

# 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)

Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

**SENATE.**

Monday, January 25, 1909.

Senate called to order by the Secretary.

Prayer by Rev. Fr. LaRiviere of Augusta.

The secretary announced that, in the absence of the President, it would be necessary for the Senate to elect a President pro tem.

On motion by Mr. Theriault of Aroostook, it was:

Ordered, That, in the absence of the President of the Senate, the Hon. Henry H. Hastings of Oxford be and hereby is elected President pro tem.

Thereupon, at the request of the secretary, Mr. Theriault of Aroostook conducted Mr. Hastings of Oxford to the Chair.

On motion by Mr. Osgood of Androscoggin, it was:

Ordered, That the Governor and Council be notified of the election of the Hon. Henry H. Hastings of Oxford, as President pro tem. of the Senate, in the absence of the President. Mr. Osgood of Androscoggin, was requested to convey such message, and subsequently reported that he had attended to the duty, with which he was charged.

On motion by Mr. Macomber of Kennebec it was:

Ordered, That the House of Representatives be notified of the election of Hon. Henry H. Hastings of Oxford as President pro tem. of the Senate in the absence of the President. Mr. Macomber of Kennebec was instructed to convey such message, and subsequently reported that he had attended to the duty with which he was charged.

Journal of the previous session read and approved.

Papers from the House disposed of in concurrence.

Bill, An Act defining the liability of employers in cases of injury to servants and employees came from the House, by that branch referred to the committee on Labor. On motion by Mr. Wheeler of Cumberland the bill was tabled for printing, pending reference.

The following bills, petitions and resolves were presented and referred:

**Judiciary.**

By Mr. Mullen of Penobscot: Bill, An

Act to amend and additional to Chapter 50 of the Private and Special Laws of 1886, relating to the Children's Home in Bangor.

Also: Bill, An Act to confirm the organization of the Bangor Young Men's Christian Association and for other purposes.

**Appropriations and Financial Affairs.**

By Mr. Howes of Somerset: Petition of Past and Present Club of Fairfield and others for Resolve in favor of Maine State Sanatorium Association.

By Mr. Mullen of Penobscot: Resolve in favor of Bangor Children's Home.

Also: Resolution of Athena Club of Bangor in favor of Maine Sanatorium Association.

Also: Resolution of Norumbega Club of Bangor in favor of same.

Also: Resolution of the Nineteenth Century Club of Bangor in favor of same.

By Mr. Hastings of Oxford: Petition of Mrs. Samuel Packard and 18 others of the A. B. C. Klass of Woodfords in favor of same.

By Mr. Macomber of Kennebec: Petition of Bernard E. Carver of Howland and 19 others for same.

Also: Petition of F. C. Thayer of Waterville and 39 others, for same.

Petition of Mrs. G. N. E. Barrows of Bangor and 39 others for same.

Petition of J. F. Hill of Waterville and 32 others, for same.

**Ways and Bridges.**

By Mr. Boynton of Lincoln: Petition of J. P. Tucker of Wiscasset and 39 others in favor of Donigan Bridge bill.

**Printed Bills.**

Resolve in favor Frank Fellows, Page in the Senate. On motion by Mr. Osgood of Androscoggin, this Resolve took its several readings, under suspension of the rules, and was passed to be engrossed.

Resolve in favor of Joseph W. Simpson. On motion by Mr. Eaton of Washington, this Resolve took its several readings under suspension of the rules, and was passed to be engrossed.

**Read and Assigned.**

An Act relating to Portland Society of Art.

Resolve in favor of Maine Eye and Ear Infirmary.

### Orders of the Day.

On motion by Mr. Donigan of Somerset, Senate Document, No. 55, "An Act to provide for the ownership and maintenance of highway bridges by the State and the construction of such bridges by the State, county and towns." was taken from the table. On further motion by the same senator, the bill was referred to the committee on Ways and Bridges.

On motion by Mr. Minott of Sagadahoc, Senate Doc., No. 52, "An Act to require motor boats to be provided with mufflers in certain cases" was taken from the table. On further motion by the same senator, the bill was referred to the committee on Judiciary.

On motion by Mr. Staples of Knox, Bill, "An Act to encourage and aid in the building of a railroad through the undeveloped portion of Northern Maine," was taken from the table.

Mr. STAPLES, of Knox: Mr. President: This bill is what is called a rebate bill. It is purely and simply a matter of taxation, whether we shall rebate to the B. & A. road, providing they build the Allegash branch. I will say, to make myself understood: This bill was referred to the committee on Railroads and Expresses. It is purely and simply a matter of taxation. I move that the Senate non-concur with the House in it's reference to the committee on Railroads and Expresses, and that it be referred to the committee on Taxation.

Mr. WHEELER of Cumberland: Mr. President: It is true, as the senator from Knox county suggests, that the bill refers to a rebate of taxes for the Bangor and Aroostook Railway. It is not a bill granting any charter privileges to the railroad; but I do not understand that the committee on Taxation has anything to do with matters except those which relate to the assessment of taxes. This bill does not propose to assess any taxes on any property. It is merely to determine whether the Senate, after taxes have been collected, will grant a rebate of those taxes; in other words, it is a question of whether the State will pay back to the Bangor and Aroostook Railroad money which they have first paid to the State in taxes. It seems to

me that the bill has properly been referred to the committee on Railroads and Expresses.

Mr. STAPLES: Mr. President, Of course I take this action that the paper may take its proper course. You will see by reading the bill that it is, whether we shall extend in fact rebate,—that in 20 years the B. & A. road has almost run out—whether they, until 1921 shall have a rebate from that road they are now occupying—those are the words of the bill—providing they build the Allegash branch. Now it seems to me that the real question is the 95 per cent. exemption or rebate back to the State. That is the real question to come before the committee that hears it; and for that reason, it seems to me it should go, not to the Railroad committee, but to the committee on Taxation.

Mr. MULLEN of Penobscot: Mr. President: It strikes me that the bill is in its proper place before the committee on Railroads, as has been explained by its chairman this afternoon. Therefore I hope the Senate will let it go there.

Mr. STAPLES: Mr. President: I did not open this matter at this time for discussion of this question; and if I am in order, I will withdraw my motion, and move that the matter be laid on the table.

The latter motion prevailed, and the bill was tabled.

Under suspension of the rules, Mr. Staples of Knox presented and moved the passage of the following Order: "Ordered, that a committee of three be appointed by the Senate, with as many as the House may join, to ascertain by what authority the Governor and Council drew a warrant in favor of Newell and Skelton of Lewiston, Androscoggin county, State of Maine, for nine hundred sixty-four dollars and forty-five cents, in case—*E. W. Buckley vs. Maxine Beaulieu and Fred E. Stevens*, May 28, 1908, and report by bill or otherwise, with full power to send for persons and papers." The Order was passed and sent down for concurrence.

On motion by Mr. Staples of Knox, the Senate adjourned.