**A History of Crime & Punishment in Franklin County 1843 – 1922**

*This is an excerpt from an article written on the history of Farmington by Richard Mallett and Paul Mills in 1994.*

There is very little written about social disorder in early Farmington and that is probably because there was so little of it. Many of the early jails sentences resulted from debts.  Some were substantial debts but others were for very little.  The diary of Martha Ballard tells us that her husband, a surveyor and respectable citizen of Augusta, was incarcerated in Wiscasset for a debt (that was before 1799 when Kennebec County was formed from Lincoln).  It is likely that some Farmington men suffered the same fate as Ballard, but we never learn about them.  From 1799 to 1838 offenders would have been sent to the August jail because that was our county seat until we became a shire town of the new county of Franklin.

In the May 12, 1922 issue of the Franklin Journal, there appeared a front page story on the Criminal Record of Franklin County since 1838.  We are told that the jail records are not available before 1845 so it is not known when the jail was established.  But Butler on page 174 of his history informs us that the county building was erected in 1843 (where Keyes Insurance is located today) and the jail the same year which was enlarged and greatly improved in 1855.  Butler is an excellent source for this kind of information because he was Sheriff in Franklin County from 1850 to 1854.  It is possible that he strongly recommended an improved jail when he left office in 1854.

James Stanley of Farmington was the first Sheriff of Franklin County.  He was a proprietor of the Center Meetinghouse and Governor Edward Kent appointed him partly because they were both Whigs (the Democrats were the majority party before the Civil War but occasionally the Whigs won, especially was this true if they had a popular candidate such as Kent).  John Fairfield, Democrat, became Governor in 1839 and appointed Joseph Johnson as Sheriff in Franklin County.  At one time Johnson was proprietor of the Backus House on the corner of Main and Broadway (location of Shire Town Insurance today).  Johnson was a considerable public figure being at various times postmaster, as well as Sheriff, representative to the legislature and a member of Governor Dunlap’s Council.

The first person from outside Farmington to become Sheriff was Samuel Daggett.  He was originally from New Vineyard and was Sheriff from 1842 to 1846.  Apparently he moved later to Farmington where he was a selectman in the pre-Civil War days.  The first jailer, that is the man who ran the jail, was Jotham Milliken who served under Samuel Daggett (known as a turnkey, presumably because he had the jail’s keys).   Milliken had been a school teacher and then a blacksmith in Strong.  His greatest local fame rested on his ownership, for some 25 years, of the Hotel Marble (it was also known for a time as the Forest House).  It burned in the great Fire of 1886.  Later it was rebuilt as a boarding house lodging a number of Normal School students.

There were 25 prisoners recorded before 1850 at the Franklin county Jail and eight of them were debtors.  As the years went on the debt laws were amended so that debtors did not constitute such a large percentage of the commitments.  In the 1830’s, for example, the Maine legislature passed a bill excluding jail for debts of less than five dollars.  But it was after the Civil War that laws were passed that drastically reduced the number of debtors in jail.

In 1850 Francis G. Butler, a youthful and vigorous thirty-eight year old, became Sheriff for four years and Samuel York of Avon was the jailer.  York, in his last two years, served under John Trask, Sheriff from new Sharon.  During the jailer’s last two years, an economic depression hit the nation so that half of York’s 67 prisoners were debtors.  In 1856 William Whittier of Chesterville was Sheriff for one term, and in 1857 Samuel Daggett returned as Sheriff.  In 1859 Frederick Stewart became the custodian of the county’s social order.

Frederick Stewart was one of eleven children of Capt. Henry Stewart, a native of Martha’s Vineyard; at fifteen Henry had come to Farmington with his father, Hugh, and family.  Early in his life Frederick was in business in Hallowell, Windsor and Vienna.  In 1834 Frederick came to Farmington to take over the stage lines and was said to be one of the largest mail contractors in the State.  He owned the busy line from Farmington to Augusta for thirty-two years.  He was elected Sheriff in 1859 and was reelected in 1861.  Before his second term was over he was appointed assistant quartermaster of volunteers with the rank of captain, and went to New Orleans in the line of duty.  For reasons unknown, he returned to Farmington in 1863 where he stayed for the remainder of his life.  Like almost all the Stewarts he was a gifted cabinet maker and what was called a “house joiner”.   He married Pamela, daughter of Winthrop Butler, and after her death in 1849, he married Isabella Belcher of Winthrop.

In the area of crime and punishment one of the most important events in the nineteenth century was the hanging of Joseph J. Sager for fatally poisoning his wife.  Many people were shocked on January 1st 1835 at the sights that greeted them at the Augusta hanging.  Despite the fact there was a heavy snowstorm the crowd at this “Roman holiday” was estimated to have been between 10,000 and 15,000.  In 1835 the Maine legislature almost passed a bill prohibiting the death penalty.  But the impact of the Sager hanging was evident in subsequent years even though the death penalty was still on the books.  From 1835 to 1863 no one was hanged although 24 persons had been convicted of and sentenced to suffer that penalty during this period.    Franklin County murders underline how hard it was to inflict the death penalty.  There was one murder in the county in each year of 1862, 1863 and 1864.  One of the convicted men was pardoned, and the other two died in prison.

The story of a fourth man, a police constable, charged with the murder of a prominent New Sharon man, but acquitted of the charges also drew significant attention.  The incident which arose in the Town of new Sharon in January of 1870 also illustrates the “Dickensian” nature of debt collection at the time.

According to Butler’s History of Farmington a Deputy Sheriff went to the house of John S. Tolman, a wealthy and respectable farmer in New Sharon, for the purpose of collecting an execution against his brother Ezekiel Tolman, who lived in the family.  Apparently objecting to the validity of the underlying debt Ezekiel refused to either pay the debt or go to prison and was aided by his brother in this position.  A warrant was then issued against John S. Tolman and Constable John Fletcher was given the job of arresting him.  The Deputy Sheriff and Fletcher both went to the Tolman household where they found the entire Tolman family in a state of considerable anguish.   The Deputy Sheriff and Constable Fletcher called upon reinforcements and what Butler characterizes as a “general melee” occurred.  Somehow in the semi-darkness of this January twilight Fletcher shot John S. Tolman in the groin and the wound proved to be fatal.

Constable Fletcher was indicted for murder and after a six day trail the jury returned a not guilty verdict, finding Fletcher’s assertion of self-defense apparently credible.  Nevertheless, according to Butler, who as alive at the time of the entire incident and apparently followed it closely, there was still sympathy felt for the Tolman family even though there was also approval in the community for the verdict, Mr. Fletcher being known as a peaceful citizen.

The 19th century Franklin County trial, with one of the most enduring legacies, would be the 1864 murder trial of Lawrence Doyle of Strong for the murder of the nine year old daughter of Isaac Libby.   The murder occurred in 1862 but the trial, according to Butler, was delayed until 1863.  At this trial a hung jury failed to agree upon a verdict.

A second trial was thus necessary which occurred in the spring of 1864.  It was at this trial that the defendant himself was allowed to personally testify.  Testimony of a murder trial defendant at his own trial is of course today quite common place, though a Fifth Amendment privilege still exists whereby such a defendant is in is in any criminal case is not require to take the stand in his own defense.  However, during most of the 19th Century parties to cases including murder trials were generally considered ineligible (presumably because of their bias) to testify in their own trials.  Such a rule of evidence seems quite incredible by present day standard, parties to the cases themselves quite often being the most important and immediately involved witnesses to have firsthand knowledge of the facts of a given case.  In the 19th Century, however, this was certainly not true at least until the 1864 trial of Lawrence Doyle.

According to an article written for the January 1991 Maine Bar Journal by Ralph W. Austin on the occasion of the 100th anniversary of the Maine State Bar Association it was this 1864 trial of Mr. Doyle at which a defendant was permitted to testify at his own murder trial for the first time anywhere in the United States.  This even is commemorated today by a plaque placed on the main floor of the Franklin County Courthouse.

For Doyle personally he probably would have been better off had this new rule of evidence not been invoked during his own second trial, for according to Butler the defendant “seemed stunned and dazed, and his own testimony, given at the last (or second) trial, was generally regarded as prejudicial to his case.”  As with nearly all defendants upon whom the death sentence was pronounced in the State of Maine the warrant for his execution was never issued and was as a practical matter converted into life imprisonment, Mr. Doyle dying at Thomaston in March of 1870, protesting nevertheless his innocence up to the date of this death.

Governor Frederick Robie, in his 1885 address to the Maine legislature, commented on the death penalty as follows: “For thirty years previous to 1875 the death penalty was on the statue book of our State but its execution was disregarded except in one instance.”  In 1876 imprisonment at hard labor was substituted for the death penalty; but the 1883 Journal of the Maine Senate reveals it was revived that year.  In 1887 it was abolished again and that’s where we stand today.

Seward Dill of Philips was Sheriff from 1865 to 1868.  His jailer was Reuben B. Jennings and they had during their three years 27 occupants (Jennings knew what danger was like as he had served in the Civil War, first as Captain in Co. L, 1st Cavalry, and then as Hospital Steward for Co. B, 28th Infantry).  Andrew Tuck of Farmington succeeded Dill and was in office when a major burglary was averted.

On June 9th 1869 three suspicious looking characters came on the train as far as West Farmington.  That was the end of the line for the train did not come to Farmington Village until September 15th 1870.

These strangers aroused uneasiness from the moment of their local appearance.  Each of them was carrying a valise of unusual proportions that could not be equated with musical instruments.  Furthermore, they were seen to struggle with their baggage because of the weight.   The news must have spread fast about them.  They proved to have the finesse of the Three Stooges.

At eleven o’clock that night the watchman, Joseph Bangs, passed the country building on the southwest corner of Broadway and Main St.  He was probably unusually alert when he passed by because that was a building not only used for county business but it housed the Sandy River National Bank.  Undoubtedly the word had been passed to him that there were three men who looked like gentlemen but, if they were, what about those queer-shaped valises?  The alertness of the watchman on his beat was rewarded when he heard an unusual noise coming from the banking section.  Bangs didn’t wait to investigate but gave the alarm, whereupon the three burglars dropped their tools and rags and fled into the night.  No automobile stood by to take them away from the scene of the crime.  They had to depend on the darkness and their own speed.  This combination made it possible for them to reach a handcar parked on the railroad tracks in West Farmington.   The next day it was discovered after it had been thrown into the bushes in Livermore.

Butler tells us they war never caught and he supposed they were professionals. If they were, they certainly underestimated the suspicions they aroused in this small town.

After this 1869 bank robbery was thwarted, Tuck served as Sheriff until 1871 and he was succeeded by a list of “Out-of-Towner’s”.  They included Orrin Tufts of Kingfield, Gilbert Miller of Wilton, Zaccheus Dyer of New Sharon and Ephraim F. Conant of Temple.  In 1885, the year the last named took office, a crime was committed here that featured superb guile on the part of the perpetrator.  He went by the name of Walter Wanzer and his outward appearances created trust, not the suspicions so many had about the three would-be burglars of 1869. He tapped the telegraph wire in West Farmington to send a false message to Timothy Belcher who ran the Sandy River National Bank.   A supposedly legitimate telegram assured Belcher that Walter Wanzer’s check for $5,000 could be safely cashed.  And so it was when the suave and clever Wanzer showed up at the local bank.  He was never apprehended but the apparatus that he used to tap out his messages was eventually found near the railroad tracks in the West Farmington area.

On October 22nd 1886 the jail was in the line of fire and burned with a third of the town.  There was only one prisoner and his term had almost expired.  When the fire reached the jail he was released and the prisoner cried out: “The Lord is on my side”!  To show his gratitude, and atone for his crime, he joined the fire fighters.  During the ensuing time that Farmington and Franklin County were without a jail, the prisoners were sent to Auburn.

Alonzo Sylvester of Farmington was Sheriff from 1889 to 1893.  His jailers were Harrison Jewell and Charles Dyer.  From 1893 to 1897 Gilbert Miller of Wilton was again in charge of law and order in Franklin County.  During his stay in office the Maine legislature passed a vagrancy bill.  This new law represented a very wide net in scooping up malefactors.  The number of prisoners during Miller’s four years was high.  There were 140 of them though they were imprisoned for a very short time and some were glad to get off the streets, especially in the winter time, a situation also reminiscent of the character “Otis” in the Andy Griffith television program about life in Mayberry, North Carolina.

The first Sheriff this writer (Richard P. Mallett) knew personally was Ardine Blake, who served from 1897 to the end of 1900.  He was later the owner of a jewelry store that he inherited from his father, Elbridge Blake.  Ardine handed on the store to Lindsay Trask, a business now conducted by John Anderson on Main St. in the Dr. Lovejoy building so-called.

Ardine seemed quite unlike the traditional Sheriff.  At the time I knew him, over twenty years after he had actually served as Sheriff, he was an octogenarian, semi-retired and fond of following the harness racing in the various fairs.  I was his chauffeur and he was a good companion despite the disparity in our ages.  Martin Fowler was his jailer and a character in his own right.  He lived on School Street in the house made famous by Julia May who had her school there (turning off Middle street the house is the first on the left to face School Street).  Fowler taught school at one time in West Farmington and was later a bookkeeper.  His oldest child was Wilbert, named for my father.  Another male offspring, Theodore, graduated from Farmington High School and Bowdoin College.  Martin moved to Bangor and Theodore ran the Fowler Insurance Agency in Boston for many years.

Ardine Blake was succeeded in the position as Sheriff by one of only two individuals to hold that position who came from the town of Strong.  His name was James F. Worthley and he served the first four years of this century.  Not until our present Sheriff, Don Richards, was elevated to that position in 1992 had there been a Sheriff from the Town of Strong, other than Worthley.

Following Worthley came the second person to hold the position of Sheriff from the Town of Jay.  He was Dana Coolidge and served for the next six years of the twentieth century, until the end of 1910.  Coolidge’s personal legacy in Farmington lives on in the person of one Dana Coolidge Dingley, a long time Farmington veterinarian, and Sheriff Coolidge’s name side as well as grandson.

At the end of 1920 W. Burton Small was elected Sheriff and when the 1922 article on local crime and punishment appeared he was still Sheriff.  His many years in that office were highly regarded and this was reflected in the large winning margins he attained in at the ballot box.

The total committed to the Franklin County Jail from 1845 to 1922 amounted to 2,400.  Among these were many repeaters.  One name appeared five times in two years on the first page of the record.  One inmate was committed 12 times.  The three leading causes for jail sentence were vagrancy, violation of the liquor laws and debts.