

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-seventh Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with subsection VI of section 27 of chapter 10 of the Revised Statutes of 1954.

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RESOLVES

OF THE

STATE OF MAINE

As Passed by the Ninety-seventh Legislature

1955

Chapter 42

RESOLVE, Relating to Taking of Smelts from Georges River, Knox County.

Taking of smelts from Georges River, Knox County; regulated. Resolved: That the Commissioner of Sea and Shore Fisheries be, and hereby is, authorized and directed to issue a rule and regulation prohibiting the taking of smelts from boats during the calendar years 1956-1957 from the Georges River, Knox County, between the dam at Warren and a line drawn from a red painted wood post located on the right bank of said river downstream 300 feet, more or less, from the south end of said dam to a red painted wood post located on the opposite bank.

Effective August 20, 1955

Chapter 43

RESOLVE, Authorizing Arthur W. Bushey of Waterville, John Tibbetts, Archie Leeman and Oscar Bradstreet, all of Palermo, to Sue the State of Maine.

Certain persons authorized to sue State of Maine. Resolved: That Arthur W. Bushey of Waterville, John Tibbetts, Archie Leeman and Oscar Bradstreet, all of Palermo, who suffered flowage damage in 1949 to their lands adjacent to Sheepscoot Pond, due, as they claim, to the failure of the State to properly protect their property while building a dam for a rearing pool, be, and hereby are, authorized to bring a suit at law in the Superior Court for the county of Kennebec within 1 year from the 1st day of August, 1955 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 in any county of the State of Maine, and the conduct of said suit shall be according to the practices 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 and to answer said suit to recover the damages sustained by the said Arthur W. Bushey, John Tibbetts, Archie Leeman and Oscar Bradstreet by reason of the injuries aforesaid, and any judgment that may be recovered in such suit at law shall be payable from the funds of the Inland Fisheries and Game Department of the State of Maine on final process issued by said court in said court at law, and costs may be taxed for the said Arthur W. Bushey, John Tibbetts, Archie Leeman and Oscar Bradstreet if they recover in said suit. Any recovery in said suit shall not be in excess of \$5,000. 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.

Effective August 20, 1955

Chapter 44

RESOLVE, Regulating Fishing in West Lake in Hancock County.

Fishing in West Lake, Hancock County, regulated. Resolved: That the Commissioner of Inland Fisheries and Game, be and hereby is, authorized and