

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1101

S. P. 324

In Senate, March 19, 1975

Referred to the Committee on Legal Affairs. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Jackson of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

RESOLVE, Authorizing Edward S. Crockett and Dorothy P. Crockett, or their Legal Representatives, to Bring Civil Action Against the State of Maine.

Edward S. Crockett and Dorothy P. Crockett; authorized to sue the State of Maine. **Resolved:** That Edward S. Crockett and Dorothy P. Crockett of Richmond in the County of Sagadahoc, who suffered damages to their home and personal property on February 25, 1974, caused by fire and other malicious damage allegedly performed by an inmate of the Augusta Mental Health Institute, or their legal representatives, are authorized to bring an action in the Superior Court for the County of Sagadahoc, within one year from the effective date of this resolve, at any term thereof against the State of Maine for damages, if any, and the complaint issuing out of said Superior Court under the authority of this resolve shall be served on the Secretary of State by attested copy 30 days before a term of said court 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 actions and proceedings between parties 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 designated to appear, answer and defend said action. Any judgment that may be recovered in said civil action shall be payable from the State Treasury on final process issued by said Superior Court or, if appealed, the Supreme Judicial Court, and costs may be taxed for the said Edward S. Crockett and Dorothy P. Crockett if they recover in said action. Any recovery in said action shall not be in excess of \$32,000, including costs. Hearing thereon shall be before 3 justices, without a jury; said justices to be assigned by the Chief Justice of the Supreme Judicial Court.

STATEMENT OF FACT

The purpose of this resolve is to authorize Edward S. Crockett and Dorothy P. Crockett, or their legal representatives, to bring civil action against the State of Maine.