

MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

SENATE

NO. 190

In Senate, Mar. 10, 1919.

Reported by Mr. Dearth from Committee on Judiciary and
laid on table to be printed under joint rules.

P. F. CRANE, Secretary.

Presented by Senator Lewis of Lincoln.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND NINETEEN

RESOLVE, Relating to payment of damages arising out of
death of Edgar Chase Harnden.

Resolved: That there be and hereby is appropriated, the
2 sum of four hundred fifty-seven dollars and twelve cents
3 for the purpose of paying the following bills, in settlement
4 of all claims arising out of death of Edgar Chase Harnden,
5 an employee of the State Highway Commission:

| | |
|---------------------------------|---------|
| Central Maine General Hospital, | \$13 80 |
| Plummer & Merrill Co., | 120 32 |
| Joseph W. Scannell, | 100 00 |
| Dr. B. W. Cushman, | 10 00 |
| Dr. Sawyer, | 10 00 |

| | |
|---|----------|
| Dr. Wallace E. Webber, | 3 00 |
| Charles L. Harnden and Ella Harnden, (compensation), | 200 00 |
| | <hr/> |
| Total, | \$457 12 |

STATEMENT OF FACTS.

Edgar Chase Harnden was employed by the State Highway Commission at Lewiston, Maine, on June 29th, 1918. On that day at three o'clock in the afternoon, while loading tar barrels into a freight car, he received an injury to his head. He was taken immediately to the Central Maine General Hospital where Dr. J. W. Scannell assisted by Dr. B. W. Cushman, Dr. Sawyer, and Dr. Wallace E. Webber, performed an operation in an attempt to save his life. The operation was unsuccessful and Edgar Chase Harnden died within a few hours. Plummer & Merrill Co. of Auburn took care of the body, furnishing a casket and attending to the funeral.

An investigation was made by the attorney general's office which showed that Edgar Chase Harnden had living, one brother, Albert C., age 16, and a sister, Bernice, age 12, and a father, Charles L., age 51, and a mother, Ella Harnden, age 48. The brother and sister, and mother and father all live in Fryeburg, Maine. Edgar Chase Harnden, the deceased, was only eighteen years old, and this was the second year that he had ever worked away from home.

An attempt was made to have the case settled under the Workmen's Compensation Act, but it was found that this would be an extremely hard case to settle for the reason that Edgar Chase Harnden had only partially supported his father and **mother; that he was engaged in a seasonal employment, and that the question of compensation was one of great difficulty.** Further, if compensation was granted, the claims of the undertaker, doctors, and hospital would have fallen upon the father and mother who were unable to pay.

After talking the matter over with the Industrial Accident Commission, it was decided that the matter could be better reached by a special resolve. Accordingly it was suggested to E. E. Hastings, attorney at law at Fryeburg, that he represent the parents of the deceased and find out what agreement could be reached. It was finally agreed that the state should pay the doctors, hospital and undertaker, and pay to the parents, two hundred dollars in full settlement of all claims.