

# MAINE STATE LEGISLATURE

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(New Title)  
New Draft of : H. P. 421, L. D. 574

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ONE HUNDRED AND FIRST LEGISLATURE

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Legislative Document

No. 1584

H. P. 1104

House of Representatives, June 5, 1963

Reported by a Majority of the Committee on Judiciary and printed under  
Joint Rules No. 10.

HARVEY R. PEASE, Clerk

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-THREE

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**RESOLVE, Authorizing Newtuck Corporation of Portland to Bring Civil  
Action Against the State of Maine.**

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Be it enacted by the People of the State of Maine, as follows :

**Newtuck Corporation of Portland; authorized to sue the State of Maine. Re-  
solved:** That Newtuck Corporation, a Maine corporation duly organized and  
existing by law, with its principal place of business in the City of Portland,  
County of Cumberland, State of Maine, which company suffered damage by loss  
of rental property by the repairing of the Portland-South Portland Bridge, is  
authorized to bring a civil action for such claimed damage in the Superior Court  
for the County of Cumberland within one year from the effective date of this  
resolve, at any term thereof, against the State of Maine. And the complaint  
issuing out of said Superior Court under the authority of this resolve shall be  
served on the Secretary of State by true copy by the sheriff or either of his  
deputies in any county of the State of Maine; and the conduct of said action  
shall be according to the practice of civil actions and proceedings between  
parties and suitors in said Superior Court, and the liabilities of the parties and  
elements of damage, if any, shall be the same as the liabilities and elements of  
damage between individuals; and the Attorney General is authorized and desig-  
nated 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 of Maine on final process issued by said Superior Court or, if ap-  
pealed, the Supreme Judicial Court, and costs may be taxed for the said Newtuck  
Corporation if it recovers in said action. Hearing thereon shall be before 3  
Justices of the Superior Court, without a jury; said justices to be assigned by  
the Chief Justice of the Supreme Judicial Court.