

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**  
OF THE  
**Sixty-Ninth Legislature**  
OF THE  
**STATE OF MAINE.**  
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**1899.**

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## SENATE.

Tuesday, Jan. 17.

Senate met according to adjournment.

Prayer by Rev. Mr. Degen of Augusta.

Journal read and approved.

Papers from the House disposed of in concurrence.

Mr. Weeks of Somerset, announced the presence of Senator-Elect Milton L. Merrill of Somerset, and he was thereupon appointed by the Chair to conduct the senator-elect to the Executive Chamber to receive the oath necessary to qualify him for the performance of his duties. Mr. Weeks subsequently reported that the oath had been administered and Mr. Merrill having been duly qualified then took his seat in the Senate.

The following message was received from the Executive:

## STATE OF MAINE.

Augusta, Jan. 17, 1899.

To the Honorable President of the Senate and Speaker of the House of Representatives:

I have the honor to transmit herewith a communication from the Chief Executive of the state of Florida, and my reply thereto, accompanied by a call for a national militia convention to be holden at Tampa, Florida, on the 8th day of February next.

The object of this convention is to discuss, suggest and perhaps formulate some general plan upon which the National Guard may be re-organized and placed upon a more effective basis.

Since this question of re-organization of the Guard has already assumed national importance it seems proper that I should call the attention of the Legislature to the subject that it may provide for such representation of our State in the proposed convention as may seem expedient and wise.

(Signed)

LLEWELYN POWERS,  
Governor.

State of Florida.  
Executive Department,  
Tallahassee, Sept. 17.

Impressed with the necessity for a thorough re-organization of our State

Militia service, as discussed by members of the national harbor defence convention at Tampa in 1896, I have deemed it proper to issue a call for a national convention in this interest to assemble at Tampa, Fla., on the 8th day of February, 1899.

The object of this convention will be to discuss and suggest methods for placing state troops on the most effective footing. Questions relating to arms, equipments, tactics, clothing, food and transportation will be considered and discussed by experts. Special attention will be given to the subject of camp sites, sanitation, and all precautionary measures that modern science can suggest to insure the comfort and health of troops.

A commodious building will be arranged for exhibits of such articles as may be deemed desirable for army and navy use.

In the interest of patriotism and the country I respectfully urge governors of the various states, of the Union to appoint delegates from their land and naval militia service to this convention.

The army and navy of the United States will be represented by prominent delegates.

Hoping that you will have your State fully represented, I have the honor to remain,

Respectfully yours,  
W. D. BROXHAM,  
Governor of Florida.

State of Florida.  
Executive Department,  
Tallahassee, Jan. 10, 1899.

Hon. Llewellyn Powers, Governor of Maine, Augusta, Maine:

Dear sir—Again referring to our invitation extended to Your Excellency requesting representation from your commonwealth to the national militia convention to assemble at Tampa, Florida, on the 8th day of February next, we respectfully urge the importance of representation from Maine to this convention.

Re-organization of the National Guard is now a matter of vital importance to the nation, and to the states. We trust, therefore, that Maine will aid her sister states in formulating plans for re-organizing our present defective militia system.

Respectfully requesting Your Excellency to appoint delegates and kindly mail list of the same to Hon. H. Cunningham, Tampa, Fla., at your earliest leisure,

With assurance of respect, I am, dear sir,

Faithfully yours,

(Signed) W. D. BLOXHAM,  
Governor of Florida.

Augusta, January 16, 1899.

Hon. W. D. Bloxham, Governor of Florida:

Dear Sir—I beg to acknowledge the receipt of your communication of January 10th.

I will submit the matter of sending a delegation to the convention to be held at Tampa, on the 8th of February, to the Legislature.

It seems to me that it would be a very desirable thing to do. I think that the National Guard of the various states is sadly in need of re-organization, and that it should be in many respects upon a very different basis from what it is today. Therefore this move has my cordial sympathy.

Very respectfully,  
Your obedient servant,

(Signed) LLEWELLYN POWERS,  
Governor of Maine.

The communication and correspondence were referred to the committee on military affairs.

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

#### JUDICIARY.

By Mr. Stearns of Aroostook—Petition of Hon. Frederick A. Powers and 25 others, members of the Aroostook county bar, praying for an increase in salaries of justices of the supreme judicial court.

By Mr. Hamlin of Hancock—Memorial of George M. Warren and others of Hancock county bar, asking the same

By Mr. Drummond of Cumberland—Petition of Wm. G. Davis and 106 others for the same.

Petition of Henry B. Cleaves and 27 others for the passage of an act providing for three women on the school board of the city of Portland.

Petitions of C. D. Livermore and 31 others and of J. Henry Rines and 23 others, for the same.

#### LEGAL AFFAIRS.

By Mr. Blanchard of Franklin—Petition of A. H. Adams and 30 others for change in the law relating to election of road commissioner.

Petition of Gilbert Miller and 75 others, and Chas. R. Holland and 20 others, for the same.

By Mr. King of Oxford—Petition from citizens of Andover for a village corporation.

#### EDUCATION.

By Mr. Jones of Penobscot—Petition of S. T. Mallett and 46 others asking for an appropriation of \$1500 per annum in aid of Lee Academy.

#### INTERIOR WATERS.

By Mr. Chamberlain of Lincoln—Bill an act to extend the charter of the Maine Water and Electric Power Co.

#### INLAND FISHERIES AND GAME.

By Mr. Hurd of York—Petition of Nathaniel Hobbs and 25 others to extend the close time on deer in York county.

#### SHORE FISHERIES.

By Mr. Drummond of Cumberland—Bill an act to amend Section 25, Chapter 40 of the R. S. relating to the taking of clams and shell fish.

#### INSANE HOSPITAL.

By Mr. Vickery of Kennebec—Resolve in favor of the Maine Insane hospital.

#### ORDERS.

On motion by Mr. Vickery of Kennebec, it was

Ordered, That the use of the Senate Chamber be granted the Maine Press Association for its meetings, on Wednesday evening, Jan. 18, and Thursday afternoon, Jan. 19.

#### READ AND ASSIGNED.

The following resolve tabled for printing was taken from the table, read once and assigned:

Resolve, Providing for the payment to the town of Jay of the amount deducted from said town's proportion of the school fund for the year 1898 on account of imperfect school returns.

**COMMITTEE REPORTS.**

Mr. Drummond from the committee on judiciary, reported ought to pass on bill an act to change the name of Colby University. Report accepted. Tabled for printing under rule.

**SPECIALLY ASSIGNED.**

Resolve in favor of the Eastern Maine Hospital for the Insane. This resolve came up for its second reading.

Mr. Plummer of Penobscot: Mr. President, in the course of some discussion, last Friday, when this resolve was reported from the committee to the Senate, in appealing to my friend, the senator from Somerset, Mr. Weeks, not to insist upon his motion to lay it on the table at that time, I stated, that the friends of the measure had no desire to rush it along unduly, that they were willing there should be ample opportunity for debate and for preparation therefor, and that they would consent at some future stage in its progress to have it put upon the table and held up a reasonable time in order that my friend, the other senator from Somerset, who was at that time ill—and we are glad to see him back here, to sit with us—might make such preparation and investigation as he should desire. Today I am ready to stand by that proposition, and while retaining the control of the measure in the hands of its friends, which was the main purpose I had in opposing the motion to table the resolve, last Friday, I would like to arrange with the two senators from Somerset, who are here, today, in their seats, for the assignment of a certain day when the passage of this resolve to be engrossed shall be the order of the day, and I would ask if they will agree to have this made a special order for Tuesday of next week. I will say further that when this discussion occurred, I was under the apprehension that the senator from Somerset, Mr. Weeks, was making this motion at the request of my friend, the other senator from Somerset, Mr. Merrill, but I have been informed that such was not the case, but that the senator from Somerset, Mr. Weeks, made the motion entirely on his own responsibility and for his own purposes.

Mr. Weeks of Somerset: I suppose the assignment of this measure is a matter for the Senate to determine, and not for the senators from Somerset. As far as my colleague and I are concerned, the assignment for next Tuesday will be entirely satisfactory. I think the senator from Penobscot did not put a fair construction on the language I used in making the motion to table this resolve. It is not fair to allow anyone to draw the conclusion that I made the motion at the request of my colleague, Senator Merrill. I simply stated then that as it was a matter of some importance, I would like to have the matter remain as it was until Senator Merrill returned.

On motion by Mr. Plummer, the resolve was assigned for Tuesday of next week, pending its second reading.

**FINALLY PASSED.**

Resolve authorizing a temporary loan for war purposes, and appropriating the same.

**UNITED STATES SENATOR.**

The time having arrived for taking a vote of the Senate for United States senator, in accordance with the statutes of the United States, the secretary called the roll, and the vote was as follows:

For Eugene Hale of Ellsworth—Messrs. Adams, Blanchard, Chamberlain, Clason, Drummond, Dudley, Fernald, Grindle, Hamlin, Heald, Hodsdon, Hurd, Johnston, Jones, King, Merrill, Peirce, Pike, Plummer, Sawyer, Sharp, Stearns, Vickery, Weeks, White, Witham, Young,—27.

Absent—Messrs. Hargraves, Reynolds, Shepherd, Whitehouse,—4.

Mr. Chamberlain of Lincoln, stated that he had been requested to say that Mr. Shepherd of Knox, had been detained at home by illness, and if present he would vote for Hon. Eugene Hale.

**IN HONOR OF HON. NELSON DINGLEY.**

The following communication was received from the Executive:

Augusta, Jan. 17, 1899.

To the Senate and House of Representatives:

It is with feelings of profound sorrow that I perform the painful duty of announcing to you that the Honorable Nelson Dingley, representative in Congress from the Second district, died in the city of Washington, last Friday evening, at half-past 10 o'clock.

For some time the people of Maine, and of the whole country, have watched with deep anxiety his brave struggle for life, earnestly praying that he might be spared for further usefulness to the nation. And as hope of recovery had begun to cheer and gladden their hearts, a sudden change for the worse ended his grand life, and put a period to his noble, practically and eminently useful career.

We all sincerely mourn the loss of one so good, so just and so great, and tender our heartfelt sympathy to his bereaved family.

As a statesman he takes a high rank among those who have wisely guided aright the republic in its onward march, and who have written their names in imperishable letters high upon the nation's roll of honor. As a journalist, a legislator, a congressman, a Governor and an upright citizen, he has shown us a life and character worthy of imitation and reverence. In his long and varied career he has been scrupulously faithful to every trust and duty—just and impartial. "Hew to the line, let the chips fall where they may," was the principle that dominated and controlled all his acts.

Maine will never forget his devotion to his native State and her interests, and though dead, he will continue to live in the grateful hearts and memories of all her citizens. In the halls of her Legislature he began his distinguished public life; he began his distinguished public labors; they have closed in the Capitol as a tried and trusted leader of

his party in the national House of Representatives.

His integrity, devotion to duty, love of right and justice, vast resources, sound learning, thorough mastery and comprehension of all questions relating to finances and tariff, commanded for him on all occasions an attentive hearing, and made him a recognized authority, not only among his friends, but also with his political opponents. It is my deliberate judgment that in reference to these subjects he has never had a superior and but few equals on the floors of Congress.

As a mark of respect, I have directed that all flags on public buildings be placed at half-mast, and also that the Executive department of the State government be closed during the day of the funeral services.

It is for this Legislature to take such further action in the premises as it shall deem fitting and proper.

(Signed) LEWELLYN POWERS,  
Governor.

Mr. White of Androscoggin: In response to the communication received from His Excellency, announcing the death of the Hon. Nelson Dingley, I desire to offer the following order: When from some point of vantage we are permitted to look out over a mighty forest, we see scattered sparingly here and there a few trees towering above their fellows, like mighty rulers. So, here and there among their fellow men, occasionally there appears a great leader, commanding the attention and respect, the confidence and devotion of mankind.

Conspicuous among the distinguished men the State of Maine has produced, whose fame and field of action have not been confined to the limits of our own State or even of the nation, stands Nelson Dingley. Honest, able, learned, pure in private and in public life, he has endeared himself to the people and enshrined himself in their confidence and affection.

As a token of respect to his memory and in response to that silent sorrow which oppresses us all at his death, it is

Ordered, That a committee consisting of the President of the Senate and two senators on the part of the Senate, with such members as may join on the part of the House, be appointed to attend the funeral at Lewiston, Wednesday, Jan. 18, at 10 o'clock A. M.; that the secretary transmit a copy of this order to the family, and that as a further mark of respect to the memory of the dead, the Senate stand adjourned.

The order was passed and the President appointed as such committee on the part of the Senate, Messrs. White of Androscoggin and Hamlin of Hancock.

Adjourned.

## HOUSE.

Augusta, Jan. 17.

Prayer by Rev. Mr. Penney of Augusta.

Papers of the Senate disposed of in concurrence.

Bills, petitions, etc., presented and referred:

### JUDICIARY.

By Mr. Virgin of Portland—Petition of Charles F. Libby and 72 others for passage of an act providing for three women on the school board of the city of Portland; petition of A. H. Wright and 61 others; petition of J. B. Shepherd and 20 others; petition of Percival Bonney and 65 others for same.

By Mr. Sargent of Portland—Petition of E. G. Greeley and 54 others; petition of Zenas Thompson and 39 others for same.

By Mr. Woodbridge of Newcastle—Petition of C. F. Creamer and 66 others in favor of an amendment to chapter 329, Public Laws of 1897, relating to election of road commissioners.

By Mr. Manley of Augusta—Petition of Augusta Board of Trade in favor of passage of bill to prevent the use of trading stamps and other similar devices.

By Mr. Burns of Westbrook—Petition of John E. Warren and 47 others of Westbrook in favor of increasing the salaries of justices of the supreme judicial court.

By Mr. Manley of Augusta—Petition of Selden Connor and 15 others of Augusta.

By Mr. Hyde of Bath—Petition of Charles W. Larrabee and 14 others of Sagadahoc county, in favor of same.

By Mr. Smith of Presque Isle—Bill an act relating to the sale of Paris green and poisonous preparations used for the destruction of insects.

By Mr. Manley of Augusta—Bill an act to prevent the use of trading stamps and other similar devices.

By Mr. Manley of Augusta—Bill an act to secure the secret ballot.

By Mr. Virgin of Portland—Bill an act to regulate the practice of veterinary surgery, medicine and dentistry in the State of Maine.

### LEGAL AFFAIRS.

By Mr. Leavitt of Eastport—Bill an act to amend chapter 450 of the private