Austin B. Howard:

Services 913 50

Expenses 318 75 1,232 25

Fred Lucas:

Services 705 00

Expenses 261 32 966 32

Albert H. Newbert:			
Services	741 00		
Expenses	138 70	879 70	
Frank L. Page:			
Services	1,092 00		
Expenses	220 35	1,312 35	
Benjamin O. Pare:			
Services	1,095 00		
Expenses	442 36	1,537 36	
Eben A. Poor:			
Services	909 00		
Expenses	114 17	1,023 17	
Obed F. Stackpole:			
Services	1,086 00		
Expenses	481 12	1,567 12	
Ferdinand E. Stevens:			
Services	1,074 00		
Expenses	305 46	1,379 46	
George W. Taylor:			
Services	618 00		
Expenses	114 55	732 55	
James Tebbetts:			
Services	1,077 00		
Expenses	421 91	1,498 91	
Benjamin F. Towne:			
Services	1,095 00		
Expenses	272 67	1,367 67	
Charles E. Varney:			
Services	150 00		
Expenses	68 31	218 31	\$23,917 61

Additional bills:

Rent of storehouse at Rumford Falls.....	\$50 00		
Rent of storehouse at Auburn.....	132 00		
Rent of storehouse at Augusta.....	48 00		
Fitting up storehouse at Rumford Falls...	31 27		
William Read & Son, supplies for officers	42 00		
American Bonding Co., premium on two bonds	20 00		
Ernest R. Jordan, analysis of liquors.....	29 00		
C. H. Randall Co., badges.....	6 10		
Forrest E. Ludden, agent, bond premium..	10 00		
Ralph W. Crockett, trip to Augusta.....	3 85	372 22	
Total expense for 1906.....			\$30,240 60
Total expense for 1905 and 1906.....			\$41,185 38

AMOUNTS PAID TO STATE TREASURY.

1905.		
Fees, Kennebec	\$28 56	
Androscoggin	485 24	\$513 80
Fines, Androscoggin		1,425 00
1906.		
Fees, Kennebec	1,680 98	
Sagadahoc	279 96	
Androscoggin	1,714 83	
Franklin	43 63	
Oxford	1,223 66	4,943 00
Fines, Kennebec	1,175 00	
Androscoggin	3,050 00	
Oxford	725 00	4,950 00
Accrued in 1906 and paid in 1907.		
Fees, Kennebec	10 81	
Sagadahoc	25 45	36 26
Fines, Kennebec	100 00	100 00
U. S. Court fees of deputies.....	200 90	
Proceeds of sale of empties to which counties were not entitled.....	255 66	
Storage received from United States	12 00	468 56
		<u>12,436 68</u>
Total net expense to the State.....		\$28,748 70

The above items of expenditure of the Deputy Enforcement Commissioners include the following items which have been compiled to give information:

1905.	
Supplies for officers.....	\$60 90
Trucking seized liquors.....	135 35
Hardware for storehouse.....	47 60
Books and stationery.....	7 10
Express and postage.....	7 00
Analyses of liquor.....	18 00
Team hire for officers.....	23 60
Administering oaths	9 75
Telegraph and telephone.....	77 22
Supplies for storehouse.....	3 14
Board for prisoner.....	25

1906.

Rent of storehouse in Bath.....	7 95
Rent of storehouse in Waterville.....	45 00
Analyses of liquors.....	50 40
Books and stationery.....	13 22
Doctor to examine prisoners.....	6 50
Hardware for storehouses.....	10 23
Board for prisoners.....	10 50
Supplies for officer, viz., handcuffs, clubs, lights, batteries, tools	111 00
Supplies for storehouses.....	18 66
Administering oaths	39 00
Trucking seized liquors.....	335 27
Team hire	516 19
Telegraph and telephone.....	34 41
Express and postage.....	24 63
Conveying prisoners to jail.....	4 50
Special electric car, Lewiston to Bath.....	8 75
C. O. Barrows, services as stenographer in Municipal Court	25 00

In conclusion the Commission wishes to say that however imperfect may have been the work done, its desire has been to use the broad powers conferred with a fairness and conservatism that would carry out the intent of the law, and in proof of its freedom from partisanship, which would have been fatal to the purpose of the law, we offer the fact that from the time of its appointment to the present every conclusion of the Commissioners has been unanimous and Your Excellency and the Commissioners have worked in complete accord.

Yours respectfully,

WALDO PETTENGILL,

NORMAN L. BASSETT,

ALFRED H. LANG,

Enforcement Commissioners.

Augusta, Maine, December 31, 1906.