

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-second Legislature

OF THE

STATE OF MAINE

1925

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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Eighty-Second  
Legislature

1925

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## Chapter 63.

An Act Providing for the Propounding and Prosecution of a Claim by and in the Name of the State of Maine Against the Federal Government for the Recovery of Taxes Heretofore Illegally Assessed in the Years Eighteen Hundred and Sixty-six, Eighteen Hundred and Sixty-seven and Eighteen Hundred and Sixty-eight Against Citizens and Residents of the State of Maine and Paid by Them.

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

**Sec. 1. Governor authorized to prosecute claim against United States.** That the governor be and he is hereby authorized and directed to propound to and against the government of the United States of America and to prosecute to collection, if possible, a claim by and in the name of the state of Maine for all moneys heretofore illegally assessed and illegally paid into the federal treasury in the years eighteen hundred and sixty-six, eighteen hundred and sixty-seven and eighteen hundred and sixty-eight as a direct tax upon property situated in the state of Maine, including taxes on incomes.

**Sec. 2. Authorized to employ counsel and to make contract for payment of counsel fees contingent upon collection of claim.** The governor is hereby authorized and directed to employ counsel and to enter into necessary contracts and agreements with such counsel for the propounding and prosecution of such claim against the federal government, and to agree with said counsel on the commission to be allowed for such work, such commission to be contingent upon the collection of such moneys from the United States and to be payable out of the same, and shall not exceed ten per centum thereof. The state shall not incur any cost or expense in the propounding or prosecution of such claim other than such commission.

**Sec. 3. Counsel authorized to propose federal legislation.** Counsel employed under this act shall have authority, in conjunction with counsel employed by other states, to propose such legislation to the congress of the United States as may be fitting and necessary to the propounding and collection of the said claim and for the payment of such moneys into the treasury of the state of Maine.

**Sec. 4. Money collected to be paid into state treasury; same to be held as a trust fund.** All moneys, so collected from the government of the United States, shall be paid into the treasury of the state of Maine, and shall be held by the state of Maine for the period hereinafter specified in trust for the claimants of such funds.

**Sec. 5. Procedure for disbursement of funds by state treasurer to claimants.** Upon the receipt of such funds from the United States by the treasurer of the state of Maine, it shall be his duty to give notice to all claimants thereof by publication once each week for a period of eight successive

weeks in a newspaper or newspapers published in each county in the state, and if there is no newspaper in any county, by posting written notices at the front door of the court house of such county and in the town clerk's office of each town therein for such period of time, which notices shall set forth that such moneys have been collected and shall notify all claimants to propound their claims by proper petition to a justice of the supreme judicial court, in term time or vacation, as hereinafter provided, and such notices shall warn all claimants and persons interested in said moneys that failure to present such petition within a period of two years from the date of the last posting or publication of such notice shall forever bar their right to such funds or any part thereof, and that in default of presentation of such petition such funds shall escheat to and become the absolute property of the state of Maine.

**Sec. 6.** Claimants' procedure to obtain funds same as provided for unclaimed savings bank deposits. All claimants to such moneys may obtain the same by a proper petition, evidence and proof, submitted to a justice of the supreme judicial court, in term time or vacation, in the same manner that depositors may obtain unclaimed savings bank funds deposited in the state treasury by order of court.

**Sec. 7.** Unclaimed funds to escheat to the state after two years. At the end of a period of two years from the date of last publication or posting of the notice provided for in section five hereof, said funds, to the extent to which no claims have been made and approved against the same, shall escheat to and become the absolute property of the state of Maine. Said funds, to the extent that claims have been made against the same, shall remain in the state treasury, subject to the final determination of such claims and all such funds not finally adjudged to belong to the claimants thereof shall at that time escheat to and become the absolute property of the state of Maine.

Approved March 27, 1925.

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## Chapter 64.

An Act Relating to Provident Loan Company.

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

P. & S. L., 1911, c. 220, sec. 5; relating to limitation on loans, security, right of redemption, fees and rate of interest chargeable, amended. Section five of chapter two hundred and twenty of the private and special laws of nineteen hundred and eleven is hereby amended by striking out the word "two" in the second line of said section, and inserting in place thereof, the word 'three,' so that said section, as amended, shall read as follows: