

MAINE STATE LEGISLATURE

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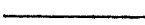
LEGISLATIVE RECORD

OF THE

Seventieth Legislature

OF THE

STATE OF MAINE.



1901.

SENATE.

Augusta, Jan. 18, 1901.

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

Prayer by Rev. Mr. Dunnack of Augusta. The secretary having announced the absence of the President, on motion by Mr. Fernald of Androscoggin, it was

Ordered, that, in the absence of the President of the Senate, the Hon. Stanley Plummer of Penobscot, be and hereby is elected President pro tem.

Senator Morrison of York, upon the request of the secretary thereupon conducted the President pro tem, to the chair.

The President pro tem thereupon thanked the Senate for the honor conferred upon him.

Journal read and approved.

Papers from the House disposed of in concurrence.

By Mr. Virgin of Cumberland—Ordered, that when the Senate and House adjourn they adjourn to meet on Monday, January 21st, 1901, at 4.30 o'clock, P. M.

The President subsequently informed the Senate that the House had concurred on the foregoing order.

On motion by Mr. McFadden of Lincoln it was Ordered, that the House of Representatives be notified of the election of the Hon. Stanley Plummer of Penobscot, as President pro tem of the Senate, in the absence of the President.

The President pro tem thereupon requested Mr. McFadden of Lincoln, to convey the message to the House, and he subsequently reported that he had discharged the duty.

On motion by Mr. Morrison of York, it was Ordered, that the Governor and Council be notified of the election of the Hon. Stanley Plummer of Penobscot, as President pro tem of the Senate, in the absence of the President.

The President pro tem thereupon requested Mr. Morrison of York to convey the message to the Governor and Council, and he subsequently reported that he had discharged the duty.

A message was received from the House conveyed by Mr. Chase of Portland informing the Senate that, in the

absence of the Speaker, Richard Webb of Portland was elected Speaker pro tem.

The following communications were read by the President.

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

In response to orders of the two branches of the Legislature, addressed to the Governor and Council, I have the honor to herewith lay before you the report of the Committee of the Executive Council in charge of construction and also an itemized account of the sums of money expended in construction of the Eastern Maine Insane Hospital. Very respectfully,

Your obedient servant,

BYRON BOYD.

On motion by Mr. Staples of Knox the foregoing document was laid upon the table to be printed.

COMMISSIONERS OF INLAND FISHERIES AND GAME.

Augusta, Jan. 18, 1901.

To the Honorable Senate of the State of Maine:

In compliance with the order of the Senate of Jan. 15th, 1901, requiring "the Commissioners of Inland Fisheries and Game to report to the Senate what action, if any, has been taken by them in accordance with the laws of 1899, chapter 42, section 5, on page 31, in reference to the closing of the tributaries of Moosehead Lake; to state if commissioners performed that duty, and if so, to state the place or places, at which said metes and bounds were established on each of the tributaries of said lake, and the reasons for placing the same at such place or places," we beg leave to report as follows:

That by virtue of section 5, of chapter 42, of the Public Laws of 1899, referred to above, which reads as follows: "The commissioners shall establish by metes and bounds the mouths of all the tributaries to Moosehead Lake," two of the commissioners, to-wit, Henry O. Stanley and Charles E. Oak, on the 16th day of Aug., A. D. 1899, went to Moosehead Lake, procured a steamer, marking posts, and went personally to each tributary of said lake. Much difficulty was experienced in determining precisely where the mouths of these tributaries really

are, from the fact that the height of the water in this lake is controlled to a great extent by means of dams at the several outlets at extreme high water the mouth appears to be in one place and as the waters of the lake fall the mouth would seem to extend further towards the lake. After the most careful observation which we were able to make, and in the exercise of our best judgment, cedar posts of about six feet in height and six inches in diameter, peeled and painted red, were set in the ground in a permanent and substantial manner, in each case, or nearly so, on each side of each tributary, so that a line drawn across the tributary from one post to another would indicate the "mouths of the tributaries" and the beginning of the lake.

We did not deem it expedient to stretch any line or cable chain across said tributaries from one point to another, fearing that such a course might impede navigation and be a source of more or less danger to fishermen, lumbermen and others. "The reason for placing these posts at the place or places where they were in fact placed" was that we believed that we placed them where the law designed that they should be placed. We cannot state more definitely the exact location of these posts than by copying the record made by the Secretary of the Board at the time that the posts were set at each tributary. We copy from this record as follows:

"Moosehead Lake, Aug. 16th, 1899.

Description of location of posts marking mouths of streams tributary to Moosehead Lake.

BAKER BROOK. The one on the right facing the brook from the lake on point of land behind low bushes and directly in front of two small cedars; the one on the left opposite, in middle one of three pine stumps, the middle stump is hollow and post stands in hollow. Both posts cedar painted red.

MANSELL BROOK. Post on right four feet south of a cedar tree, 10 inches in diameter, 12 feet from shore of lake. On left on point S. E. of two white birches 2½ inches in diameter.

August 17th. Tomhegan Stream. Posts about ten rods from wide part

of lake. On right, 4 feet south from green cedar, 4 inches in diameter, spotted, facing post. On left bank 4 feet east of cedar, 4 inches in diameter, partly green, spotted facing post, and hacked on north side.

SOCATEAN STREAM. Post on left on first green point about 500 feet above pier; witnessed by green cedar, N. E. form post. In lieu of post used dead cedar, 15 inches in diameter, on north side, on which was written, 'In place of post to mark limit of fishing.'

MOOSE BROOK. On right, post set on first point going in from lake. Witnessed on spruce tree 6 inches in diameter east of post and 8 feet distant. On left, post stands in hollow pine stump, the only one in sight.

CARRY BROOK. N. W. Carry. On left, dead pine tree spotted, two faces on first point going up stream. On right, painted post on point running out into lake from near end of log sluice.

WILLIAM STREAM. One post on right bank about ¼ mile from sand bar, on shore of lake and at head of wide dead water near shore of lake.

NORCROSS BROOK. On right, post set near shore of lake near some small maple tree. On left or north bank, a poplar tree, 10 inches in diameter, at high water mark, spotted towards stream, about 5 rods from low water mark of bank of stream.

LUCKY BROOK. Post on right on first green point inside breakwater. Hole for post shallow, and therefore stood beside poplar tree, spotted and lashed to same. On left, post stands near water in alder ground.

SPENCER STREAM. One post on right stands in corner of pier. On left in edge of green land. Rocky, shallow hole and post lashed to small maple. Witness a poplar.

ROACH RIVER. On right, post in corner of inside pier. On left, in hollow pine stump.

NORTH BROOK, Lily Bay. Post on right 50 rods from lake on knoll on which stands several pine stumps. Post in hollow one farthest up. Post on left in hollow pine stump opposite.

SOUTH BROOK, Lily Bay. One post on right bank beside bridge.

BEAVER CREEK. On right, post in hollow cedar stump at head of cove.

On left, spotted white birch tree, 8 inches in diameter.

UPPER SQUAW BROOK. Post on left on ledge point, rocks around base. Top wired to dead hack tree. On right, post set in ground. Witnessed on small poplar 2 feet distant. Both posts about 15 rods below R. R. bridge.

LOWER SQUAW BROOK. One post, on right against abutment of R. R. bridge.

Very respectfully submitted,
(Signed) L. T. CARLETON,

HENRY O. STANLEY,
CHARLES E. OAK."

Commissioners of Inland Fisheries and Game.

On motion by Mr. Vickery of Kennebec the foregoing communication was laid on the table to be printed.

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

JUDICIARY.

By Mr. Virgin of Cumberland—Petition of Mrs. Augusta M. Hunt and 224 others, citizens of Portland, in favor of woman's suffrage.

Also petition of Mrs. Sophia Harvey and 49 others of Old Orchard in favor of woman's suffrage.

ORDERS.

By Mr. Vickery of Kennebec—Ordered, that the Committee on Inland Fisheries and Game be authorized to expend the sum of \$20 for the services of a stenographer.

READ AND ASSIGNED.

An act relating to Franklin Real Estate Company.

REPORTS OF COMMITTEES.

The Committee on Inland Fisheries and Game to which was referred Resolve for the purpose of operating fish hatcheries and feeding stations for fish and for the proper enforcement of the Inland Fish and Game laws, report that same ought to pass. Report accepted and resolve tabled to be printed under the joint rules.

FINALLY PASSED.

Resolve in favor of the Eastern Maine Hospital for the Insane.

On motion by Mr. Weeks of Somerset the Senate adjourned.

HOUSE.

Friday, Jan. 18.

The House was called to order by the clerk, who announced the absence of the Speaker.

Mr. Chase of Portland, presented the following order:

Ordered, that in the absence of the speaker, Richard Webb of Portland be and hereby is elected Speaker pro tempore.

The order received a passage.

(Mr. Webb in the chair).

A message was received from the Senate informing the House that, in the absence of the president, Hon. Stanley Plummer of Penobscot, had been chosen president pro tem.

On motion by Mr. Chase of Portland, that gentleman was charged with and conveyed a message to the Senate informing that body that in the absence of the speaker, Mr. Webb of Portland, had been chosen Speaker pro tempore.

On motion by Mr. Parkhurst of Bangor, that gentleman was charged with and conveyed a message to the Governor to the same effect.

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

JUDICIARY.

By Mr. Webb of Portland—An act to amend chapter 204 of the Public Laws of 1856 in relation to the municipal court for the city of Portland.

By Mr. Chase of Portland—An act to amend section 63 of chapter 77 of the Revised Statutes relating to the jurisdiction of the superior court for the county of Cumberland.

By Mr. Spofford of Deer Isle—An act to legalize the doings of a meeting of school district No. 16 in the town of Stonington.

By Mr. Bennett of Hollis—An act to amend section 2 of chapter 118 of the Revised Statutes as amended by section one of chapter 133 of the Public Laws of 1887, relating to capital punishment.

LEGAL AFFAIRS.

By Mr. Allen of Portland—An act to amend chapter 6 of the Revised Statutes relating to sales of land for non-payment of taxes.

By Mr. Weymouth of Biddeford—An act to repeal section 6 of chapter 55 of the