

MAINE STATE LEGISLATURE

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EIGHTIETH LEGISLATURE

HOUSE

NO. 266

House of Representatives, March 11, 1921.

Reported by Mr. Newcomb from Committee on Claims and ordered printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

STATE OF MAINE

**IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND TWENTY-ONE**

Resolve, in favor of Francois X. Marcotte.

Resolved: That there be, and hereby is, appropriated to be
2 paid to Francois X. Marcotte, of Lewiston, the sum of one
3 hundred and seventy-three dollars and ninety-eight cents in
4 full for services and expenses as police commissioner for
5 the city of Lewiston from April fourth to July third, nine-
6 teen hundred and seventeen.

STATEMENT OF FACTS

Chapter 37 of the Private and Special Laws of 1917, entitled "An Act to Provide a Police Commission for the City of Lewiston and to Promote the Efficiency of the Police Department Thereof," was passed as an emergency measure. Under this act the following were named as Police Commissioners by Governor Milliken, on March 26th, 1917:

Ralph W. Crockett,	Six years.
Alfred Williams Anthony,	Four years.
Francois X. Marcotte,	Two years.

They qualified on April 4th, 1917, and acted as such Commissioners from that date until July 3rd, 1917, when the Law Court handed down a decision in the suit of Charles P. Lemaire, In Equity, vs. Ralph W. Crockett et als, holding the emergency clause in the above act to be invalid. This was a bill in equity brought to contest the constitutionality of the act and was sustained with costs against the three defendants. The case is reported in 116 Maine 263.

During the period from April 4th to July 3rd, 1917, the said Crockett, Anthony and Marcotte, acting as Police Commissioners, organized and established the Lewiston Police Department in accordance with the terms of the act, holding for that purpose twenty-nine meetings, for which they were entitled, under section 15, to a compensation of five dollars each per meeting.

In addition to the above they incurred expenses in connection with their duties and in connection with said suit as follows:

Paid plaintiff's costs in equity suit	\$52 14
Paid clerical hire	15 00
Printing defendant's brief in same	19 80
Ralph W. Crockett, expenses to Law Court	5 55

The amount due each one is as follows:

RALPH W. CROCKETT

29 meetings at \$5.00	\$145 00	
1-3 plaintiff's costs in equity suit	17 38	
1-3 clerical hire	5 00	
1-3 cost of printing brief	6 60	
Expenses to Law Court	5 55	
	<hr/>	\$179 53

ALFRED WILLIAMS ANTHONY

29 meetings at \$5.00	\$145 00	
1-3 plaintiff's costs in equity suit	17 38	
1-3 clerical hire	5 00	
1-3 cost of printing brief	6 60	
	<hr/>	\$173 98

FRANCOIS X. MARCOTTE

29 meetings at \$5.00	\$145 00	
1-3 plaintiff's costs in equity suit	17 38	
1-3 clerical hire	5 00	
1-3 cost of printing brief	6 60	
	<hr/>	\$173 98

The same persons were afterwards appointed Commissioners and received pay from the city of Lewiston in accordance with the terms of the act. No part of the above amounts, however, has been paid to them, and in view of the decision of the Law Court in the above case the city is apparently not liable.