

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eightieth Legislature

OF THE

STATE OF MAINE

1921

Including Acts and Resolves of the Special Session held in 1920.

Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

LEWISTON JOURNAL PRINTSHOP AND BINDERY
LEWISTON, MAINE
1921

RESOLVES
OF THE
STATE OF MAINE

AS PASSED BY THE EIGHTIETH
LEGISLATURE

1921

Chapter 21.

Resolve, Authorizing the Land Agent to Sell a Parcel of Land not Exceeding Two Acres from One of the Public Lots in West Forks Plantation, Somerset County.

Authorizing sale from public lots West Forks Plantation.

Resolved: That the land agent be, and hereby is, authorized to convey, with the advice and consent of the governor and council, to Thomas Berry of West Forks plantation, Somerset county, a parcel of land not to exceed two acres from the public lot known as the First Settled Minister Lot, located on the Canada road, so-called.

Approved March 25, 1921.

Chapter 22.

Resolve in Favor of the Kittery-Portsmouth Bridge, and to Ratify the Doings of the Governor and Council and the Piscataqua River Bridge Commission Relating to the Same.

Emergency preamble. Whereas, by chapter forty-four of the resolves of nineteen hundred and nineteen, the State of Maine appropriated the sum of five hundred thousand dollars for the purpose of paying for one-third of the expense and cost of an interstate free highway bridge across and over the Piscataqua river from some point in Kittery, York County and State of Maine to some point in Portsmouth, Rockingham county and State of New Hampshire, and,

Whereas, by section four of said resolve, the governor and council were authorized to act for the State of Maine, with full powers in the location and construction of said bridge, and,

Whereas, by council order dated April twenty-eight, nineteen hundred and twenty, the governor and council authorized Carl E. Milliken, then governor of Maine, to act for the State of Maine, and authorized and empowered him to do and perform all such acts as were necessary to secure the co-operation and assistance of the United States, and,

Whereas, by council order of the same date, the said Carl E. Milliken, then Governor of Maine, was authorized to act for the State of Maine and empowered to do any and all acts necessary for the location and construction of said bridge, and,

Whereas, the said Carl E. Milliken, then acting for said state, with the Governor of New Hampshire and with the Secretary of the Navy of the United States, organized the Piscataqua River Bridge Commission, and,

Whereas, the said Carl E. Milliken, acting for the State of Maine, entered into a contract with Holbrook, Cabot & Rollins Corporation, for the

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construction of the substructure of said bridge, which contract is dated the twenty-fourth day of November, nineteen hundred and twenty, and also entered into a contract with the American Bridge Company, for the construction of the superstructure of said bridge, which contract is dated the twenty-eighth day of December, nineteen hundred and twenty, which contracts were duly signed by the contracting parties, but were not approved by the governor and council and the attorney general as required by the laws of Maine, and,

Whereas, as a part of said contracts, the said Holbrook, Cabot & Rollins Corporation, and the American Bridge Company, each gave bonds required by contract to the Piscataqua River Bridge Commission, and,

Whereas, work is begun under said contracts and it becomes necessary to pay the part which by the contracts the State of Maine is bound to pay, and provide for the continuance of the work on said bridge by said contractors, and,

Whereas, by reason of the foregoing facts, the approval of said contracts and of said bonds is immediately necessary for the preservation of public peace, health and safety and in the opinion of this legislature constitutes an emergency as contemplated by the constitution, and,

Whereas, the people of the State of Maine by a resolve of the legislature, being chapter forty-four of the resolves of the year nineteen hundred and nineteen, made an appropriation for the construction of an interstate free highway bridge across and over the Piscataqua river from some point in Kittery, York county and State of Maine to some point in Portsmouth, Rockingham county and State of New Hampshire, to be known as the Piscataqua River Memorial Bridge, and,

Whereas, by section four of said resolve, it was provided that the "governor and council in behalf of this state shall have the power to enter into such contractual relations and do and perform such acts as they shall deem expedient and necessary for the public good in all matters pertaining to the location and construction of said bridge," and,

Whereas, pursuant to said authority, the governor and council by a council order dated April twenty-eight, nineteen hundred and twenty, authorized Carl E. Milliken, then governor of said state, to act for said state in all matters pertaining to said bridge, and,

Whereas, the said Carl E. Milliken acting under his said authority with others interested in the construction of said bridge, has located the same and made certain contracts for the construction of the substructure of said bridge and made certain contracts relating to the superstructure of said bridge and has made other contracts for and in behalf of the State of Maine

in relation to said bridge, and acting under said authority, has assisted in the organization of the "Piscataqua River Bridge Commission," for the purpose of carrying on the work of locating, constructing and completing said Piscataqua River Memorial Bridge, which commission is made up of three representatives, one from the State of Maine, one from the State of New Hampshire and one from the United States Government, and,

Whereas, said Carl E. Milliken has ceased to be governor of the State of Maine, to wit, on the fifth day of January, nineteen hundred and twenty-one, and,

Whereas, Percival P. Baxter, is now governor of said State of Maine, and has an executive council for said state duly elected and organized according to law, and,

Whereas, it is necessary for the carrying on of the work of constructing and completing said Piscataqua River Memorial Bridge to act through and by means of the Piscataqua River Bridge Commission, now, therefore, be it

Resolved: Action of governor and council in authorizing Carl E. Milliken to act for state of Maine in matters pertaining to Piscataqua River Memorial Bridge ratified. That the doings of the governor and council in authorizing the said governor, Carl E. Milliken, to act for the State of Maine in all matters pertaining to said Piscataqua River Memorial Bridge are hereby ratified and confirmed.

Acts of Piscataqua River Bridge Commission ratified. Be it Further Resolved, that the organization, acts and doings of the said Piscataqua River Bridge Commission, so far as they relate to the location and completion of the said Piscataqua River Memorial Bridge, together with all contracts made by and with said commission, be and hereby are ratified and confirmed.

Gov. Percival P. Baxter and Executive Council authorized to act for state of Maine in completion of bridge. Be it Further Resolved, that the said Percival P. Baxter, Governor, and the Executive Council of Maine, are hereby authorized to act for the State of Maine in all matters relating to the construction and completion of the said Piscataqua River Memorial Bridge, and the said executive council is hereby authorized to delegate its power to the said governor so that he may act as a member of said commission in all said matters relating to said bridge.

Emergency clause. In view of the emergency cited in the preamble, this resolve shall take effect when approved.