

# MAINE STATE LEGISLATURE

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

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**Legislative Document**

**No. 909**

H. P. 1302

House of Representatives, February 14, 1947.

Transmitted by revisor of statutes pursuant to joint order

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Woodbury (by request) of New Gloucester.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-SEVEN

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**RESOLVE, Authorizing Nellie D. Pennell, of New Gloucester,  
to Bring Suit at Law Against the State of Maine.**

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**Nellie D. Pennell, her heirs and assigns, of New Gloucester, given right to sue state. Resolved:** That Nellie D. Pennell, her heirs and assigns, of New Gloucester, Maine, the owner of real property located at Sabbath Day Lake, New Gloucester, Maine, which has been badly damaged through the washing away of the natural barrier protecting the shore line of property and otherwise, due as she claims, to the erection, maintenance and retention of a fish screen, by so-called state of Maine agencies, in the Royal river, so-called, New Gloucester, Maine, be, and she is hereby authorized to bring a suit at law in the superior court for the county of Cumberland within 1 year from the 1st day of August 1947, at any term thereof, against the state of Maine, and the writ 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 the return day thereof by the sheriff or either of his deputies of any county of the state of Maine, and the conduct of said suit shall be according to the practice of suits and proceedings between parties and suitors in said superior court, and the liabilities of the parties shall be the same as the liabilities between individuals, and the at-

torney general is hereby authorized and designated to appear and answer to said suit to recover the damages sustained by the said Nellie D. Pennell, her heirs and assigns, by reason of the damage to her real property, and any judgment that may be recovered in such suit at law shall be payable from the treasury of the state of Maine on final process issued by said court in said suit at law out of any money not otherwise appropriated and costs may be taxed for the said Nellie D. Pennell, her heirs and assigns, if she recovers in said suit.