

# MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 1738

H. P. 1243

House of Representatives, January 17, 1966

The Committee on Judiciary suggested.

JEROME G. PLANTE, Clerk

Presented by Mr. Pike of Lubec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-SIX

**RESOLVE, Authorizing Anthony M. Look and the A. M. Look Canning  
Company to Sue the State of Maine.**

**Anthony M. Look and A. M. Look Canning Company authorized to sue State of Maine. Resolved:** That Anthony M. Look and the A. M. Look Canning Company, of Whiting, County of Washington, State of Maine, which individual and company suffered damage to their property by the altering and changing of grade of Route 191 in said Whiting by the Highway Department of the State of Maine, are authorized to institute a civil action in the Superior Court of Washington County within one year from the effective date of this resolve, at any term thereof, against the State of Maine. The complaint and summons commencing the action authorized by this resolve shall be served on the Secretary of State by attested copy 20 days before the return day thereof by the sheriff or any of his deputies in any county of the State of Maine, and the conduct of said action shall be according to the practices of actions and proceedings between parties and suitors in said Superior Court; and the Attorney General is authorized and designated to appear and to answer said action to recover the damages sustained as aforesaid; and any judgment that may be recovered in such action shall be payable from the General Highway Fund by the State of Maine on final judgment rendered by said court; and costs may be taxed for said Anthony M. Look and the A. M. Look Canning Company if they recover 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 of Maine.

STATEMENT OF FACTS

The 101st Legislature passed a resolve, chapter 42 of the resolves of 1963, effective September 21, 1963, except that the location of the A. M. Look Canning

Company and of the highway alteration were stated to be East Machias, instead of Whiting, which is the actual location. A 3-justice panel of the Superior Court would not hear the matter until the location stated in the resolve was conformed to the true location. The only changes to this resolve are the substitution of "Whiting" for "East Machias" in 2 places.