

MAINE STATE LEGISLATURE

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E I G H T Y - E I G H T H L E G I S L A T U R E

Legislative Document

No. 238

H. P. 679

House of Representatives, February 3, 1937.

Referred to Committee on Judiciary. Sent up for concurrence and 500 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Higgins of Ellsworth.

S T A T E O F M A I N E

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-SEVEN

RESOLVE, Permitting the County of Hancock to Sue the State of Maine.

County of Hancock authorized to sue the state. Resolved: That the inhabitants of the county of Hancock, a municipal corporation in the state of Maine, be and hereby are authorized to bring a suit at law in the name of the county commissioners of said county, in the superior court for said county, within 1 year from the 10th day of July, 1937, at any term of said court, against the state of Maine, for taxes assessed by the said county commissioners by virtue of section 39 the chapter 13 of the revised statutes, and transmitted by the treasurer of said county to the treasurer of state and collected by the treasurer of state, which said tax the said treasurer of state refuses to pay to the treasurer for said county of Hancock. Service of the writ issuing from the superior court under authority of this resolve shall be served on the secretary of state by an attested copy 30 days before the return day thereof by the sheriff of the county of Kennebec, or any of his deputies. The conduct of said suit shall be according to the practice in suits between parties and suitors in said court, and the liabilities of the parties shall be the same as the liabilities between individuals. The attorney-general is hereby authorized to appear and answer to said suit and any judgment that may be recovered in such suit shall be payable from the

treasury of the state to the plaintiffs, on final process issuing by said court out of money collected by said treasurer of state for said taxes. Costs may be taxed for the plaintiffs if they shall recover in said suit and paid by the treasurer of state from funds not otherwise appropriated.