

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 672

H. P. 468

House of Representatives, January 24, 1963

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Wood of Brooks.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

RESOLVE, Authorizing George A. Nowell to Bring Civil Action Against State of Maine.

George A. Nowell authorized to sue State of Maine. Resolved: That George A. Nowell of Ellsworth in the County of Hancock and State of Maine, who claims to be damaged by virtue of acts of the State Highway Commission performed upon land owned by him in the Town of Swanville in the County of Waldo for the alleged purpose of providing a change of alignment of, and to provide drainage for a highway, is authorized to bring a civil action for such claimed damage within one year from the effective date of this resolve in the Superior Court for the County of Hancock. The complaint issuing out of said Superior Court under the authority of this resolve shall be served on the Secretary of State by the sheriff or either of his deputies in any county of the State of Maine, and said service, and the conduct of said action shall be according to the practices of actions and proceedings between individual parties and suitors in said Superior Court, and the substantive rights and liabilities of the parties shall be the same as rights and liabilities between individuals.

Any recovery in said action shall not exceed the sum of \$2,500. The Attorney General is authorized and designated to appear, answer and defend said action. Any judgment that may be recovered in said civil action shall be payable from the General Highway Fund of the State on final process issued by the Superior Court, or, if appealed, the Supreme Judicial Court and costs may be taxed to the said George A. Nowell if it recovers in said action.