

MAINE STATE LEGISLATURE

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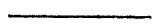
LEGISLATIVE RECORD

OF THE

Seventieth Legislature

OF THE

STATE OF MAINE.



1901.

SENATE.

Augusta, March 14th, 1901.

Senate met according to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Struthers of Gardiner.

Journal read and approved.

Papers from the House disposed of in concurrence.

On motion by Mr. Jones of Penobscot, bill entitled, an act to abolish the board of county commissioners, which came from the House, was tabled.

READ AND ASSIGNED.

An act to establish a municipal court in the town of Winthrop.

An act to amend the charter of the Ticonic foot bridge.

An act to amend Chapter 128 of the Private and Special Laws of 1879, entitled, an act to incorporate the Eliot Bridge Company.

An act to incorporate the Boothbay Harbor Academy.

An act to authorize the Linn Woolen Company to make, generate, sell, distribute and supply gas and electricity.

An act to amend Section 17 of Chapter 17 of the Revised Statutes relating to stationary engines.

An act to amend Chapter 195 of the Private Laws of 1887, entitled, an act to amend an act incorporating the city of Waterville.

An act to incorporate the Bristol Electric Light and Power Co.

An act to amend an act to establish a police court in the city of Rockland, approved March 14, 1861. (House amendment adopted in concurrence.)

An act amendatory to Chapter 507, entitled an act to establish the Dover municipal court.

An act to amend Chapter 89 of the Public Laws of 1899, entitled an act to provide for the schooling of children in unorganized townships.

An act to authorize James N. Moulton to construct and maintain a telephone line between Wayne Village and Leeds Center.

An act to amend Chapter 369 of the Private and Special Laws of 1877, re-

lating to the Harrison and Jonesport Telegraph Co.

An act authorizing the extension of a wharf into the tide waters at Lubec Narrows.

An act to amend Section 30 of Chapter 46 of the Revised Statutes relating to banks and trust companies.

An act to incorporate the Bangor Loan and Trust Co.

An act to incorporate the Camden Trust Co. (House amendment adopted in concurrence.)

At this point Mr. Wilson of Washington, took the chair.

An act to repeal the bounty on wild cats.

An act to amend Chapter 69 of the Private Laws of 1869, relating to the Waldo and Penobscot Agricultural Society.

An act to extend an act entitled an act to incorporate the Enchanted Stream Dam and Improvement Company.

An act to extend the charter of the St. Croix Water Power Company.

Resolve relating to township 5, range 8, west of the east line of the State, in the county of Penobscot.

An act to amend Section 1 of Chapter 34 of the Private and Special Laws of 1878, relating to the protection and propagation of eels.

An act to amend Section 2 of Chapter 84 of the Private and Special Laws of 1895, relating to the taking of smelts in the town of Surry.

An act to amend Section 48 of Chapter 285 of the Public Laws of 1897, relating to sea and shore fisheries.

An act to repeal Chapter 131, laws of 1853, relating to herring fisheries in the town of Jonesport.

An act in relation to the appointment of special fish wardens.

An act for the protection of salmon, alewives and smelts in Pleasant river, Washington county. (House amendment adopted in concurrence.)

An act to amend Section 35 of Chapter 285 of the Public Laws of 1897, entitled an act to revise and consolidate the public laws relating to sea and shore fisheries, as amended by Chapter 92 of the Public Laws of 1899.

Resolve in favor of the Passamaquoddy tribe of Indians for rebuilding

the church at Pleasant Point in the town of Perry.

On motion of Mr. Staples of Knox, this resolve was laid on the table.

Resolve in favor of the University of Maine for a central steam-heating and power plant. This resolve came from the House indefinitely postponed. The Senate concurred in its indefinite postponement.

Resolve in favor of legislative committee and members of the Senate and House authorized to visit the University of Maine.

An act authorizing the commissioners of Penobscot county to erect a court house and to issue notes and obligations therefor.

On motion of Mr. Jones of Penobscot, this bill took its second reading under suspension of the rules, and was passed to be engrossed.

An act to fix the salary of the judge of probate in and for the county of Washington.

An act to fix the salary of the register of probate in and for the county of Washington.

An act to correct certain clerical errors and make plain the meaning of and amend Chapter 30 of the Revised Statutes, as amended by Chapter 42 of the Public Laws of 1899, relating to inland fisheries and game.

An act amendatory of Chapter 508 of the Private and Special Laws of 1885, establishing a municipal court in the town of Norway, relating to the jurisdiction thereof.

An act to cede to the United States jurisdiction over certain land in Rockland harbor, in the city of Rockland.

Senate document, No. 96, an act to incorporate the town of Millinocket, having been passed to be engrossed in the Senate, came back from the House with House amendment A adopted. The vote, whereby the bill was passed to be engrossed was reconsidered, and House amendment A adopted in concurrence. The bill, as amended, was then passed to be engrossed.

Mr. Pierce of Waldo, presented, under suspension of the rules, bill, an act to establish the Waldo municipal court, and on his motion, the same was referred to the committee on legal affairs.

On motion by Mr. Plummer of Penobscot, resolve in favor of committee on education, under suspension of the rules, took its second reading, and was passed to be engrossed.

ORDERS.

On motion by Mr. Stearns of Oxford, it was

Ordered, the House concurring, that there be printed for the use of the insurance department 100 copies of the bill entitled, an act relating to fraternal organizations.

REPORTS OF COMMITTEES.

Mr. Virgin, for the committee on judiciary, on that portion of the Governor's message relating to the fee system, reported that legislation having been reported in detail, further legislation thereon is inexpedient.

Also, bill, an act for the protection of political nominating conventions and primary political meetings or caucuses from disturbance and fraud, which came over from the last Legislature, reported that same ought not to pass.

Mr. Noble, for the committee on legal affairs, on bill, an act to amend Section 16 of Chapter 12 of the Revised Statutes, relating to parishes and religious societies, reported that same ought not to pass.

Also on bill, an act to amend Section 7 of Chapter 4 of the Revised Statutes as amended by Chapter 121 of the Public Laws of 1891, relating to list of voters, reported same ought not to pass.

Mr. Staples, for the committee on legal affairs, on bill, an act to amend Section 196 of Chapter 6 of the Revised Statutes as now amended, relative to the sale of real estate for the non-payment of taxes, reported that the same be referred to the next Legislature.

Also, on bill, an act to amend Section 196 of Chapter 6, of the Laws of 1895, relating to the redemption of land sold for non-payment of taxes, reported that same be referred to the next Legislature.

Also on bill, an act to amend Section 178 of Chapter of the Revised Statutes as now amended, relating to the redemption of real estate sold for the non-payment of taxes, reported that

the same be referred to the next Legislature.

Mr. Bryant, for the committee on financial affairs, on bill, an act relating to the public health, reported that the same be referred to the next Legislature.

Mr. Weeks, for the committee on the judiciary, on communication of Alex Hazeland, president of the executive board of Boys and Girl's National Home and Employment Association, relative to the adoption of curfew and other ordinances, reported that no legislation is required, the same being fully covered by the law.

Mr. Jones, for the committee on interior waters, on petition of Passamaquoddy Boom Company, praying that its charter be amended, reported that the petitioners have leave to withdraw.

Mr. Weeks, for the committee on judiciary, on bill, an act relative to trustee processes, reported that same ought to pass. Tabled for printing under the joint rules.

Mr. Weeks, for the committee on judiciary, on bill, an act to incorporate the Riverside Cemetery Association, reported same ought to pass. Tabled for printing under the joint rules.

Mr. Noble, for the committee on legal affairs, on bill, an act authorizing the construction of a wharf into the tide waters of the Penobscot river in Winterport, Maine, reported same ought to pass. Tabled for printing under the joint rules.

Mr. Whitehouse, for the committee on railroads, telegraphs and expresses, on bill, an act to authorize the Bangor & Aroostook Railroad Company to issue consolidated bonds and secure the same by mortgage, reported that the same ought to pass.

Mr. Murchie, for the committee on interior waters, on bill, an act to incorporate the Frankfort Power Company, reported same in a new draft, and that it ought to pass. Tabled for printing under the joint rules.

Mr. Jones, for the committee on interior waters, on bill, an act to amend Chapter 64 of the Private and Special Laws of 1899, which is an act to incorporate the Wilson Stream Dam Company, reported same in new draft, and

that it ought to pass. Tabled for printing, under the joint rules.

Mr. Stearns, for the committee on mercantile affairs and insurance, on bill, an act relating to fraternal and beneficiary associations, reported same in new draft, and that it ought to pass. Tabled for printing, under the joint rules.

Mr. Prince, for the committee on resolve in favor of the Eastern Maine Insane Hospital, reported same ought to pass. Tabled for printing, under the joint rules.

Mr. Dudley, for the Aroostook county delegation, on bill, an act to empower the commissioners of Aroostook county to dispose of the holdings of said county in the preferred stock of the Bangor & Aroostook Railroad Company, reported same in new draft, and that it ought to pass. Tabled for printing under the joint rules.

Mr. Weeks, for the Somerset county delegation, on resolve, authorizing the county commissioners of Somerset county to borrow a sum of money with which to build an extension to the court house in Skowhegan in said county, reported same ought to pass. Tabled for printing under the joint rules.

Mr. Murchie, for the joint select committee on apportionment, on order of the Legislature, relating to the apportionment and classification of the State into councillor districts, reported accompanying apportionment. The report was tabled for printing on motion by Mr. Murchie of Washington.

PASSED TO BE ENGROSSED.

An act to amend the charter of the city of Portland.

An act to incorporate the Scarborough Water Company.

An act to amend Section 29 of Chapter 92 of the Revised Statutes in relation to mills and mill dams.

An act to amend the charter of the city of Bangor. On motion of Mr. Adams of Penobscot, laid on the table, pending second reading.

An act to incorporate the Ashland Light and Water Company.

An act to amend Chapter 55 of the Public Laws of 1891, relating to the incorporation of churches.

An act to legalize certain days as school holidays.

An act to amend Sections 28 and 35 of Chapter 11 of the Revised Statutes, relating to a Free High school year.

An act to amend Section 3 of Chapter 216 of the Public Laws of 1893, relating to the conveyance of scholars.

Resolve in favor of summer training schools for teachers and the distribution of educational documents.

An act relating to trust and banking companies.

An act to create a lien on driving logs or lumber under contract with the owner or any other person.

An act to incorporate the Pistol Stream Dam Company.

Resolve providing for the screening of Sebago lake.

An act to regulate winter fishing and to close the tributaries to certain lakes and ponds in Somerset, Penobscot and Washington counties.

An act relating to the taxation of telegraph and telephone companies.

An act relating to compensation of county commissioners of Franklin county.

An act in relation to the salaries of the justices of the supreme judicial court.

An act to allow open time on deer in certain towns in Cumberland county.

Resolve in favor of the Augusta City Hospital.

An act to amend Chapter 168 of the Private and Special Laws of Maine for the year 1875, entitled an act for supplying the city of Bangor with water.

Resolve to provide means for examination of claims for State pensions.

An act relating to Sheridan plantation.

Resolve in favor of Charles H. Burbank.

Resolve in favor of the committee on education.

Resolve in favor of Sigmund Newhouse. On motion by Mr. Weeks of Somerset, this resolve was laid on the table.

At this point the President resumed the chair.

PASSED TO BE ENACTED.

An act to amend Section 4 of Chapter 16 of the Public Laws of the year

1895, entitled an act to regulate the alewife fishery in Pemaquid river.

An act to establish a municipal court in the town of Fairfield.

An act to incorporate the Sandy Stream Dam and Improvement Company.

ORDERS OF THE DAY.

An act in relation to the salaries of the justices of the supreme judicial court.

On motion by Mr. Staples of Knox, this bill was taken from the table.

Mr. STAPLES of Knox: Mr. President, I tabled this bill because I did not believe, as many of you know, that this is a time when the salaries of any officers in this State should be increased. I recognize that the judiciary of Maine is second to none in New England. I appreciate in some degree the hard work of the justices of the supreme court of this State do. If we were in better financial situation I should not raise my voice against the increase of these salaries. I know that their labors are arduous, and that they are men we are proud of, and they are not surpassed by any judiciary in this broad country of our's. They have endeared themselves to our form of government by the simplicity in which they have lived; but it seems to me that \$3500 a year is a pretty good salary for the amount of work even that they do. In days gone by we have had a long list of illustrious judges whose ability and great learning has been an honor to the State of Maine. I cannot forget the simplicity of a Walton, the grandeur of a Virgin, the untiring labor of an Appleton. They were content with \$500 less than the judges are getting today; and now you are asking for an increase to \$4000 a year. We are already up to our constitutional limit, and for that reason I would not raise the salary of any officer in the State of Maine, today. I would hold up both hands to increase the judges' salaries to \$4000 if you would agree with me to cut off the bureau of labor statistics. When a vacancy occurs in the supreme bench of Maine we have several applicants from different parts of the State, anxious to take the place. I would not say

a word to detract from their worth and ability.

Mr. PLUMMER of Penobscot: Mr. President, two years ago a bill to increase the salaries of the justices of the supreme court \$1500 was reported to the Legislature favorably from the committee on the judiciary. At that time there was a strong feeling in the Legislature against the increase of any salary, for the reason that there was a strong effort being made to beat down appropriations in order to avoid the necessity of increasing the rate of State taxation; and in his message in 1897, the Governor had advised against the increase of any salary, hence it was an inopportune time in which to present the bill, which would have added to the fixed charges of the State the sum of \$10,500. When the matter came to a vote in the Senate, in my absence, it was voted down by one majority, and when the motion was made to reconsider, realizing the overwhelming opposition impending in the House, and believing it would be better to let it rest on the table of the Senate, and not wishing to have it sent to a hostile House to encounter a pressing defeat there threatened, I voted against the motion to reconsider. Through the efforts of people who were interested in its passage through the Senate, however, it was taken from the table by one majority, passed to be engrossed, and sent to the House for concurrence. There, as I had apprehended, it was voted down by overwhelming odds, only seven members who are not lawyers voting for it, and only 25 all told. Now, Mr. President, the conditions are different. This resolve carries an increase of only \$500 for each justice, making \$3500 in all, and instead of increasing the rate of State taxation, the resources of the State are to be increased by the taxation of corporate franchises, and by an increased amount to be paid by the strong transportation companies, upon whom it will be no hardship, and who are perfectly willing to pay it, and the resources of the State will meet the liabilities without an increase in the rate of State taxation. I have long felt that the salaries paid the justices of the supreme court were entirely inadequate;

and I shall vote cheerfully for the small increase carried by this resolve.

Mr. McFADDEN of Lincoln: Mr. President, I am surprised at some statements made by the senator from Penobscot. My impression is that the report of two years ago from the judiciary committee was for a raise of \$500. I may be wrong, however. I do not question the ability or deserts of the members of the supreme court of Maine; but I contend that low salaries have not prevented the State from receiving the highest service. I have been disappointed in what the committee on taxation has accomplished. The increase achieved is not as large as it has been generally estimated, I believe. We have not raised money enough additional to pay the floating debt and to meet the increased appropriations of this winter if we do not make another appropriation from now on. I believe we shall have either to increase the temporary loan or the rate of State taxation.

Mr. WHITE of Androscoggin: Mr. President, I desire a word on this question. I was born in the State of Maine and have lived here all my life. I have taken great pride in the fact that I belong to the State of Maine. It is only since I have been a member of this Legislature that I have learned what a poor and disconsolate State it is. We have sat here throughout this entire session and listened to harangues upon the extreme poverty of this State until it almost seems as though the State of Maine was a poor debtor fleeing from the sheriff for fear of being arrested for debt. Now, I do not feel in that way in relation to the State of Maine. I feel that it is a rich, proud and powerful State—not only financially, but in every way, in everything that goes to make up a great commonwealth in these United States. I do not believe that the State of Maine can afford to do anything but what is fair, just and generous in the payment and reward of its public officers. No one questions the fact that the salaries of the judges of the supreme court are inadequate, and that they should be paid more; and the only excuse for not doing it is that we are too poor. I do not believe that the people of the State of Maine are too poor to do these things justly and generously. So far as I know the sentiment of the people of the State it is that these salaries

are inadequate. I want to protest against the State of Maine being held up as such a poverty-stricken community. It is not.

It is rich in men, in natural resources, in industries, in everything that goes to make up a great and powerful State. It can afford to do what is right and just in this matter, and it can afford to do it in a generous spirit.

As to the burdens of taxation, it is not from the burden of State taxation that the people are looking for relief—the great burden is that of municipal taxation. On every \$50 of tax, \$2.59 only is for State tax; and when anyone stands here and undertakes to argue that the State of Maine cannot afford to make this small increase because of the burdens of taxation, I do not believe in it, and I do not believe the gentlemen who make that outcry know what they are talking about. I hope this measure will be passed, and passed without further discussion. I do not think it is agreeable for the members of the supreme court to be made a football of in the manner indicated by the tendency of this discussion.

On motion by Mr. Plummer of Penobscot, the bill then took its second reading and was passed to be engrossed.

On motion by Mr. Morrison of York, bill, an act to allow an open time on deer in certain towns in Cumberland county, was taken from the table; and the same senator moved that the bill be indefinitely postponed.

Mr. MORRISON of York: I wish to say in explanation that early in the session that matter was referred to the delegations of York, Cumberland and Sagadahoc counties, and discussed, and it was finally agreed that the law should remain as it was. Nothing was heard of it again until late in the session, when the bill appeared from the representative in the northern part of Cumberland county, asking for an open time on 13 towns in the northern part of that county. Attention was called to it and our delegation met the Cumberland delegation and could not agree, and so, much against my wishes to interfere in Cumberland county affairs, our delegation thought there was only one thing for us to do, and that was to resent the position taken by them. Several of them wish the bill to be killed; and this morning I ask your support in indefinitely postponing the matter.

Mr. VICKERY of Kennebec: To select out a few towns in a county and have open time on them is entirely impracticable; and I hope there will be no singling out of a few towns in the county for open time.

Mr. STAPLES of Cumberland: I just want to say that this bill came before the Cumberland county delegation, backed by over 1000 petitioners from those towns. The Cumberland county delegation voted that the bill ought to pass without a single dissenting vote. The towns represented in this bill are practically unanimous to have this bill passed. They are surrounded by the Oxford county line, and they have an open time there. I hope the bill will not be indefinitely postponed.

Mr. VIRGIN of Cumberland: Mr. President, unfortunately I cannot give the history of the conference concerning which the senator from York, Mr. Morrison, speaks. I understand, though, from members of the Cumberland county delegation, who were present, that no agreement or contract or anything of that kind was made, that the matter came up for discussion, relating to a close time in three counties, York, Cumberland and Sagadahoc, some discussion as to whether it would be advisable to have an open time in those three counties in accordance with the general law applicable to the rest of the State. What actually took place, I cannot state, but only what has been represented to me by the Cumberland county delegation. At that time there were, as I understand, no petitions from towns in Cumberland county. Since that time, as I know personally, petitions have come from citizens of towns in the northern part of the county asking that they may be allowed to shoot deer during the month of October of each year. The citizens of Oxford county can shoot deer, and Oxford county abuts on Cumberland in several towns, it is only necessary to step over the line and you can shoot deer, if you are fortunate enough to find them; and it seems to the citizens of northern Cumberland, surrounded on both sides by Oxford county, that they ought to be permitted to shoot deer in Cumberland county or wherever they see fit during October. They

further think that it does not concern York county. I have suggested to some of the delegation from York county that there was ample opportunity to put in a bill if they saw fit, allowing the citizens of York county to shoot deer in York county. I appear for over 1300 citizens of Cumberland county, I do not understand there is any contract with York county; and I see no reason why the citizens of Cumberland county should not be allowed to shoot deer if they desire to do so.

Mr. BURNS of Cumberland: I was present at the meeting of the Cumberland county delegation when this matter was discussed and acted upon, and there was not a dissenting vote to open time of one month; and I hope the motion of the Senator from York will not prevail.

Mr. MORRISON of York: I think there was a vote taken at the first meeting of the delegation, at any rate, one of the gentlemen interested in the present bill said that whereas he had opposed this matter up to this time, he would not vote against it, and a vote was taken at that time to let it remain as it was. Cumberland has done with York about what she wanted to, and when they try to rush this bill through at this late day, our people do not take very kindly to it. I hope the senators will support my motion.

The question being put, a division was called for by Mr. Morrison. Ten voted in favor of the motion, and 11 against the motion, and the motion was declared lost.

On motion by Mr. Virgin of Cumberland, the bill was then passed to be engrossed.

On motion by Mr. Staples of Knox, resolve in favor of the Augusta City Hospital was taken from the table, and, on motion by Mr. Weeks of Somerset, the resolve was passed to be engrossed.

On motion by Mr. Adams of Penobscot, bill, an act to amend Chapter 168 of the Private and Special Laws of Maine for the year 1875, entitled an act for supplying the city of Bangor with water, was taken from the table, and on the further motion of that senator,

the bill took its second reading, and was passed to be engrossed.

On motion by Mr. White of Androscoggin, bill, an act relating to railroads crossing highways and town ways was taken from the table; and, on his further motion the same was referred to the next Legislature.

On motion by Mr. Weeks of Somerset, resolve to provide for examination of claims for State pension was taken from the table; and on the further motion of that senator, the same received its second reading, and was passed to be engrossed.

Out of order, Mr. Morrison, for the committee on towns, on bill, an act relating to Sheridan plantation, which had been recommitted, reported ought to pass. Report accepted. On further motion of the same senator the bill took its several readings, under suspension of the rules, and was passed to be engrossed.

Resolve in favor of Charles H. Burbank. On motion by Mr. Noble of Franklin, this bill took its second reading under suspension of the rules, and was passed to be engrossed.

Mr. VIRGIN of Cumberland: Mr. President: This is the hour set apart for the memorial exercises upon our late associate, Senator Hodsdon.

In the hurry and rush of these closing days of the Legislature, we lay aside our public duties, while we pay our tribute of respect to the memory of our late associate, Joseph Y. Hodsdon.

So recently was Senator Hodsdon stricken down, that it seems but as yesterday we were eagerly listening for news from his bedside, and today, as if the doors of this chamber might open, and he, entering, take his accustomed seat among us.

Knowing him for many years, and counting him as one of my close friends, his death comes to me as a personal loss.

I do not intend to pronounce an extended eulogy upon him, but only give utterance to the thoughts that are uppermost, as I realize that he is no more, and hereafter lives only in memory.

Born in Portland, he was educated in its public schools, and after leaving school engaged in business. For more than thirty years, last past, he has been a shoe manufacturer, from 1869 to 1880 in

Portland, and since the latter year in Yarmouth, whither he then moved his business, and took up his residence. A few years ago, his factory was burned, and organizing the Hodsdon Shoe Company, a corporation of which he, and his brother and his son were the directors, a new and commodious factory was erected, and equipped with modern machinery, and the business enlarged and made even more successful than before. For many years, Senator Hodsdon spent a portion of each week in Boston attending to the affairs of his Boston office, and meeting there his customers from the West and South, and in fact from all parts of the country.

With his long and thorough training in mercantile and manufacturing affairs, he was eminently a business man; and endowed with a clear insight into successful business methods, of strictest integrity, honest and upright in all his dealings, of keen discernment, quick to take advantage of market conditions, and of large executive ability, he had the satisfaction of knowing that success attended his life's work.

He took a large interest in the affairs of his town, and his advice was sought, freely given and profitably followed by the townspeople in matters of moment to them all.

He loved his adopted town, was proud of its history, believed in its future, and tried in all ways to advance its interests. He was fond of its people, always speaking of them in terms of the highest respect, and in turn was respected by his townsmen, who looked upon him as a friend, and now feel that his death is a loss to them and to the community.

His county has twice honored him by an election to this body, and he was serving his second consecutive term when overtaken by death.

To his business sagacity, clear insight and grasp of affairs, and to his executive ability, as well as his genial disposition, was owing his appointment as chairman of the committee on taxation, one of the most important committees of this Legislature. How well he performed his duties, how patiently he listened to the many and diversified ideas of all classes of our citizens, how he soothed the differences in the committee, so long as he was able to attend and preside over

its deliberations, is already known and needs no further mention by me.

I have no doubt, Mr. President, that the laborious duties entailed upon him by his position on that committee, with its long and busy sessions, frequently extending far into the night, the nervous strain, and the drain upon his strength, already weakened by two recent attacks of sickness similar to the one of which he died, served to hasten his death. As I have already stated on this floor, he was urged by his physician not to undertake his senatorial duties, but to devote himself to regaining his health; but believing he owed some consideration to his constituents, he entered upon the performance of the duties to which they had elected him.

Notwithstanding he was a busy man, he devoted some time to rest and recreation, and was never so happy as when surrounded by his family in his own home. As a husband and father he was all a man could be, he loved and cherished his wife, and did all in his power to make her happy. He was fond of his son, and believed that he had imparted to him the same principles that had governed his own life, and felt satisfied that when his own course was finished, his business would be continued, and his name and all he held dear would be preserved inviolable.

Such a man is an honor to his State, and is invaluable to the community in which he lives.

By his presence in this body, his even temperament, his kindly disposition, his cordial greeting, his evident desire to listen patiently, and deal justly by every one, he endeared himself to us all.

By his untimely death the State has been deprived of the services of a valuable member of the Legislature, and the members of this Senate, have lost a worthy associate.

Mr. STAPLES of Knox—Mr. President and Fellow Senators: We pause amid the turmoil of life to pay our respects and regard to our late associate. It is well that we should do so. It was not my good fortune to personally know our departed brother until I met him in this chamber; but I at once recognized his grand character, his loving disposition, his strong integrity, his manliness and all of

those qualities which endeared him to every member of this body. But he has departed from us. It reminds us that life at most is but a day sprung from night, in darkness lost, and that, with him it was like a shadow thrown softly and sweetly from a passing cloud, when death fell upon him.

—I rejoice that I am not one of those that believe that it is all of death to die. I rejoice that I am one of those that believe that our departed brother lives today. Who is there who can say but what his spirit is hovering around us now? Who is there that will say our departed brother knows less now than he did before he passed out? I am one of those that believe that we are placed here upon this earth to prepare for a greater and grander existence; and that injunction from the great book that "As ye live, so shall ye die, as ye die so shall ye live again," will place him today in that summer-land surrounded by his friends. Yea! Almost I feel the influence that comes from the other world. His influence will be felt upon mankind although he has departed from the body. What a grand and noble thought it is for us here to believe that this is only a kindergarten, where we are to discipline the man—grow grander and nobler—not only for our life work here, but for the work over there. That gives us something to live for. It leads us to believe that good predominates over evil in the breasts of the majority of the human family. I am not one of those that believe in total depravity, but I believe that good is in the breast of every man, and he exercises those features according to the opportunities and the surroundings which he has. I am one of those that believe that we have a duty that we owe one another. If we carry out that principle of brotherly love and of goodness toward one another, just as our departed brother did, how much better we should feel; and if we do not get our reward here for any kind act that we may do, then I believe that we will get it by and by.

Oh no! my friends, there is no such thing as death. Our brother has only

passed over the river; and today, I have not any doubt, is living in perpetual sunshine, gone to meet his friends that have gone before. When he bade his friends good-night here, upon this shore, I have not any doubt that he bade them good-morning on the other. Nature, and everything teaches us the immortality of the soul. We might go into the realms of mythology; and, as I have read many times of the new king of the Argus, who condemned the young king to death: Just before he was executed, she that loved him so fondly implored of him, should they meet again? He answered: I have asked that dreadful question of the hills that look eternal, of the river that placid flows forever, of the stars amid whose fields of azure my restless spirit trod in glory has found no answer—all was dumb—but as I look upon your loving face, I answer, yes, we shall meet again. Whatever may be our course here, we can have no doubt that He who causes the buried acorn to spring forth in the springtime, will take care of the soul of man which is the living and thinking part, when this casket shall refuse longer to perform its duties. Yes! our brother is gone; but, by and by when our course shall have run, we shall meet him on the other shore.

Mr. FERNALD of Androscoggin—Mr. President, Fellow Senators: It is fitting and appropriate that we cease from our labors and for a few brief moments pay a tribute of love and respect for our late friend and co-worker, Senator Joseph Y. Hodsdon of Cumberland.

Perhaps the most pleasing feature of a life in this body are the associations which are afforded to its members. The gentlemen who come here are chosen from every section of our great State. We are brought into close touch, and our community of labor gives opportunity for affinity to exercise its influence. Our selection of associates, and our friendships are made without reference to party affiliations. Friendships are formed here which will be a source of comfort and satisfaction to the end of our lives. I value these relations and

friendships very greatly. Now and then, Mr. President, there comes here a man who seems to win the hearts of all; to whom all look with affectionate regard and hold in common respect and affection. Senator Hodsdon was one of this class. He was kindly, frank, generous, and manly, obliging to all, ever ready to lend a hand, or to give assistance when it was within his power to do so; having a large regard for loyalty to his convictions to which he adhered strenuously.

It was my privilege to serve with him on the committee of taxation, of which he was chairman, and whose duties this season have been so arduous and so vexing, and as a member of that committee it seemed to be his whole aim to weigh all matter candidly, carefully and decide them with extreme fairness; and after the toil of long, weary sessions often verging into midnight or later, we walked down the street to our abodes, always arm in arm (for he was a man who loved to get near his friends) and in this way I learned the value of his counsel, and the warm and generous impulse of his noble, loving nature.

As a member of this body, he was capable of the fullest discharge of his duties. Quiet and unassuming, he performed every duty committed to his care in an efficient, honest, courteous manner. Such a man is a great loss to the State and community, but it is in the home circle that he will the most be missed. I wish it was in my power to say one word that would lend comfort to the sorrow-stricken wife and family, but I know how vain it is to gild a grief with words or try to assuage a pain with an expression of sympathy.

Here in this world where life and death are equal monarchs, all must be brave enough to meet what all have met. From the wondrous tree of Life, buds and blossoms fall alike with ripened fruit, and in the common bed of earth patriarchs and babes sleep side by side. We do not know which is the greatest blessing life or death. We cannot say that death is not good. We do not know whether the grave is the end of this life or the door to another: or whether the night here is

not somewhere less a dawn. Neither can we tell which is the more fortunate the child dying in its mother's arms before its lips have learned to form a sentence, or he who journeys all the length of life's uneven road, and painfully lies down to quiet dreams, embarking across the boundless and unknown sea to that undiscovered country from whose bourne no traveler e'er returns. It may be, and let us hope, that death gives all there is of worth of life, but even at its worst it is only perfect rest. There is, I believe, for them this consolation, the dead do not suffer. We are all children of the same mother and the same fate awaits us all.

I was honored by the President of this Senate in the selection to be one of the company who should attend the funeral of the distinguished Senator and lay him away in his native home. Late on a cold, gray, murky afternoon we performed the last sad rites. No stately shaft will lift aloft its haughty head, bearing inscription of his achievements, but his name is inshrined in the hearts of his people, and those hearts will be the lamps wherein the flame of love shall burn while life endures.

We laid him away in the soil of his beloved town; he peacefully sleeps on that stern and rock-bound coast where loving hands have laid him, and the sad and solemn sea will sing unceasing requiems for his soul.

There was, there is, no kindlier, gentler, manlier man.

Mr. NOBLE of Franklin—

Mr. President: Standing as we do today in the shadow of a great sorrow which wraps us about with an irresistible gloom, it is eminently fitting that we pause in the usual routine of legislative business and devote a few moments to the memory of him who was, but who is not,—of him who but a few days ago was participating in our deliberations, clothed in all the strength and vigor of manhood.

Senator Hodsdon is dead! Hard as it is to realize the fact, harsh and repulsive as the word may sound when spoken, the fact is with us, the word must be spoken, Dead! Dead! Would

that this word might be eliminated from our language, for

"There is no Death! What seems so is transition;
This life of mortal breath
Is but a suburb of the life elysian,
Whose portal we call Death."

The grim messenger has dared approach, our meditations have been disturbed, one whom we loved and honored has been summoned to join the great and silent throng "in realms of life and light immortal."

It would be presumption on my part to attempt a eulogy upon his life and character. This would more properly devolve upon those who are more familiar with the history of his life and business career. I can but add to and emphasize the warmth of that affection which has found expression in the sincere tributes of those who have already spoken. For a few weeks only it was my privilege to be with him,—to know him intimately and well. But wherever associated, whether in the important business of this chamber, or about the social fireside of our temporary home, I recognized in him the best and noblest characteristics of a lofty manhood. Thoughtful first and always for the comfort of others, selfishness had no abode in his grand and magnanimous nature. Frank and loyal to his friends, courteous and kindly to all, even his opponents could never become his enemies. In the social circle and about the fireside his genial nature was at its best, inspiring a fellowship, the remembrance of which will abide with his associates as long as time itself. True as steel, his word was his bond, and integrity his watchword. Well may the young man emulate his example, for energy and enthusiasm characterized his whole business career. Thoroughly trained in the school of an active business experience, he was practical and sound in all matters touching the interests of his constituents whom he served faithfully and well.

Keen and heartfelt as is our sorrow, far more keenly will his loss be felt in the community in which he lived. Years may come and go and not another will be found to take his place

in the hearts of that people, who recognized in him a wise counsellor and a loyal friend. I can well say as did Colonel Ingersoll over his brother's bier: "Were every one to whom he did some loving service to bring a blossom to his grave he would sleep today beneath a wilderness of flowers."

He was especially devoted to his family and seemed happiest himself when contributing to their happiness. But strong as were the ties that bound heart to heart, the cords were burst asunder, and today the grief stricken widow longs

" * * for the touch of a vanished hand,
And the sound of a voice that is still."

Our friend was a great lover of Nature. He loved the flowers, the birds and the babbling brooks. His face would light up with joy when relating incidents of his vacation days upon the seashore or amidst the wild magnificence of the mountains, lakes and forests. At such times he would seem to live over again the happy days gone by,—days that brought him into sweet communion with Nature in her lavish moods.

He is gone, the great, generous, sympathetic heart has forever ceased to pulsate.

"His life was gentle; the elements
So mixed in him, that Nature might
stand up
And say to all the world, 'This was a
man.'"

Full of honors, and with physical and mental vigor unabated, his earthly pilgrimage has suddenly ended. We look about us and see but the dull cloud of sorrow, and hear but the wintry wind sighing a requiem for our departed friend.

"But into each life some rain must fall,
Some days must be dark and dreary."

Beyond the dark cloud of sorrow and affliction our faith reveals the bright star of promise; and above the sad requiems of earth we catch the glorious hallelujahs of heaven.

"Peace to the good man's memory;
Let it grow greener with years,
And blossom through the flight of ages."

Mr. PLUMMER of Penobscot—Mr. President: I cannot well forbear say-

ing a few words on this occasion, not with the expectation of adding anything of value to what has been so well said by the Senators who have preceded me, concerning the life and character of Joseph Y. Hodsdon, but for the purpose of expressing my high appreciation of his worth and my personal sorrow at his sudden decease.

My acquaintance with Senator Hodsdon begun with the opening of the Legislative session of 1899, when we found ourselves sitting side by side in this chamber, and our relations and associations were limited to that session, and so much of this as had elapsed when he was taken away. Hence I knew him not at all in his business and domestic relations, but only as a successful and public spirited man of affairs who had been selected and commissioned by his fellow citizens to represent their interests in this Legislative arena; and Mr. President, in bearing witness to his absolute fidelity to every public trust in him reposed, I feel I am paying him no small nor mean tribute.

Early in our service as fellow members of the body, a feeling of warm and cordial friendship sprung up between us, which I am glad to be able to say continued unbroken and unabated up to that fateful Friday when he went out of this chamber forever.

Mr. President, I do not refer to Senator Hodsdon's friendship with me as exceptional. Doubtless all his associates here shared it in equal and perhaps some of them in greater degree.

It was natural for his friendly spirit to reach out to all with whom his duties brought him into contact, and he was always at any cost to himself, loyal to his friends.

Senators: A genial, warm hearted, whole-souled man has been taken from our ranks and added to the innumerable company of those who have gone before.

While his kindly presence will be missed from our midst, and during the remainder of this session there will remain in this chamber one vacant chair, we will not mourn him as one who has lost his life, but rather salute

him as one who has found it, in its truest and best estate.

Believing the natural event called death does not break the continuity of human life, we will think of him as a living soul endowed with personal consciousness, memory and affection, enjoying the supremely satisfactory activities, and embracing the incomparably grand and boundless opportunities for growth in knowledge, beauty, goodness and power, which the higher and freer world of spirit affords.

On motion by Mr. Plummer of Penobscot, the Senate adjourned.