

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE LAW LIBRARY

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

Legislative Document

No. 643

S. P. 242

In Senate, February 12, 1957.

Referred to the Committee on Judiciary, sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Silsby of Hancock.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

RESOLVE, Authorizing Franklin T. Kurt of Huntington, New York to Sue the State of Maine.

Franklin T. Kurt; to sue State. Resolved: That Franklin T. Kurt of Huntington, New York, be, and hereby is, authorized to bring a suit at law in the Superior Court of the county of Hancock within one year from the first day of October, 1957, at any term thereof against the State of Maine for the recovery of title in a real action to a certain island lying in Buck Harbor, in that part of the town of Brooksville called South Brooksville, in Hancock county, being designated on the official map of the United States Geological Survey as "Harbor Island," and also known as "Buck's Harbor Island," together with the adjacent and connected and outlying rocks and reefs to the line of lowest tide on all sides of the same; 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 Attorney General is hereby authorized and designated to appear to answer to said suit for the recovery of said island by the said Franklin T. Kurt. 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; and be it further

Resolved: That it is the sole intent of the Legislature to authorize the bringing of the suit and that the passage of this resolve shall not in any way be construed as a finding in respect to facts or liability, and such matters shall be determined by the tribunal above described.