

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**NOTE:**

**No Legislative Record has  
been found for the  
Adjourned Session  
on September 1, 1903.**

**The relevant pages  
from the House and Senate Journals  
are therefore provided to indicate  
proceedings in the chambers  
on that day.**

JOURNAL  
OF THE  
HOUSE OF REPRESENTATIVES  
OF THE  
STATE OF MAINE

1903

---

SEVENTY-FIRST LEGISLATURE

---

AUGUSTA  
KENNEBEC JOURNAL PRINT  
1903

AUGUSTA,  
TUESDAY, September 1, 1903.

Met according to adjournment.

Prayer by the Rev. Mr. Dunnack of Augusta.

Journal of March 28 read and approved.

Mr. LITTLEFIELD of Rockland said:

*Mr. Speaker and members of the House:* I desire at this time to announce to you the death of one of our members which has occurred since we last met together, a gentleman of whom the minority part of this House of which he was a member, may be justly proud—that of Joseph H. Carleton of Rockport, who died at his residence in the village of Rockport on August 14th, after a very brief illness. I move you that a committee on resolutions be appointed.

The motion prevailed and the Speaker appointed

Messrs. Littlefield of Rockland,  
Knowlton of Camden,  
Curtis of Portland,  
Sewall of Bath,  
Oakes of Auburn,  
Putnam of Houlton,  
Randall of Freeport.

Mr. SHAW of Bath said:

*Mr. Speaker:* Since the adjournment on March 28th, Hon. Isaiah Daniels, a member of this House from the city of Portland, has passed to a higher life; and I move that a committee be appointed to draft suitable resolutions and report at this meeting.

The motion prevailed and the Speaker appointed

Messrs. Shaw of Bath,  
Davis of Waterville,  
Drew of Portland,  
Barker of Bangor,  
Weeks of Fairfield,  
Thompson of Orono,  
Rice of Farmington.

Papers from the Senate:

Communication from Executive Department.

AUGUSTA, March 28, 1903.

*To the Honorable Senate and House of Representatives:*

I transmit herewith a list of the Acts and Resolves passed during the present session of the legislature and approved by me, numbering 664 Acts and 148 Resolves.

I have no further communication to make.

(Signed)

JOHN F. HILL.

Was read in concurrence.

Bill "An Act to provide for the representation of the State of Maine at the Louisiana Purchase Exposition at St. Louis, Missouri, and making an appropriation therefor,"

Which passed to be engrossed in the House March 25,

Came from the Senate indefinitely postponed in non-concurrence.

On motion of Mr. ALLEN of Sanford the House voted to insist and call for a second committee of conference, and

Messrs. Shaw of Bath,  
Drew of Portland,  
Briggs of Auburn,

were appointed as conferees on the part of the House.

The papers were sent to the Senate. Subsequently they were returned joined on the part of that branch by

Messrs. Randall of Cumberland,  
Pike of Washington,  
Bryant of Somerset.

"An Act to amend section 3 of chapter 258 of the Public Laws of 1893, relating to school funds derived from savings bank tax,"

Which passed to be enacted in the House March 28,

Came from the Senate indefinitely postponed in non-concurrence.

On motion of Mr. DREW of Portland the House voted to insist and call for a committee of conference, and

Messrs. Drew of Portland,  
Davis of Waterville,  
Thompson of China,

were appointed as conferees on the part of the House.

The papers were sent to the Senate. Subsequently they were returned with

Messrs. Stetson of Penobscot,  
 Burleigh of Aroostook,  
 Morrison of York,  
 joined on the part of that branch.

Report of the committee of conference to which was referred the disagreeing action of the Senate and House on bill "An Act to provide for the representation of the State of Maine at the Louisiana Purchase Exposition at St. Louis, Missouri, and making an appropriation therefor," reporting that they are unable to agree,

(Signed) Messrs. C. H. Randall,  
 B. M. Pike,  
 E. C. Bryant,

committee on part of Senate.

Messrs. A. H. Shaw,  
 M. N. Drew,  
 Ansel Briggs,

committee on part of House.

The report was accepted.

On motion of Mr. ALLEN of Sanford the House voted to further insist and call for a third committee of conference, and

Messrs. Smith of Presque Isle,  
 Littlefield of Rockland,  
 Barker of Bangor,

were appointed as conferees on the part of the House.

The papers were sent to the Senate. Subsequently they were returned, that branch receding from its former action in indefinitely postponing the bill and concurring with the House in passing it to be engrossed.

Final report of the Joint Standing Committee on Appropriations and Financial Affairs.

The report was accepted in concurrence.

On motion of Mr. PETTENGILL of Rumford,

Ordered, That the Secretary of the Senate and the Clerk of the House, make up a pay roll of the employees of the Senate and House for their attendance at this adjournment of the session of the seventy-first legislature of Maine, as follows:

## SENATE.

C. H. Lovejoy, messenger.....	\$15 00
J. F. Ashford, assistant messenger.....	15 00
W. G. Fuller, folder.....	15 00
J. G. Dearborn, assistant folder.....	15 00
T. A. Anderson, postmaster.....	15 00
S. D. Lord, doorkeeper.....	15 00
E. K. Milliken, reporter.....	25 00
S. C. W. Simpson, page.....	15 00
A. W. Buck, page.....	15 00
Chaplain .....	2 00

## HOUSE OF REPRESENTATIVES.

G. H. Fisher, messenger.....	\$15 00
W. J. Smith, first assistant messenger.....	15 00
W. H. Holmes, second assistant messenger.....	15 00
H. P. Hawes, mail carrier.....	15 00
H. R. Coolidge, assistant mail carrier.....	15 00
J. H. Dixon, first folder.....	15 00
Chapin Lydston, second folder.....	15 00
L. E. Thornton, third folder.....	15 00
R. C. Noyes, first doorkeeper.....	15 00
E. P. Craig, second doorkeeper.....	15 00
J. S. Estes, reporter.....	25 00
A. H. Whitman, reporter.....	25 00
W. B. Webb, page.....	15 00
Charles Knowlton, page.....	15 00
Chaplain .....	2 00

---

Making a total of..... \$379 00

This amount shall be drawn from the contingent of the legislature.

Was read and passed and sent to the Senate.

Papers from the Senate:

An Act to amend section 10 of chapter 19 of the Revised Statutes, relating to the law of the road,

Which passed to be enacted in the House March 27.

Came from the Senate referred in non-concurrence to the next legislature.

On motion of Mr. NORTON of Gardiner, the votes whereby the bill passed to be enacted and engrosed, were reconsidered and on motion of same gentleman the bill was referred to the next legislature in concurrence.

Report of the commissioner required by the resolve approved March 4, 1903, to incorporate in the fifth revision of the Public Laws, the legislation enacted by the legislature of 1903.

The report was accepted in concurrence.

Report of the Committee on Revision of the Statutes, on report of the commissioner on revision and consolidation of the Public Laws of the State of Maine, reporting bill "An Act to revise and consolidate the Public Laws of the State."

Report of same committee on same report, reporting bill "An Act to repeal the acts consolidated in the Revised Statutes of the year 1903."

The reports were accepted in concurrence.

On motion of Mr. PUTNAM of Houlton, rules were suspended, the bills severally read three times and passed to be engrossed in concurrence.

On motion of Mr. LITTLEFIELD of Rockland, the House took a recess until 2 o'clock this afternoon.

#### AFTERNOON SESSION.

Papers from the Senate:

The order that the Secretary of the Senate and the Clerk of the House, make up a pay roll of the employees of the Senate and House for their attendance at this adjournment of the session of the seventy-first legislature of Maine,

Which was read and passed in the House this forenoon,

Came from the Senate amended by Senate amendments "A" and "B" as follows: By inserting J. Perley Dudley, clerk to Committee on Revision of the Statutes, \$15.00, making a total of \$394.00. Also by inserting Miss Ethel Hodgkins, stenog-



rapher to President and Secretary of the Senate, \$15.00; Miss D. B. Bartlett, stenographer to Speaker and Clerk of the House, \$15.00, and change the total to \$424.00, and as amended passed.

The vote whereby the order received a passage was reconsidered, Senate amendments "A" and "B" adopted in concurrence and the order as amended passed in concurrence.

Report of the Committee of Conference to which was referred the disagreeing action of the Senate and House on bill "An Act to amend section 3 of chapter 258 of the Public Laws of 1893, relating to school funds derived from savings bank tax," reporting that they are unable to agree.

(Signed) Messrs. I. K. Stetson,  
Geo. E. Morrison,  
*Conferees on part of Senate.*

Messrs. M. N. Drew,  
W. J. Thompson,  
Cyrus W. Davis,  
*Conferees on part of House.*

The report was accepted.

On motion of Mr. DREW of Portland, the House voted to adhere and the papers were sent to the Senate.

An Act to provide for the representation of the State of Maine at the Louisiana Purchase Exposition at Saint Louis, Missouri, and making an appropriation therefor;

An Act to revise and consolidate the Public Laws of the State;

An Act to repeal the acts consolidated in the Revised Statutes for the year 1903;

Were reported from the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, were severally signed by the Speaker and sent to the Senate.

The resignation of Hon. Edward E. Chase of Bluehill, a member of the commission to take into consideration the advisability of the removal of the State Capitol, was received and accepted, and Hon. George D. Bisbee of Rumford appointed to fill the vacancy. The papers were sent to the Senate.

The following opinion of the court, in accordance with the order of the House, passed March 25, in regard to bill "An Act

relating to taxation of land in unincorporated places," was received.

*To the House of Representatives:*

The undersigned justices of the supreme judicial court have considered the question submitted to them by the House of Representatives in its order of March 25, 1903, and above set forth and give their opinion as follows:

Inasmuch as the State tax imposed upon cities, towns and plantations is necessarily imposed upon the lands as well as upon the personal estate therein, the question may be correctly stated as follows: In levying a State tax, is the legislature prohibited by the Constitution from fixing a higher rate of taxation upon lands outside of incorporated cities, towns and plantations than the rate upon lands within such municipalities? We think the legislature is so prohibited by section 8 of article IX, which is as follows: "All taxes upon real and personal estates, assessed by authority of this State, shall be apportioned and assessed equally according to the just value thereof."

This command of the Constitution is absolute and comprehensive. No exception is allowed for the locality of the land whether within or without any particular sub-divisions of the State's territory. The legislature can no more discriminate in the rate of taxation between incorporated and unincorporated territory, than it can between different sections of incorporated territory. The apportionment and assessment each must be equal throughout the whole State. The criterion established, and hence the only criterion to be applied, is the "just value" of the land wherever situated. The only permissible variation of the amount of the tax is that resulting from the difference in value. The rate must be the same everywhere. Locality can be considered only so far as it affects value.

Judicial authority for this interpretation of the Constitution is not wanting. The Constitution of Massachusetts provided that taxes should be levied proportionately upon all "estates lying within the commonwealth." A statute imposed a tax upon corporation dividends due non-residents but not on those due residents. The statute was held to be in conflict with the Constitution, *Oliver v. Washington Mills Co.*, 11 Allen, 268. The Constitution of Michigan commanded the legislature to "provide a uniform rule of taxation." The supreme court of

the United States in considering this provision said: "All kinds of property must be taxed uniformly, or be entirely exempt. The uniformity must be co-extensive with the territory to which the tax applies. If a State tax, it must be uniform throughout the State. If a county or city tax it must be uniform throughout such county or city." *Pine Grove Township v. Talcott*, 19 Wall, 666,675. The Constitution of Wisconsin contained this clause: "The rule of taxation shall be uniform." A statute authorized a city to tax lands within the city limits, laid out into city lots, at different rates from those not so laid out. Held unconstitutional. *Knowlton v. Rock county*, 9 Wis. 410. The Constitution of Ohio commanded the legislature to pass "laws taxation by a uniform rule xxxxx all real and personal property according to its true value in money." The supreme court of Ohio said of this clause: "The general assembly is no longer invested with the discretion to apportion the tax and to determine upon what property and in what proportion the burden shall be laid. A uniform rate per cent must be levied upon all property subject to taxation according to its true valuation money so that all may bear an equal burden." *Zanesville v. Richards*, 5 Ohio St., 589. In New York was a statute authorizing a tax payer to deduct his debts from the valuation of his personal property except that of his shares in national banks.

This was held to be in conflict with the United States statute requiring such shares to be taxed equally with other moneyed capital. *People v. Weaver*, 100 U. S., 539. The Constitution of Oregon commanded the legislature to "provide by law for a uniform and equal rate of assessment and taxation" and to "prescribe such regulations as shall secure a just valuation for taxation of all property both real and personal." A statute levied a tax of \$1.25 on each bicycle without regard to value. Held unconstitutional. *Ellis v. Frazier*, (Oregon) 53 L. R. A. 454.

It follows that the proposed legislation would be contrary to the Constitution.

Although these questions submitted by the House of Representatives were not received by the justices until after the adjournment of the regular session of the legislature, the question discussed in the answers of the justices, 95 Me., 564, as to the propriety and duty of answering questions propounded under somewhat similar circumstances does not here arise, because of

the fact that the present legislature is to reconvene in September of this year, when it may consider the subject matter of the questions.

(Signed)

Andrew P. Wiswell,  
Lucilius A. Emery,  
Wm. P. Whitehouse,  
S. C. Strout,  
Albert R. Savage,  
Frederick A. Powers,  
Henry C. Peabody,  
Albert M. Spear.

PORTLAND, July 1, 1903.

On motion of Mr. DUDLEY of Augusta, the opinion was ordered placed on file.

Mr. PUTNAM of Houlton said:

*Mr. Speaker:* I offer the following resolutions: Whereas, Honorable Wendall C. Boyd, representative to the seventy-first legislature from the town of Linneus, is prevented by serious illness from attending this adjourned session of the legislature,

*Resolved,* That we, the members of the House of Representatives of the seventy-first legislature, learn with sadness of the illness of Representative Boyd; that we extend to him our sincere sympathy and trust that he may have a speedy return to his former good health.

*Resolved,* That the Clerk of the House of Representatives be instructed to send a copy of these resolutions to Representative Boyd.

The resolutions were unanimously adopted by a rising vote.

Mr. LITTLEFIELD of Rockland said:

*Mr. Speaker and Members of the House:* In behalf of your committee appointed this morning, to present resolutions upon the death of our late member, Joseph H. Carleton, I beg to present the following:

WHEREAS, Since we last met, an esteemed member of this House, the representative from the town of Rockport, Joseph H. Carleton, completed the brief journey of this life and on Friday, August 14, 1903, in his home village of Rockport, departed from our midst:

Be it Resolved, That by his decease this House lost an esteemed, faithful and conscientious member, who in the discharge of his duties rose above partisanship and never harbored prejudice; each member has lost a personal friend only fully appreciated by those most intimate; the State and community in which he lived have lost a faithful servant, a public spirited and enterprising business man of sterling integrity, an honored and honorable citizen.

Because of this sudden termination of a life all too brief we, in unison with his family, mourn the loss of a true gentleman; a loss to us the members of this House only less than to his kindred in so much as we have had the less opportunity to enjoy his genial companionship, his gentlemanly good fellowship, and be made better and happier by close association with him. We extend to his family our sympathy and assurance of esteem.

It is well with a man whom the better known was the more respected and honored, the better loved.

(Signed)

Arthur S. Littlefield,  
E. Frank Knowlton,  
Oakley C. Curtis,  
Harold M. Sewall,  
H. W. Oakes,  
Beecher Putnam,  
Robert E. Randall,

*Committee.*

And, Mr. Speaker, in proposing the adoption of these resolutions it seems to me that on an occasion of this kind and at this time silence is the most fitting tribute to our brother, the departed member of this House, and therefore without further remarks I move the adoption of these resolutions and that they be spread upon the record.

The resolutions were unanimously adopted by a rising vote, and a copy ordered sent to the family of the deceased.

Mr. BARKER of Bangor said:

*Mr. Speaker:* Your committee appointed to draft resolutions on the death of the late Honorable Isaiah Daniels of Portland, beg leave to submit the following:

WHEREAS it has pleased Almighty God in his infinite wisdom to remove from our midst our late colleague, the Honorable Isaiah Daniels of Portland,

*Resolved*, That in the death of Mr. Daniels the city of Portland has lost a noble and upright citizen, and the State a conscientious and earnest servant.

*Resolved*, That his high character and lofty attainments will be ever held in affectionate and grateful remembrance by his fellow members in the House of Representatives.

*Resolved*, That these resolutions be extended upon the records of this session, and that as evidence of the sincere sympathy of this House an engrossed copy thereof be sent to his family.

(Signed)

Lewis A. Barker,

George E. Thompson,

*For the Committee.*

*Mr. Speaker*, agreeing with my friend, the gentleman from Rockland (Mr. Littlefield) that at a time like this silence is golden, I will move the adoption of these resolutions without further comment.

The resolutions were unanimously adopted by a rising vote.

On motion of Mr. SWETT of Portland, the House as a further mark of respect to the memory of the deceased members, took a recess until 4 o'clock.

#### AFTER RECESS.

Papers from the Senate:

An Act to amend section 3 of chapter 258 of the Public Laws of 1893, relating to school funds derived from savings bank tax,

Came from the Senate, referred in non-concurrence to the next legislature.

On motion of Mr. PETTENGILL of Rumford, the House voted to recede and concur by a vote on division 34 to 33.

Mr. FARNSWORTH of Pembroke said, Mr. Speaker, there seems to be some misunderstanding about this matter and I move that the vote be taken by the yeas and nays. The House ordered the yeas and nays and the motion to recede and concur was lost by a vote of 44 to 51.

Those who voted "yea" were Messrs.

Barker,	Greenleaf,	Peaslee,
Blake,	Haskell,	Perkins,
Bodwell,	Hill, Winterport,	Pettengill,
Brewster,	Hinckley,	Poor,
Briggs,	Howe,	Randall,
Cameron,	Hubbard,	Rice,
Clarke, Nobleboro,	Jones,	Savage,
Davidson,	Libby, Newfield,	Shaw,
Dilling,	Little,	Stearns,
Dodge,	Merriam,	Sturgis,
Dudley,	Morrison,	Swett,
Eaton, Calais,	Nickerson,	Twambly,
Favour,	Norton,	Wentworth,
Furbish,	Page, Skowhegan,	White—44.
Gannett,	Parrott,	

Those who voted "nay" were Messrs.

Albert,	Gardner,	Pike,
Allen, Wellington,	Hall,	Fuller,
Bailey,	Hill, Brownfield,	Purinton,
Benner,	Hill, Buxton,	Reynolds,
Blanchard,	Howes,	Sargent,
Bussey,	Knowlton, N. Port'd,	Sewall,
Buxton,	Leavitt,	Shackford, Har'ng'n,
Clark, Prospect,	Libby, Oakland,	Smith, Hartland,
Coburn,	Littlefield,	Smith, Presque Isle,
Cole,	Maybury,	Sweeney,
Davis,	McGregor,	Thomas, Topsham,
Downing,	McIntire,	Thompson, China,
Drew,	McKusick,	ThurLOW,
Eaton, Wells,	Mewer,	Todd,
Farnsworth, Pembr'e,	Nash,	Tremblay,
Foss,	Nelson,	Tripp,
Gagnon,	Page, Drew Pl.,	Watson—51.

Those who were absent were Messrs.

Abbott,	Burrill,	Campbell,
Allen, Sanford,	Butler,	Cook,
Boyd,	Buzzell,	Cordwell,

Curtis,	McNamara,	Spear,
Farnsworth, Trem't,	Mead,	Stover,
Hawkes,	Mills,	Sutherland,
Hayes,	Newcomb,	Tapley,
Irving,	Oakes, Auburn,	Tartre,
Josselyn,	Oakes, Milford,	Taylor,
Kelley,	Patterson,	Thomas, Harpswell,
Kimball,	Potter,	Thompson, Orono,
Knapp,	Putnam, Danforth,	Thornton,
Knowlton, Camden,	Putnam, Houlton,	Waterhouse,
Lamb,	Ross,	Weatherbee,
Libby, Mechanic F's,	Ruggles,	Weeks,
Low,	Shackford, Poland,	Williams—52.
Manson,	Smith, Madison,	
McFaul,	Snowe,	

The papers were sent to the Senate.

Mr. DAVIS of Waterville said:

*Mr. Clerk and Gentlemen of the House:* The seventy-first legislature of Maine is now in history. Its sins of omission may be a source of profound satisfaction to the people, in the final analysis—its sins of commission—let us hope will be given—we must await the verdict.

Those of us who have had a part in its deliberations, devoutly hope some good may result from a session characterized by hard work and high purposes.

As we assembled here at the opening of the session, and took oath, it was with the consciousness of the distinguished honor attaching to membership in the Maine House; it was also, I am persuaded, with the consciousness of the responsibilities placed upon us by our constituents. I am fully persuaded that the moral and material interests of the State have held a larger place in our plans and thoughts, than have private enactments. If in some cases, the plaintiffs have been awarded verdicts which belonged to the defendants, on the whole, justice has prevailed in a large measure.

Secondary education, higher education, State charities and the public utilities have all been carefully considered in the committee, and in the House, as a whole, and if any of these interests have suffered at our hands, it is because the common treasury has been inadequate.



Fairness in debate and absence of partizanship have particularly characterized your proceedings in this chamber. While the minority party, to which I am proud to hold allegiance, regrets the loss of numbers which your action in the early days of the session subjected us to, still I am persuaded your act was, from your standpoint, and with the evidence obtainable, designed to further the ends of justice.

The thanks of the minority party are due the House for consideration and appointments on many important committees, and to the Speaker for unflinching courtesy and fair treatment; and I am persuaded that I should not do justice to myself, nor to my party if I neglected to express our high appreciation of this attitude and course. The rulings have been manifestly fair and just, and now we come to the "good byes." We return to our homes, to our plows, to our shops, to our stores, to our mills, to our offices, to our several vocations and avocations. As we return, we carry with us new, and I believe lasting friendships.

We shall frame and hang in memory's picture gallery faces that will not grow old, but faces that will, the rather, through associations and time's transmutation, become our cherished treasures.

And now, Mr. Clerk, I offer for the consideration of this House, a resolution to which no amendment will be offered, and which will be accorded one united action; and when such action is taken, I move that it be taken by rising vote.

*Resolved*, That it is the unanimous opinion of this House that, throughout the entire incumbency of the Speaker's chair, no officer has served with a higher sense of the dignity of the position, than has Speaker Fellows; and that it is now the pleasure of this body to record its hearty appreciation of the uniform courtesy, efficiency, impartiality and just rulings, which during a long and tedious session have marked in such unusual degree his official course, and which have justified the choice of the House. (Applause.)

Mr. BARKER of Bangor said:

*Mr. Speaker, and Members of the House:* The deep interest I feel in these resolutions must be my excuse at this late moment for trespassing longer upon your time. Since I first took my seat in this body, the youngest of your number, scarcely qualified

by years to take part in your deliberations, it has been my earnest endeavor to listen and learn to be instructed, not to seek to instruct. But we are gathered here today to finally close the seventy-first legislature of Maine, and ere tomorrow's sun shall set we shall part, some to meet in happy reunion two years hence, many to meet in business relations, some of us never to meet again. We meet for the last time as a political body, a body made up of all kinds and conditions of men, of men of all professions and occupations and of all ages,—doctors, lawyers, merchants, farmers and mechanics, varying in age and experience from those like myself in the golden sunlight of youth whose life is but commencing, to those like my friend the gentleman from Brunswick, Mr. Stover, who served in this hall with my grandsire nearly half a century ago, happy in the December of his useful and upright life. And here we have labored together, here we have built bridges that shall outlast ourselves, here we have aided needy colleges and waged war against the fretful porcupine, and we shall go out, the younger of us I am sure, better able to meet the battle of life; and as the lengthening shadows draw closer about our final deliberations, no time can be more fitting to call to mind the universal kindness and consideration of him who has so ably presided over us, no time more fitting to thank him with heartfelt thanks for his patience with our shortcomings and his universal consideration for all our failings. And in advocating these resolutions, as I do, I do it not as a Republican, not as a brother member of the bar, not as a friend of some years standing, but as the youngest and least of those to whom he has extended his kindly hand during this session.

His has been a hard and difficult as well as honorable position to fill since the first days in January when with universal fairness and satisfaction to all he named his committees, to the last days of March when we were almost constantly in session. Trained to the profession of the law he is eminently fitted for the great responsibilities that have been his; eminently has he carried them out. Great indeed, gentlemen, have been the names of the men who have occupied that chair prior to the present Speaker, Daniel Goodnow of Alfred, whose learned decisions we love to read in the Maine reports; Hannibal Hamlin of Bangor, member of

Congress, United States senator, minister to Spain, vice-president of the Union, who for more than a quarter of a century presented one of the truest types of Northern civilization in the national capital; Sidney Perham, whose name shall be exalted so long as this State shall exist; Frederick A. Pike, thrice a member of Congress; Josiah Drummond of Portland, whose recent death took from its constellation one of the brightest luminaries of the Cumberland bar; James G. Blaine, secretary of State, member of Congress, United States senator and plumed knight, too great for the office of President; Frederick Robie, whose face we still see in these halls growing younger every day; and a score of others whom I will not name.

Mr. Speaker, in my own brief remembrance I can recall, gracing the chair you now occupy, Charles E. Littlefield, whose voice sounding clear in the American Congress is heard throughout the length and breadth of the land; Andrew P. Wiswell, our beloved chief justice, called in the very prime of life to the position so long and ably filled by his respected uncle, John A. Peters; Albert R. Savage, dignified, courteous, now a justice of that same court; Llewellyn Powers, twice governor and whom the fourth district delights to honor; Larrabee of Portland, an able advocate; my fellow citizen, Isaiah whose eloquence today graces the floor of the other chamber; and last, the Speaker of two years ago whose influence in state and national politics is second to none. Great indeed, have been the names of your predecessors in that chair, but we of the seventy-first legislature look forward with hopeful promise and predict that equally great and equally merited honors shall be yours, and we shall recite to our children with pride that our votes helped to make you Speaker of the seventy-first House of Maine. (Applause.)

Mr. SMITH of Presque Isle said:

*Mr. Clerk and Gentlemen of the House:* It is with sincere and genuine pleasure that I second the resolution just presented so ably and so eloquently by the gentleman from Waterville. It needs no argument to prove to this House that Speaker Fellows has made one of the best presiding officers who have wielded the gavel in a Maine House of Representatives. He has been able, courteous, genial and pleasant on all occasions and under all circumstances. He has done all in his power to make

our pathway clear and our burdens light, and when he retires from the office of Speaker he will take with him the personal friendship and the good will of every member of this House, and when he returns to his home on the shores of that beautiful river which runs to the mighty sea, may he ever feel as he looks back over the past that the most pleasant period of his life were the days when he presided in this chamber.

Now, gentlemen, as was well stated we have very nearly reached the closing hour of our deliberations. We met a few months ago as strangers. I trust that we part as friends. We met on the level; I trust that we shall part on the square. I have no doubt but what every member came here imbued with a sincere and honest desire to discharge his whole duty faithfully and well to himself, to his constituency and to the State, and in our efforts to promote the welfare of the State I am pleased to state that we have had the earnest and hearty co-operation of his Excellency, Governor Hill, who in all matters has ever had an eye single to the interest of the people of the State of Maine. And I think that every member of this House will agree with me when I state that when Governor Hill retires from his office that it will be with the proud satisfaction of knowing that his administration has met the approbation of the people of the whole State without regard to section or party.

Now, as we are about to separate and you are about to go to your several homes I trust that you will allow me to say to you, as is said in Mexico to the departing guest, "May God walk with you." (Applause.)

The resolutions were unanimously adopted by a rising vote.

The Speaker said:

*Gentlemen of the House:* The opportunity of expressing to every member of this body my appreciation of the many kind words you have said of and to me and the faithful and generous acts you have done me is indeed a pleasure.

We came together as strangers. We part as lifelong friends. This chain of friendship can never corrode or be broken so long as there are two remaining members.

It has been your constant aim to clear the Speaker's pathway and make light before him. My thoughts will ever revert to the

happy days spent at the Capitol during the winter and spring of 1903.

You have given your best services to the "Morning State" of this nation and this commonwealth will ever be indebted to you for your honest and conscientious work. The good fortune of living within her borders is some compensation for your manly efforts.

Our tomorrows will soon be yesterdays. Already two of our members have been called. Who can foretell the hour of his departure. When the time does come may the living say of us as we say of them that they were faithful in their works and in their friendships.

Words cannot express my love for you but may my acts, past and future, be such that you may consider me not altogether unworthy of your confidence.

As we part and turn to changing scenes my wish shall ever be for your happiness, for your friendship and for meeting and greeting you many, many times. (Applause.)

Mr. SMITH of Hartland said:

*Mr. Speaker and Members of the House:* While the meeting of today brings back to memory some of the sweetest associations within the early limits of my life, it also gives to me a nobler and higher satisfaction to have the honor at this time of presenting these resolutions; and God alone knoweth where any man has ever equalled this loyal, faithful and ever true servant:

*Resolved,* That the thanks and appreciations of this House be extended to W. S. Cotton, for the ability he has displayed and the ever kind assistance he has rendered while discharging his many duties as clerk. And that we bestow on him our love, devotion and highest esteem now and always. I move that this resolution be adopted by a rising vote. (Applause.)

The Speaker:

The resolution presented by the gentleman from Hartland has my hearty approval. No man can fill the Speaker's chair with credit to himself without the aid of an efficient clerk. This we have had; the man who was elected clerk on the seventh of January last has been faithful in every part of his work. He has been courteous to the Speaker and I thank him for it.

The resolutions were unanimously adopted by a rising vote.

Mr. PETTENGILL, of Rumford said:

*Mr. Speaker:* We all heartily concur in the thanks that have been extended to our Speaker and to our clerk. There are others who have served us faithfully, this winter, and I desire to offer the following resolution:

*Resolved,* That the thanks of this House be extended to the assistant clerk and the several employes of the House for the faithful manner in which they have performed their duties.

The resolution was unanimously adopted by a rising vote.

The following communication was read by the Speaker:

*To the Honorable Speaker and Members of the House of Representatives:*

GENTLEMEN:—I hereby tender my resignation as a member of the House of Representatives of the seventy-first legislature from the class towns of Wayne, Fayette, Sidney, Belgrade and Vienna, to take effect at once.

Respectfully yours,

FRED E. BLAKE.

The resignation was accepted.

A message was received from the Senate through Senator Burns of Cumberland, informing the House that the Senate had transacted all business before it and was ready to adjourn without day.

On motion of Mr. LITTLEFIELD of Rockland, that gentleman was charged with and conveyed a message to the Senate informing that body that the House had transacted all business before it and was read to adjourn without day.

Papers from the Senate:

*Ordered,* That a committee of three on the part of the Senate with such as the House may join, be appointed to wait upon the Governor and inform him that both branches of the legislature, having acted on all matters before them, are now ready to receive any communication he may be pleased to make.

Came from the Senate, read and passed with the following committee appointed on its part:

Messrs. Wilson of Washington,  
Buck of Hancock,  
Currier of Franklin.

The order was read and passed in concurrence and

Messrs. Page of Skowhegan,  
Morrison of Eden,  
Davis of Waterville,  
Pike of Lubec,  
Furbish of Rangeley,  
Irving of Caribou,  
Sutherland of Biddeford,

joined on the part of the House.

Mr. PAGE subsequently reported that the committee had attended to the duties assigned it and the Governor would soon communicate with the House, through the Secretary of State and would transmit a list of acts passed during the adjourned session of the legislature and approved by him today, numbering three and that he had nothing further to communicate.

Forthwith a communication was received from the Governor transmitting a list of the acts passed during the adjourned session of the legislature and approved by him this day.

On motion of Mr. DAVIS of Waterville, the Speaker at 5 o'clock declared the House adjourned without day.

W. S. COTTON,  
*Clerk.*