

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-ninth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-ninth Legislature

1959

PUBLIC LAWS, 1959

CHAP. 40

Treasurer of State if in his possession, with the county commissioners as an offset against future road taxes in such deorganized town, as already set forth in chapter 89, section 65. If no road maintenance as ~~above~~ described exists in said town, said unexpended funds shall be expended on repairs, maintenance or restoration of such town enterprise as may be designated by the State Tax Assessor in his capacity as ~~hereinbefore~~ described in this section.

~~The State Tax Assessor shall have the authority to sell or otherwise dispose of any property, the title of which rests in the town at the time of deorganization or may come to the town subsequent to deorganization, provided that he shall first obtain written permission from the Commissioner of Education before disposing of any property formerly used or still being used for school purposes. Such sale or disposal may take place at any time subsequent to deorganization.~~

~~When school property is sold, the proceeds shall be expended as described in chapter 41, section 164, for the benefit of the children in the township where the property is located. The proceeds from all other sales shall be expended as described in the first paragraph of this section.'~~

Effective September 12, 1959

Chapter 39

AN ACT Relating to Modification of Support Orders in Bastardy Cases.

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

R. S., c. 166, § 29, amended. Section 29 of chapter 166 of the Revised Statutes is amended by adding a new paragraph to read as follows:

'The court, upon petition of either the mother or the adjudged father, and upon hearing, limited to the issue of proper maintenance, may alter, amend or suspend any such order, or make a new order in lieu thereof, when it appears that justice so requires. The court may order the adjudged father to pay to the court for the mother sufficient money for the prosecution or defense of such petition. Modification or suspension of the order shall neither invalidate obligations on any bond required under this section, nor operate to release the sureties upon such bond.'

Effective September 12, 1959

Chapter 40

AN ACT Relating to Management of Causes in Court by Counsel.

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

R. S., c. 105, § 24, amended. Section 24 of chapter 105 of the Revised Statutes is amended to read as follows:

'Sec. 24. Management of causes by parties or counsel. Parties may plead and manage their own causes in court or do so by the aid of such counsel ~~not exceeding 2 on a side~~ as they see fit to employ; but no person whose name has been struck from the roll of attorneys for misconduct shall plead or manage causes in court under a power of attorney for any other party or be eligible for appointment as a trial justice or justice of the peace.'

Effective September 12, 1959

Chapter 41

AN ACT Creating a Second Assistant County Attorney for Cumberland County.

Emergency preamble. Whereas, acts of the Legislature, unless enacted as emergencies, do not become effective until 90 days after adjournment; and

Whereas, the pressing number and quantity of criminal cases in the Superior Court and many inferior courts of Cumberland County makes it impossible for the county attorney of Cumberland County and his one assistant to handle same properly for the protection of the public; and

Whereas, it is vitally necessary to provide for a second assistant county attorney of Cumberland County to safeguard and protect the safety and well-being of the inhabitants of Cumberland County; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1.

Director's note: Repealed by P. L., 1959, c. 372, § 11. See R. S., c. 89, § 254 as repealed and replaced by P. L., 1959, c. 372, § 7.

Sec. 2. R. S., c. 89, § 123, amended. Section 123 of chapter 89 of the Revised Statutes is amended to read as follows:

'Sec. 123. Assistant county attorneys for Cumberland County; duties. The county attorney of the County of Cumberland may appoint ~~an assistant~~ **2 assistant county attorneys**, one to be known as **first assistant county attorney** and the other to be known as **second assistant county attorney**, to be approved by a Justice of the Superior Court resident in said county or by the Chief Justice of the Supreme Judicial Court. Said ~~assistant~~ **assistants** shall take the oath prescribed for county attorneys; and assist the county attorney in the ordinary duties of his office, in the drawing of indictments, in the hearing of complaints before the grand jury and in the preparation and trial of criminal causes. ~~He~~ **They** shall, when directed by the county attorney, act as counsel for the State in the trial of complaints before judges of municipal courts and trial justices. ~~He~~ **They** shall hold ~~his~~ **their** office during the term of the county attorney by whom ~~he was~~ **they were** appointed, subject to removal at any time by the Chief Justice of the Supreme Judicial Court.'