

MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

SENATE

NO. 263

In Senate, March 1, 1917.

Referred to Committee on Judiciary and five hundred copies ordered printed. Sent down for concurrence.

Reference to Judiciary Committee suggested.

W. E. LAWRY, Secretary.

Presented by Mr. Lord of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND SEVENTEEN

AN ACT to provide for the adjustment of claims against the
State.

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

Section 1. The Supreme Judicial Court shall have jurisdiction of all claims at law or in equity against the State of Maine. Such claims may be enforced by petition setting forth clearly and concisely the nature of the claim and the damages demanded, and such petition shall be served by the Sheriff of the County of Kennebec or any of his deputies by

7 leaving an attested copy thereof in the hands or in the office
8 of the Attorney General and a like copy in the hands or in
9 the office of the Secretary of State thirty days, at least, be-
10 fore the return day thereof.

Sect. 2. The provisions of law relating to tender, offer to
2 be defaulted, set off and recoupment shall apply to such
3 petition, and the case shall be tried by the court without a
4 jury, and if the amount claimed is more than one thousand
5 dollars, by three justices of said court to be designated by
6 the Chief Justice. All hearings shall be in open court and
7 cases may be taken to the Law Court on exceptions or other-
8 wise; as is provided in cases at law and in equity.

Sect. 3. If the final decision is in favor of the claimant,
2 the court shall certify to the Governor the amount found
3 due, with legal costs, and the Governor shall draw his war-
4 rant for such amount on the Treasurer of State, who shall
5 pay the same from any appropriations made for the pur-
6 pose by legislature or from any other available unexpended
7 balance.

Sect. 4. If the decision is in favor of the state, judgment
2 for costs and execution thereon shall issue in its favor
3 against the claimant, and if such judgment is final, the claim
4 shall be forever barred.

Sect. 5. The provisions of law relative to the limitation
2 of actions shall apply to claims against the state and to the
3 remedy herein provided.