

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty - Third Legislature

OF THE

STATE OF MAINE

1927

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-third Legislature

1927

[supplied from page 1 of volume]

Chapter 55.

An Act Relating to Active Retired Justices of the Supreme Judicial Court.

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

R. S., c. 117, sec. 7; P. L., 1923, c. 47; relating to active retired justices of the Supreme Judicial Court, amended. Section seven of chapter one hundred and seventeen of the revised statutes as amended by chapter forty-seven of the public laws of nineteen hundred and twenty-three, is hereby amended by inserting in the twentieth line thereof after the words "in any county" the following: 'and if the chief justice so orders, he may hear all matters and issue all orders, notices, decrees, and judgments, in vacation that any justice of the supreme judicial court is authorized to hear or issue, either at law or in equity, so that said section when amended shall read as follows:

'Sec. 7. Authority granted to hear matters and issue orders, notices, decrees, etc., in vacation. Any justice of the supreme judicial court or any superior court who having attained the age of seventy years and having served as such justice for at least seven consecutive years resigns his said office, or ceases to serve at the expiration of any term thereof, shall be eligible for appointment as an active retired justice of such court as hereinafter provided. The governor with the advice and consent of the council may upon being notified of the retirement of any such justice under the provisions of this section appoint such justice to be an active retired justice of the supreme judicial court or of the superior court as the case may be, for a term of seven years from such appointment, unless sooner removed, and such justice so appointed and designated shall thereupon constitute a part of the court from which he has retired and shall have the same jurisdiction and be subject to the same restrictions therein as before retirement, except that he shall act only in such cases and matters and hold court only at such terms and times as he may be directed and assigned to by the chief justice of the supreme judicial court, and said chief justice is hereby empowered and authorized to so assign and designate any such active retired justice of the supreme judicial court as to his services and may direct as to which term of the law court he shall attend, and which nisi prius term he shall hold in any county, and if the chief justice so orders, he may hear all matters and issue all orders, notices, decrees, and judgments in vacation that any justice of the supreme judicial court is authorized to hear or issue, either at law or in equity. Any active retired justice of either of the superior courts may be directed by such chief justice to hold any term of the superior court in any county and when so directed shall have authority and jurisdiction therein the same as if he were the regular justice of said court. Said active retired justice

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so appointed shall receive during the rest of his life a salary equal to three-fourths of that of the regular justice of such court, to be paid in the same manner as the salaries of said justices are paid. The provisions of this paragraph shall apply to present and former justices of said courts. Provided, however, that such justice shall within one year after attaining the age of seventy years, and serving as such justice for at least seven consecutive years, cease to serve as such justice. Any justice of the supreme judicial court or superior court, who having attained the age of seventy years, and having served as such justice for at least seven consecutive years, continues to serve as such justice for more than one year shall waive his right to the compensation hereinbefore mentioned and shall make no claim therefor at the close of his term of service as such justice, whether such term of service is ended by resignation or by the expiration of the term for which he is appointed. This act shall be effective in the case of any justice of either of said courts now in service who shall reach the age of seventy-one years before this act becomes effective; provided, however, that he shall continue as a justice of either of said courts until after this act becomes a law. Any justice retired under the provisions of this section who is not appointed to be an active retired justice as herein provided shall receive annually an amount equal to three-fourths of the salary which shall by law be payable annually to the justices of said courts, respectively, during the remainder of the life of such retired justice, to be paid in the same manner as the salaries of the justices of said courts are paid.'

Approved April 1, 1927.

Chapter 56.

An Act Relating to the Schools at Pleasant Point and Peter Dana's Point.

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

P. L., 1921, c. 176, sec. 1; 1925, c. 128; relating to supervision of schools at Pleasant Point and Peter Dana's Point; reports and compensation of superintendent; teaching in English and use of text-books, amended. Section one of chapter one hundred and seventy-six of the public laws of nineteen hundred and twenty-one, as amended by chapter one hundred and twenty-eight of the public laws of nineteen hundred and twenty-five, is hereby amended by inserting at the close of the section the following: 'Whenever it shall be shown that any of the children of the Passamaquoddy tribe shall have completed the course of study for elementary schools as prescribed or shall have passed the examination prepared by the state commission of education for entrance into high school under the free attendance act such children shall be granted free entrance to any high