

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**  
OF THE  
**Sixty-Eighth Legislature**  
OF THE  
**STATE OF MAINE.**  
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**1897.**

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man, and with sincere sorrow we regret his departure from the walks of life. "He sleeps the sleep that knows no waking," and, drawing an illustration from nature, which he loved so well, we may say, with the poet:

Leaves have their time to fall,  
And flowers to wither in the north wind's  
breath,

The stars to set, but all—

Thou hast all seasons for thine, O Death!

Mr. Stearns of Aroostook:

Mr. President, I must not, I cannot refrain from speaking upon these resolutions, these resolutions that may carry some measure of consolation to the broken-hearted widow of a good man. It was not given to me to know Governor Davis in his public career, but after he had retired from public life and had settled in Bangor and there entered upon that successful and brilliant career of his as a lawyer, I was honored with his acquaintance and made happy by his friendship, the recollection of which will be sweet to me as long as I live upon this earth.

It is of Governor Davis as a lawyer and as a man that I can speak. For many years Bangor has been a sort of home to me. The city is dear to me and I like its people. I have embraced many opportunities to be there, and there was one place in Bangor where I never failed to call, and that was at the office of Mr. Davis, and there I know I met a man of a gentle soul, a true and honest heart. It was there I saw him receive his clients, men of all ranks and walks, and with not less courtesy and consideration did he meet the humble laborer than the wealthy manufacturer.

For all he had a smile, for all he had patient kindness. The tottering old lady who came to his office, thinking that her rights had been invaded, unable to pay a fee, was received by him and heard as carefully and as considerately as the wealthiest among his clients, whose business perhaps might be important to the extent of a fortune. The poor man of toil who imagined that his rights had been invaded was never turned away without advice, or without cheering, encouraging words.

Even the poor, neglected little child who came to his office with a basket of apples to sell would be taken upon his knee, and by his tenderness he would assure the little child, gain her confidence, inquire of her family, her surroundings and send her away with a glow of happiness in her heart that would last forever.

Such was Governor Davis in his office. In the court room he was more than the ordinarily successful lawyer—he was indeed at times a brilliant advocate. With a profound knowledge of law, with a mind of keenness that enabled him to take a straight track across a mass of immaterial evidence and other sophistry and find the issue directly, with a knowledge of the practical affairs of life and of good sense, he was valuable to his clients and able to aid in the administration of justice.

Yet here he was never discourteous to

his adversary, he was never lacking in respect to the court, and he was entirely and far above the arts of chicanery. He never badgered a witness, never set traps for the unwary, but always demeaned himself in court as a lawyer of candid assurance.

He has gone. His life is ended when the State would have been better, his city would have been better, could he have lived. He is gone, covered with honor, and the highest tribute we can pay in this body is due to him who was a sincere and practical patriot, a statesmanlike Governor, a good citizen and an honest man.

I second, Mr. President, the motion made by the senator from Penobscot, and I move, Mr. President, that out of respect to the memory of this eminent statesman of Maine departed, that this Senate do now adjourn.

Adjourned.

## HOUSE.

Wednesday, Feb. 10, 1897.

Prayer by Rev. Mr. Ringold of Gardiner.

Papers from the Senate disposed of in concurrence.

On motion of Mr. Macomber of Augusta, the House non-concurred with the Senate in its reference to the committee on legal affairs of bill an act to amend chapter 18, of the Public Laws of 1895, relating to insurance, and on further motion by the same gentleman the bill was referred to the committee on mercantile affairs and insurance.

The following Senate bills were read and assigned:

An act authorizing the construction of a wharf into the tide waters of Casco bay and bridges over the tide waters in the town of Harpswell.

An act to provide for the better protection of public records.

Resolve in favor of the St. Elizabeth Roman Catholic Orphan Asylum in Portland.

Resolve in favor of the Maine General hospital.

An act to amend chapter 207, of the Private and Special Laws of 1895.

An act relating to the Rumford Falls and Buckfield railway.

An act concerning the Portland and Rumford Falls Railway and the Rumford Falls and Buckfield Railroad Company.

An act additional to chapter 51, of the Revised Statutes, relating to railroads.

On motion of Mr. Sanborn of Sanford, this bill was laid on the table pending its first reading.

An act to authorize the Maine Central Railroad Company, its successors and assigns, to construct and maintain a wharf and boat house in Lake Maranacook in the towns of Readfield and Winthrop.

Resolve in favor of the Maine State library for the years 1897 and 1898.

The following petitions, bills, etc., were presented and referred:

## JUDICIARY.

By Mr. Fogler of Rockland—Bill an act authorizing cities and towns to ac-

cept conveyances upon trusts and public burial places and providing for record of deeds of burial lots.

By Mr. Blanchard of Wilton—Bill an act to incorporate the Wilton Electric Light and Power Company.

By Mr. Sanborn of Sanford—Petition of F. H. Dexter and 46 others of Sanford, praying for an amendment to the constitution of the State of Maine, prohibiting the State from raising money by taxation for any sectarian or religious purpose.

By Mr. Wilson of Gorham—Petition of Hattie J. Loring and 34 others for raising the age of protection for girls; of Mrs. Ethelinda H. Tucker and 30 others; of Adeline D. F. Moses and 29 others; of Mrs. Nellie S. Jordan and 32 others; of Mrs. P. B. Snow and 21 others; of E. H. Hatheway and 43 others; of Albert H. Jordan and 65 others, all for the same.

By Mr. Longley of Oldtown—Bill an act incorporating the Oldtown Gas and Light Company.

By Mr. O'Neil of Biddeford. Bill an act additional to chapter 51, Revised Statutes, in relation to the amount of baggage to be carried by railroad corporations, for each person purchasing a first class unlimited ticket.

#### LEGAL AFFAIRS.

By Mr. Longley of Oldtown—Bill an act amendatory of chapter 124, Revised Statutes, in regard to the disinterment of dead bodies.

By Mr. Moore of Deering—Bill an act to authorize the re-assessment of taxes in the case of irregularity or error in the original assessment; bill an act to authorize the correction of errors in proceedings for the collection of taxes.

By Mr. Ames of Jefferson—Remonstrance of Frank H. Segars and 33 others of Dresden, against any change in the law relating to weir fishing and especially against any change in Revised Statutes, chapter 3, sections 60 and 63.

Remonstrance of Fred P. Carleton and 34 others of Dresden, against same.

#### FEDERAL RELATIONS.

By Mr. O'Neil of Biddeford—Memorial to Congress relating to the "Sperry bill."

By Mr. Sewall of Bath—Memorial of Bath Board of Trade relating to establishment of a dry dock at Bath.

Mr. Rowell of Kittery, moved that the memorial be laid on the table.

Mr. Sewall called for the yeas and nays, and the motion was lost by a vote of 78 to 61.

Those who voted yea were:

Yea—Andrews, Austin, Ayer, Blanchard, Boynton, Burrill, Burse, Burton, Coffin, (Shapleigh,) Dudley, Edmunds, Fernald, (Levant,) Fogg, Fogler, Fuller, Gardner, Garvin, Gowell, Hamilton, (Biddeford,) Hill, Houghton, Hussey, Hussey, Jones, King, Kinsman, Knowlton, (Portland,) Lane, Larrabee, (Sebago,) Lincoln, Littlefield, (Kennebunk,) Longley, Luce, McIntire, Merrill, (Portland,) Mitchell, Moore, (Moscow,) Murchie, Murphy, O'Neil, Pattangall, Patten, Prince, Reed, Robinson, Rowell, (East Livermore,) Rowell, (Kittery,) Sanborn, Saunders, Shaw, (Cumberland,) Shaw,

(Saco,) Shepard, Smith, (Hampden,) Smith, (Presque Isle,) Tarbell, Thompson, Walton, Weeks, Whelden, Whiting, Wilson, Winslow—Yeas 61.

Nay—Bither, Briggs, Britton, Brown, Burnham, Burns, Chandler, Chatto, Coffin, (Thorndike,) Conant, Cook, Cox, Cram, Currier, Cushman, Daggett, Davis, Day, Dickey, Durgin, Fernald, (Poland,) Floyd, Forest, Furbush, Gagnon, Gilman, Goodrich, Greenleaf, Guernsey, Hamilton, (Matta'k's,) Hancock, Hathaway, Hathorn, Holbrook, Holmes, Hurd, Hutchins, Hutchinson, Jewell, Kaler, Kneeland, Knowlton, (Newburg,) Levensaler, Littlefield, (Winhaven,) Macomber, Mason, Maxcy, Maxwell, Merrill, (Blushill,) Moore, (Deering,) Murray, Newcomb, Noble, Palmer, Pearl, Peirce, Philbrook, Plummer, Pope, Pratt, Purinton, Rodick, Rounds, Searis, Sewall Smith, (Masardis,) Spear, Staples, Starbird, Stetson, Stevens, Talbot, Thurlow, Thurston, Tolman, Violette, Williams, York, Young.—Nay 78.

Absent—Ames, Donnell, Golder, Goodwin, Littlefield, (Belfast,) Martin, Penley, Sawyer, Simpson, Thurlow, Wheeler.—Absent 11.

The memorial was referred to the committee on federal relations.

#### EDUCATION.

By Mr. Shaw of Cumberland—Petition of J. S. Condon and 20 others in regard to the Wiggin school tax bill so called; an act to legalize the doings of school district number 5, in the town of v.a.mouth, and of the trustees of the Crispus Graves fund, so called, and to enable said trustees to convey an the inhabitants of said Falmouth to purchase the school building erected out of said fund in said district.

#### RAILROADS, TELEGRAPHS AND EXPRESSES.

By Mr. Sanborn of Sanford—Petition of L. W. Nash and 36 others of Kennebunk, in favor of extending the charter of the Mousam River Railroad and also the amendment of same of F. A. Goodall and 169 others of Sanford; of W. A. Emery and 36 others of Kennebunk and Kennebunkport; of B. C. Jordan and 43 others of Alfred; for same.

#### BANKS AND BANKING.

By Mr. Currier of Farmington—Bill an act amendatory of and additional to chapter 47, of the Revised Statutes, relating to the duties of the bank examiners.

#### AGRICULTURE.

By Mr. Currier of Farmington—Bill an act to amend sections 11 and 14 of chapter 58, relating to agricultural societies.

#### MILITARY AFFAIRS.

By Mr. Newcomb of Eastport—Bill an act relating to the staff of the commander in chief.

#### WAYS AND BRIDGES.

By Mr. Stevens of Cutler—Resolve in favor of the town of Cutler, for repairs

of highways and bridges with accompanying statement of facts.

By Mr. York of Nobleboro—Petition of M. H. Page and 120 others of Damariscotta, for aid in repairing and preserving of Wiscasset bridge; of William Metcalf and 14 others of Newcastle, for same.

By Mr. Greenlief of Southport—Petition of G. S. Witham and 32 others of Southport, for same.

By Mr. Blanchard of Wilton—Resolve in favor of a road in Dallas plantation; resolve in favor of a road in Jerusalem plantation.

By Mr. Burnham of Edgecomb—Petition of F. H. Blagdon and 52 others for same.

#### INLAND FISHERIES AND GAME.

By Mr. Houghton of Fort Fairfield—Bill an act to repeal the close time on mink.

By Mr. Smith of Masardis—Bill an act to regulate the taking of eels and white fish.

By Mr. Burse of Pittsfield—Petition of E. M. Shaw and 60 others of Pittsfield, asking for the privilege of catching and taking eels in weirs in the Sebasticook river between July 15 and Nov. 1 of each year; of A. D. Millett and 25 others for same.

By Mr. Philbrook of Waterville—Bill an act to repeal the bounty, on bears.

#### SHORE FISHERIES.

By Mr. Maxwell of Richmond—Petition of C. F. Wade and 30 others of the town of Perkins asking that no change be made in the law relative to taking smelts from the Kennebec river and its tributaries; remonstrance of G. F. Lily and 47 others of Woolwich against same.

By Mr. Hutchins of Penobscot—Remonstrance of C. E. Bridges and 191 others against close time on clams in the town of Franklin.

By Mr. Maxcy of Gardiner—Petition of A. H. Moore and 42 others of South Gardiner, relating to taking of smelts in Kennebec river.

By Mr. Merrill of Bluehill—Remonstrance of E. E. Chase and 30 others, against any law as to the taking of smelts in the waters of Bluehill bay.

#### TOWNS.

By Mr. Pope of Manchester—Remonstrance of J. H. Dunlap and 59 others against setting off a part of Rome and annexing the same to Belgrade.

#### PENSIONS.

By Mr. Wilson of Gorham—Resolve in favor of Josiah T. McLellan.

#### LIBRARY.

By Mr. Guernsey of Dover—Resolve relating to the loan of State reports in the town of Monson.

#### TEMPERANCE.

By Mr. Wheeler of Gilead—Petition of Albert H. Jones and 36 others of Denmark, Oxford county, for the enactment of a law prohibiting the manufacture and sale of cigarettes within the State of Maine.

By Mr. Boynton of Sullivan—Remonstrance of M. B. Scribner and 21 others of Sullivan, against the proposed cigarette law.

By Mr. Goodwin of South Berwick—Remonstrance of W. G. Paul and 13 others of South Berwick, against same.

By Mr. Shaw of Saco—Remonstrance of Winfield S. Hasty and others against same.

By Mr. Stetson of Bangor—Remonstrance of Thurston and Atwood and eight others of Bangor, against same.

By Mr. Hamilton of Biddeford—Remonstrance of Horace E. Evans and 16 others of Biddeford Pool, against same.

By Mr. Burrill of Corinna—Remonstrance of Owen E. Blackdon and others of Dexter, against same.

By Mr. Forest of Lewiston—Remonstrance of B. R. Strout and others against same.

By Mr. Littlefield of Kennebunk—Remonstrance of C. C. Tibbetts and others of Kennebunk, against same.

By Mr. Pope of Manchester—Remonstrance of Mr. G. P. Hamilton and others of Winthrop, against same.

By Mr. Maxwell of Richmond—Remonstrance of J. D. Denmore and others of Richmond, against same.

By Mr. Rodick of Eden—Remonstrance of J. C. Ralph and 67 others of Southwest Harbor, against same.

By Mr. Simpson of York—Remonstrance of W. J. Verrill and 16 others against same.

By Mr. Knowlton of Newberg—Remonstrance of O. P. Porter and others of Edgecomb, against same.

By Mr. Rounds of Paris—Remonstrance of F. D. Small and others of Bryant's Pond, against same.

By Mr. Wheeler of Gilead—Remonstrance of S. E. Bowley and 16 others of Rangeley, against same.

By Mr. Ames of Jefferson—Remonstrance of Morrill Glidden and 11 others, against same.

By Mr. Knowlton of Portland—Remonstrance of Frank B. Libby and others of Portland, against same.

#### LABOR.

By Mr. O'Neil of Biddeford—Petition of C. F. Tinker and 13 others of Auburn and Webster, for a shorter work day, for women and children; of H. M. Nickerson and 28 others, for same; of I. H. Farrington and 26 others of Portland, for same; of C. H. Roberts and 21 others of Portland, for same; of Fred S. Saunders and 18 others of Portland, for same; of H. E. Preston and 15 others of Bangor, for same; of A. L. Weeks and 46 others of Bangor, for same; of H. E. Ward and 27 others of Bangor, for same.

On motion of Mr. Hill of Portland, resolve relating to a dry dock in Kittery navy yard, was taken from the table, and on further motion by the same gentleman it was referred to the committee on federal relations.

#### ORDERS.

On motion of Mr. Cox of Randolph, Ordered, That the committee on the judiciary be instructed to consider the advisability of enacting a law compelling a person moving into town with the intention of making his residence there to so notify the clerk of said town of the fact and also of having the town clerk

keep a record of all such declarations, and report by bill or otherwise.

On motion of Mr. Cox of Randolph, Ordered, That the committee on the judiciary be instructed to inquire into the advisability of so amending our elections laws as to allow a person moving from one place to another in our State to hold a voting residence in the place from which he moved until he shall acquire the right to vote in the town to which he moves, and report by bill or otherwise.

#### REPORT OF COMMITTEES.

Mr. Tarbell, from the committee on pensions, on petition of E. A. Barker and others, praying for pensioning the soldiers of the Arrostook war, reported leave to withdraw.

Mr. Day, from the committee on claims, on petition of Isaac H. Moore and 80 others, praying that drafted men who paid commutation money during the late war of the rebellion, when they were necessarily detained at home to care for dependent relatives, should be reimbursed by the State, reported leave to withdraw.

Mr. Walton, from the committee on legal affairs, reported ought to pass on bill an act to ratify and confirm the organization of the New Portland and Eustis Telephone and Telegraph Company; and to make legal and valid certain doings of said company. Printed under rule.

Mr. Walton, from the committee on legal affairs, reported ought not to pass on bill an act to amend section 73, of chapter 82, of the Revised Statutes relating to the fees of referees.

Mr. Rowell, from the committee on legal affairs, reported in a new draft ought to pass on bill entitled an act to lower the waters of Noye's pond in the town of Bluehill, during certain months of the year. Printed under rule.

Mr. Tarbell, from the committee on pensions, reported ought to pass on resolve in favor of Lucinda Barrows. Printed under rule.

Mr. Tarbell, from the committee on State prison, on petition of Mathias A. Cullom of Belfast, praying for an increase of pension, reported leave to withdraw.

Mr. Tarbell, from the committee on pensions, on petition of John Cassidy and others, praying that an increase of pension be granted to Robert Johnson, report no action necessary because the matter comes under the general law.

Mr. Houghton, from the committee on financial affairs, reported ought not to pass on resolve in favor of the Augusta City Hospital.

Mr. Patten, from the committee on inland fisheries and game, reported ought not to pass on bill an act to repeal chapter 268, of the Private and Special Laws of 1883, relating to the taking of fish in Little Tunk pond in Hancock county.

Mr. Lincoln, from the committee on claims, reported ought not to pass on bill of A. J. Cameron for binding and stitching for government for 1878.

Mr. Staples, from the committee on inland fisheries and game, on petition of H. D. Harvey and 17 others, praying that close time be established on fish in Har-

vey's pond in the town of Levant, report leave to withdraw.

Committee on ways and bridges, on petition praying that the sum of \$500 be appropriated to build a dridge over Corruvean stream, report leave to withdraw.

On motion of Mr. Dickey of Fort Kent, this bill was recommitted to the committee on ways and bridges pending the acceptance of the report of the committee.

Mr. Smith, from the committee on inland fisheries and game, on bill entitled an act for the protection of fish in Duck pond in Cumberland county, reported that same is within the jurisdiction of the commissioners of inland fisheries and game.

Mr. Holbrook, from the committee on ways and bridges, reported ought to pass on bill an act to enable the town of Yarmouth to build and maintain a bridge across tide waters between the islands of Cousins and Little Johns in the town of Yarmouth. Printed under rule.

Mr. Rowell, from the committee on legal affairs, report in a new draft ought to pass on bill an act to incorporate Newfield academy. Printed under rule.

Mr. Hutchinson, from the committee on mercantile affairs and insurance, reported ought to pass on bill an act to continue in force sections 19, 20 and 21, of chapter 48, of the Revised Statutes, in relation to insurance.

On motion of Mr. Hutchinson of Auburn, the above report was taken from the table and re-committed to the committee on mercantile affairs and insurance.

Mr. Hutchinson, from the committee on salaries, on petition of J. W. Hodgkins and 200 others of the town of Dexter, praying that the travelling fees of the county commissioners for the county of Penobscot be reduced, report leave to withdraw.

Mr. Smith, from the committee on judiciary, reported ought to pass on bill an act to extend the charter of the Lisbon Water Company, for an additional two years. Printed under rule.

Mr. Durgin, from the committee on inland fisheries and game, on petition of George A. Spofford and 300 others, relative to taking smelts in Kennebec river, reported that the petition be referred to the committee on shore fisheries.

Mr. Durgin from the committee on inland fisheries and game, on petition reported bill an act to repeal chapter 109 of the Private and Special Laws of 1853, and that it ought to pass. Printed under rule.

Mr. Luce from the committee on claims, reported ought to pass on resolve in favor of payment of deficiency of salary of Hudson French. Printed under rule.

Mr. Hurd from the committee on ways and bridges, on petition of Joseph Martin and others of Van Buren, praying for State aid to build a bridge in said town, reported leave to withdraw.

On motion of Mr. Dickey of Fort Kent, the petition was re-committed to the committee pending the acceptance of the report.

Mr. Gowell from the committee on claims, reported ought to pass on resolve

in favor of the town of Linneus. Printed under rule.

Mr. Boynton from the committee on legal affairs, reported ought not to pass on bill an act to incorporate Staples academy.

Mr. Noble from the committee on the judiciary, reported ought to pass on bill an act authorizing the city of Lewiston to refund a part of its debt. Printed under rule.

#### READ AND ASSIGNED.

An act to amend section 13 of chapter 3, of the Revised Statutes, in relation to election of town officers.

Resolve in favor of Castine State Normal school.

#### PASSED TO BE ENGROSSED.

An act to amend rule 4 of section 1, of chapter 75, of the Revised Statutes, as amended by section 1, chapter 157, of the Public Laws of 1895, relative to the descent of real estate.

An act extending the charter of the Bangor Boom Co.

An act to prevent the throwing of slabs and other refuse into the Aroostook river and its tributaries above the mouth of Beaver brook.

An act authorizing and empowering the Ashland Manufacturing Co. to erect and maintain piers and booms in the Aroostook river.

An act authorizing and empowering the Piscataquis Falls Pulp and Paper Co. to erect and maintain piers and booms in the Penobscot river.

An act authorizing and empowering the Katahdin Pulp and Paper Co. to erect and maintain piers and booms in the Penobscot river.

Mr. Jones of Lincoln, offered amendment "A," which was adopted, and the bill was passed to be engrossed as amended.

An act authorizing the Ashland Manufacturing Co. to erect dams and make improvements upon the Big Machias river in the county of Aroostook.

An act to amend section 1, of chapter 207, of the Public Laws of 1889, relating to the clerk of judicial courts in Piscataquis county.

An act to amend section 4, of chapter 124, of the Revised Statutes, relating to polygamy.

An act to establish a sinking fund for the county of Kennebec.

Resolve providing for the payment to the city of Rockland of the amount deducted from said city's proportion of the school fund for the year 1896, on account of an imperfect school return.

Mr. Fogler of Rockland, introduced an amendment to strike out the words "said treasurer," in the first line, and insert the words, "school fund for the year 1897."

Said amendment was adopted and the bill passed to be engrossed as amended.

Resolve in favor of the Eastern Maine Insane hospital.

On motion of Mr. Macomber of Augusta, this resolve was laid on the table pending its second reading.

Resolve in favor of the Bangor Children's Home.

Upon motion of Mr. Hamilton of Biddeford, this resolve was laid on the table and Wednesday of next week assigned for its consideration.

Resolve in favor of the Penobscot tribe of Indians.

Resolve in favor of the Maine Eye and Ear Infirmary.

On motion of Mr. Burns of Westbrook, this resolve was re-committed to the committee on financial affairs.

Resolve in favor of the Central Maine General hospital.

Upon motion of Mr. Fogler of Rockland, this resolve was laid on the table and Tuesday of next week assigned for its consideration.

Resolve in favor of an appropriation for the Maine Woman's Christian Temperance Union.

Resolve in favor of the Training and Normal school at Fort Kent.

Resolve in favor of the Farmington State Normal school.

Upon motion of Mr. Ayer of Vassalboro, this resolve was laid on the table pending its passage to be engrossed, and Tuesday of next week assigned for its consideration.

Resolve in favor of the Gorham State Normal school.

Upon motion of Mr. Whelden of Portland, this resolve was laid on the table and tomorrow morning assigned for its consideration.

#### ORDERS OF THE DAY.

On motion of Mr. Maxwell of Richmond, resolve in favor of building a bridge across the Mattawamkeag river in the town of Kingman, was taken from the table, and on further motion by the same gentleman it was recommitted to the committee on ways and bridges.

#### Memorial Exercises on the Death of Ex-Gov.

Davis

Mr. Palmer of Bangor, in the chair.

Mr. Stetson of Bangor:

Mr. Speaker: It is with a feeling of sadness that I rise to make a few remarks and to present the memorial of the committee appointed by the House, in regard to the loss our State has sustained in the death of Ex-Governor Daniel F. Davis of Bangor, which sad event occurred on Saturday, January 9th, 1897.

For some years it was my pleasure to have him and his family as near neighbors, in the city of Bangor and I can truly say that his love for his family, his conduct as a man, and his keen sense of right and wrong, merits the approbation of every true citizen of our State.

Knowing him as I did, and realizing the great strain of personal and business matters, under which he has been struggling during the past few years, it is with deep feelings of respect and admiration that I speak of the noble fight he has carried on with persistent courage, though laboring under the additional misfortune of poor health.

It is his virtues and goodness that I desire to hold up for admiration and emulation, and there were great virtues and

goodness in the life of Governor Davis; enough to make his life worthy of admiration, his memory a sweet reminiscence, and unto his children a priceless inheritance; and to justify our hope and faith that he has entered into the peace, and rest, and sleep, and reward of the just.

On behalf of the committee, it is my solemn duty to officially call your attention to the death of a governor of this State, Daniel F. Davis of Bangor. His death has profoundly moved the hearts of us all, and has deeply impressed the people of our State.

In this hall, where he took the oath of office as governor, and promised to maintain the laws of our State, and where his voice while a representative was heard in defence of our State, and her rights, it is most fitting that these memorial exercises should be held. It is well for us all in the busy struggles and ambitions of life, when death takes away a leader among men, to pause and to take one's thoughts away from worldly affairs and bid the departed a farewell, before the "ranks close up and the column presses on." In this room where we may almost fancy there may still linger some echo of his familiar voice, it is most appropriate that we pay our fond, just tribute to his virtues and his memory.

Governor Davis was born at Freedom, Waldo county, in this State on the 12th day of September, 1843, and was consequently in the fifty-fourth year of his age, at the time of his death. His father was a minister of the Christian church and a religious leader in eastern Maine. The family were of English descent and settled in New Hampshire some time during the seventeenth century. Governor Davis was educated in the common schools of our State, and entered the academy at East Corinth in 1863; but after a few weeks at school, he answered the call of his country and joined as a private, a company then being raised at his old home, and served with the greatest credit to himself and his country till the close of the war. It was during this continuous and arduous service that he contracted disease, which I have no doubt hastened his death. After his return from the war, he continued his studies at the East Corinth academy and at Kent's Hill seminary, where under the guidance of competent teachers, and the most valuable experience received while teaching school in the winters, he fitted himself to assume the cares and responsibilities of this life. It was in 1867 that in the office and under the guidance of the late Hon. Lewis Barker he took up the study of the law, and absorbed that love and liking for law and politics under so able a master.

It is well known that he was a lover of learning and he had that union of acuteness, judgment and human feeling, that makes a successful lawyer, and at the time of his death, he stood as one of the foremost lawyers at the Penobscot bar.

I cannot refrain from adding here a few words which will show his simplicity, sincerity and good sense, for he was a lawyer in the best and truest meaning of the

word, and I am informed by many of his personal friends, that there was no lawyer in Bangor who has so happy a faculty as Governor Davis, for settling cases out of court, and thereby winning the gratitude and love of both sides in many a petty strife. It was his natural delicacy in the treatment of men, it was his nobleness of soul, it was his kindness of heart that prompted him to show the way for a settlement, honorable to both parties; and not a sordid wish for gain that endears his character to all his many friends, and will long keep his memory green.

In 1874 after making many able speeches on the stump for the Republican cause, he was elected a member of the House of Representatives and took an active and prominent part in the pending questions of the day. In 1878 he served Penobscot county in the Senate and stood high among the many able men who were then serving their State as senators. There may be members of the Senate now who were senators at that time and they will remember the attention that Senator Davis attracted to himself by his able, exhaustive and effective speech on the contested election case of Madigan vs. Burleigh.

In 1879 he was nominated as the Republican candidate for governor but failed to receive the requisite majority, though falling only a few votes short, and accordingly the election was thrown into the Legislature.

The Fusionists attempted to organize the Legislature and elect one of the other candidates, but the supreme court found that their organization was illegal and sustained the Legislature organized by the Republicans who had elected Daniel F. Davis as governor of the State.

These were exciting times in the political history of the State, during this attempted "countout" by the Fusion party and it at once brought Gov. Davis into prominence as a man of force and marked him as one of the famous governors of Maine. The splendid ability shown by him during these trying times, with which many of you are familiar, inspired men with confidence and resulted in making him administration one of the ablest, and placing him in the foremost ranks of our long line of able governors. He showed great force and strength as a campaign orator and his services both at the time of his own election and in later campaigns were in demand all over our State and in others states. He was the candidate of the Republican party for re-election in 1880, but was defeated by the greenback movement of that year though only falling 130 votes behind his competitor, Gen. Plaistea, who was elected. After his retirement from the office of governor, he resumed the practice of law at Bangor and formed a partnership with Chas. A. Bailey, Esq., which was continued till the time of his death.

His death in many ways will be a great loss to our State, for he had her interest at heart, and was constantly striving to



advance the material prosperity of our people.

He had been collector of the port of Bangor and had occupied many other positions of trust and responsibility with credit to himself and the people of the State. His extensive law practice and large business interests brought him frequently to public notice, after his retirement from public life, and he has been a familiar figure at legislative hearings on matters pertaining to wild lands, in which he was not only largely interested on his own account, but also as the representative of other large interests. At the time of his death he was planning to appear before several committees on matters of great interest to the State and I might say that there was no man in eastern Maine who realized more than Gov. Davis, the great resources our State has in her wild lands and magnificent water courses; for he believed in Maine and in her great undeveloped natural resources.

Pleasing and endearing features in the life of Governor Davis were his amiable disposition, the absence of vindictiveness and jealousy; his appreciation of the talents of others, his warm sympathies with others, his manliness, gentleness and simplicity of demeanor, for he was we might call an approachable man. Among all his cares and labors he found time to keep himself familiar with public events and in touch with the leading minds for the best interests of our State and her people. As a friend he was a kindly, courteous and genial gentleman, and all who came within the circle of his influence, rich or poor, exalted or lowly, were treated with the same rare and exquisite courtesy. In closing I can but add that he has done his part to help the mysterious growth of the world along its inevitable lines towards its unknown end.

And now Mr. Speaker, I desire to present the memorial of the committee.

#### Memorial.

To the people of the State of Maine, through their representatives in Legislature assembled: Your committee desire to express the great loss our State has received in the death of its former chief executive, Daniel F. Davis. That he was held in high regard, affection and grateful memory by the people of the State, for his promotion of the public welfare, for his faithful administration of the honorable and responsible offices which he has filled in the government of our State, for his patriotic loyalty to his country and its constitution, for his unselfish kindness as a friend, and for his modesty and charm of manners, in all his relation and associations in life.

Wherefore we pray this testimonial may be engrossed on the records of the House.

Isaiah K. Stetson,  
B. B. Murray,  
W. H. Fogler,  
H. B. Saunders,  
Archibald L. Talbot,  
Chas. E. Edmunds,  
D. K. Jewell,

Committee.

Mr. Murray of Pembroke:

Mr. Speaker: I rise for the purpose of seconding the motion of the gentleman from Bangor, Mr. Stetson.

It was my good fortune to have had for quite a number of years, some acquaintance with ex-Governor Davis, whose decease has been announced. Soon after the close of the War of the Rebellion I met him here in Augusta, and from that time until near the end of his life, was accustomed to see him with more or less frequency. He was a genial, warm-hearted gentleman, one whom it was a pleasure to meet, and one whose cordial greeting and kindly manner inspired confidence and respect in all with whom he came in contact.

Governor Davis lived in eventful years, and at a time when matters of utmost importance to the State and nation were taking place. He was young at the time of the commencement of the War of the Rebellion, but he saw before him what he believed to be the path of duty, and, at the age of 20 years, entered the Union army, enlisting as a private in Company "D," of the District of Columbia Cavalry. He was afterwards transferred to Company "F," of the First Regiment of Cavalry, Maine Volunteers, a regiment which was composed of brave men, of men whose deeds of valor in their country's defence, will long be remembered as worthy of the highest commendation and gratitude of the people of Maine. The service of Mr. Davis there was honorable and patriotic, though much of the time he was suffering from serious disease contracted in the line of his duty as a soldier.

As a lawyer Mr. Davis was studious, painstaking, and thoroughly attentive to every matter entrusted to his professional care. Governor Davis, while busily engaged in the practice of his profession, was not insensible to the charms of politics, nor unmindful of the approval that follows successful control, or influence in the direction of public affairs, nor was he wanting in that quality, called ambition, which seems to be inherent in the human heart. Called to places of honor and of responsibility by the people of his immediate locality, and also by those of the State, all his public duties were performed with a purity of purpose that was worthy of emulation, and an integrity that was unchallenged and undoubted. Elected to the office of Governor of Maine at a time of great excitement, his conduct in that important office was above reproach, and commanded the respect of men of all shades of political belief, and won for him the confidence of even those who were most opposed to the party to which he belonged. Standing in this hall today, and remembering, as I so clearly do, the unusual scenes which had taken place here just prior to the time when Governor Davis entered upon the discharge of his official duties as chief magistrate of the State, it almost seems as if the words which he so earnestly, solemnly and honestly uttered, when reading his inaugural address, were still ringing in our ears.

In all the relations of private life Governor Davis was most exemplary and just. He was generous to those who in any way needed his assistance or aid; gracious to all who approached him upon matters of business or in a social way; and he seemed to do, so far as appeared to be in his power, unto others as he would that they should do unto him.

His last days were rendered particularly unhappy by disease, from which, to a greater or less extent, he had long suffered. But the end finally came, possibly much as he would have wished, terminating suddenly what had been a useful and honorable career.

As a man, as a citizen of the State and as a friend, his pleasing presence and companionship can no longer be enjoyed; but we trust that somewhere, in the infinite realm of immortal life, his spirit has found rest and peace and joy.

Mr. Fogler of Rockland:

Mr. Speaker: I formed the acquaintance of Governor Davis on the day when he was first nominated as a candidate for governor. From that time until the day of his death I enjoyed his acquaintance and friendship. In the first years of our acquaintance I met him frequently; in the latter years occasionally. I met him socially, I tried cases with him, I associated with him in political and other assemblages. I knew him during all that time as a genial gentleman, a sincere friend, a loyal comrade, a capable and painstaking lawyer and a wise counsellor in affairs of State. In his life he had my most profound respect; his death caused me unaffected sorrow.

After the eloquent and touching eulogies of his friend and townsman and of his other friends and comrades who have preceded me, whose words and sentiment touch a responsive chord in my heart, it would be idle for me to make any extended remarks on this solemn occasion. I wish merely to express my appreciation of his worth and pay my sad tribute to his memory.

However highly we may admire and respect his career in civil and political life, he has a still higher claim, to my mind, to the respect and admiration of the people of his State in his service as a soldier of the Republic.

We justly and loyally give our undying affection to those brave, skillful and patriotic commanders who led our armies through that long and terrible struggle for the preservation of the Union. To their memory, with loyal and loving hands, we rear the marble column and erect the life-like statue in bronze. Their brave deeds, their heroic devotion, their grand careers will ever be remembered so long as the American Union shall survive.

But we must bear in mind—the American people will ever remember—that these great commanders did not alone achieve the victory. The battles were fought, the victories were won, the Union was saved, by the patient endurance, the unwavering courage, the heroic deeds of the boys in blue who shouldered the rifle and wielded the saber—the private soldiers of the nation's armies. Upon their shoul-

ders there were no insignia of rank; they looked forward not to glory or renown; they did their duty for simple duty's sake.

Among their number was Daniel F. Davis, the future governor of his native State. At a most critical time in the great civil war; at a time when all knew from a sad experience that the war was no holiday affair, but that danger and suffering and perhaps death lay in the soldier's path, young Davis enlisted as a private soldier in the Union army. He enlisted in a fighting regiment—a regiment whose reputation, well earned, for bold riding, hard fighting and heroic deeds, was not excelled by that of any regiment that wore the blue—the First Regiment of Maine Cavalry Volunteers.

In that regiment he served from his enlistment until the great war closed, taking part in the brilliant achievements of the cavalry force in the campaign which ended with the surrender of the army of Northern Virginia at Appomattox.

I believe that his experience in the service—the responsibilities which he then assumed—for the private soldier was obliged to assume at times momentous responsibilities—exercised great influence upon his career in after life. It taught him self-reliance, a sounder judgment, more promptitude in action. I have no doubt that all this contributed to the calm patience, the quiet courage, the inspiring confidence which he exhibited in the turbulent scenes which attended his installation in the gubernatorial chair.

I rejoice today that the people of this good State have in one instance chosen as their chief magistrate one who served as a private soldier in the nation's army.

The administration of Governor Davis was safe, prudent, honest, and for the best interest of the people of the State.

His name stands high in the long list of eminent men who have occupied the high office which he so faithfully held.

Today we mourn the loss of a good citizen, a brave soldier, a distinguished official.

Mr. Dickey of Fort Kent—It was my fortune to meet Governor Davis many years ago in this House, and also to meet him in the Senate, and later as Governor; and in all my associations with him, which have been very close, I esteemed him as one of the most genial, the most upright, honest men that I have ever associated with.

As a man of talent there were few that excelled him. In his speeches in the House and in the Senate, I never listened to better arguments—not mere speeches, but arguments to the question upon which he was speaking. He was a man who has favored our eastern part of the State, who knew it and knew its wants, and there was nothing in his power but what he did to open up and settle our eastern territory. When the great eastern boundary of Maine was settled under the Ashburton treaty, thousands of the old Acadian French were fastened upon us under the treaty, and Governor Davis extended all the assistance in his power to those people. He en-

tered into their situation and their circumstances, and there was nothing that he left undone for their assistance. It has been my privilege to be intimately acquainted with Governor Davis. His house was my home in Bangor. Two years ago I was there in his house sick for two weeks and most of the time confined to my bed, and no man, I don't care where he comes from, could be more attentive or more kind. It was his make-up; the God of Nature had made him in that manner and it was his nature to do it and he loved to do it. When he was Governor here I was with him perhaps as much as any man, and although I was in the opposite party in what is called the count-out, yet we never lost our friendship and we became more and more intimate. Such has been my feeling in regard to Governor Davis and his family that I cannot, as a member of the minority of this House, refrain from expressing my thanks for the privilege of saying what I have; and I sincerely second the motion to spread this memorial upon the records.

Mr. Talbot of Lewiston:

Mr. Speaker: It would be impossible for me to add anything of material value to what has already been so well and so ably said, and I will not attempt a eulogy of the life and valued services of our lamented ex-Governor Davis, but I feel constrained at this time to say a few words relating to his early manhood and school days of thirty years ago. In 1866 and '67 Daniel F. Davis after his return from the army became a student at the Maine Wesleyan Seminary at Kent's Hill under the able and widely known preceptor Rev. Dr. Henry P. Torsey. This was before the days of the present system of high schools, normal schools and State College, and young men in the twenties were there from all parts of Maine. The former students of Kent's Hill are to be found in every part of this great republic and many of them in high positions of honor and responsibility. No less than ten of the members of this House of Representatives received instruction there. It was when a student at Kent's Hill that I first saw and became acquainted with our departed friend, and who by his manly deportment and upright life won from me a respect and esteem that years and death have not effaced. Well I recall him to mind as he looked and appeared then; a little reserve but always pleasant and cordial even when once you became acquainted with him.

He did not engage in the athletic sports as did the most of us, owing to incapacities received in the army service, but he took an interest in all that was going on and won the love and esteem of us all. I remember him especially in the "Callopan Society," the old debating society of Kent's Hill where he cultivated the art of public speaking and gave promise of what he later became, a good public speaker and able advocate at the bar. Oh, the precious memories of those golden days in manhood's early morning. Among the bright galaxy of stars of old Kent's Hill is the name of Daniel F. Davis. He became Governor of Maine at the most critical period in the history of our State and he acquitted himself wisely and well. His administration of the affairs of State stand of record among the best in the history of Maine.

Mr. Edmunds of Corinth:

Mr. Speaker: It is with feelings of mingled pleasure and sadness that I review my acquaintanceship with ex-Governor Daniel F. Davis, pleasure that it was my privilege to know him in his early manhood, when the principles and characteristics, which in later years brought him into prominence, were in their most healthy condition; sadness that our friendship should have been brought to such an untimely end, when he at least was but little past the noon of life.

I well remember him as he first came to our village as a student in the East Corinth academy, and later when he commenced the practice of law. He having an office in my building, I was much in his society. Our business relations were of the most pleasant nature. About this time Mr. Davis married Miss Laura Goodwin, one of Corinth's most estimable young ladies. She has proved a devoted and loving wife, and today is entitled to the sincere sympathy of all who knew and loved, ex-Governor Davis. During his life in our village he was a pattern husband, a loving father, an enterprising and respected citizen, a true and loyal friend. As a business man, he made friends with all, by his fair dealing and unselfish nature, and often would advise a settlement between

contestants, when litigation would have advanced his own personal interests.

It was from his modest country home that he was sought to fill the office of Chief Magistrate of this State. He soon after this moved to Bangor, we all feeling at that time that the town, as well as individuals, had sustained a great loss.

As I call to mind the many pleasant hours of friendly intercourse, exchanged between Governor Davis' family and my own, I consider them as among the brightest spots in my life.

I feel it an honor to have been one of his friends, and I join with you all today, in deeply regretting his death, recollecting that it is a loss to his State, his city, his family, his friends, and all who were brought into association with him.

Mr. Jewell of Hallowell—After all that has been said here by the able gentlemen who have preceded me, I am at a loss for words to express my profound respect for the name of ex-Governor Daniel F. Davis; but, gentlemen, having been somewhat associated with him during one of the most critical periods of his life, I do want to say that I believe and know that Daniel F. Davis was one of the noblest works of God, and I heartily second the motion of the gentleman from Bangor to spread this memorial upon the records of this House.

Mr. Pearl of Bangor:

On the morning of January 9th, like a flash of lightning from a clear sky came to the neighbors and fellow citizens of the late ex-Governor Davis the news that he was dead, reminding them that in the day when we thing not the Angel of Death, with his stealthy step, walks in our midst and takes from our ranks to the great beyond, too often, those we love, frequently those whom friendship has been an uplifting influence in our lives. Then again he takes those who have been conspicuous by their public career.

In the death of ex-Governor Davis the State of Maine has lost one of her truest friends and the city in which he lived one of its most devoted citizens.

No state in all this great Union was to him quite so worthy of his love and devotion as the Pine Tree State, and no city within its borders offered to him that degree of attractiveness as did the Queen City of the East. He was always thoroughly interested in whatever pertained to the welfare of the State or to the community in which he lived. I am reminded that in one of the last public speeches that he made, he spoke before a meeting of the State board of trade, and at that time plead eloquently for the preservation of our forests which he feared were

being gradually destroyed. He was a good neighbor and we shall miss his kindly morning greeting on our way to business.

He was a friend to him who needed help and always lent a listening ear to those in trouble. As we sit in this legislative hall so familiar to him it is natural that we should think of him as the once chief executive of our State, and in our thoughts we would surround him with all the true and noble characteristics that were his, while with sincere mourning we regret what to us may seem as an untimely death.

The question being to spread upon the records the memorial offered by Mr. Stetson of Bangor, the motion was unanimously agreed to by a rising vote.

Mr. Stetson moved as a further mark of respect to ex-Governor Davis that the House do now adjourn.

The motion was agreed to.