

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Second Legislature

OF THE

# STATE OF MAINE

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RESOLVES  
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cycle of Weldon Putnam, deceased, on Maine Route No. 159, 5.2 miles south of the intersection of Routes 159 and 11 in Mount Chase, County of Penobscot, due, as claimed, by the negligence of the Maine State Highway Commission in excavating a hole in said Route 159 of which the Maine State Highway Commission failed to adequately warn travelers on said highway and also Stanley Howe, father of Mary Howe Goodall for medical and other expenses incurred by him, are authorized to bring a civil action in the Superior Court for the County of Aroostook within one year from the first day of August, 1965, at any term thereof against the State of Maine for damages, if any, for negligence, if any, of the State of Maine, and the complaint 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 a term of said court by the sheriff or either of his deputies in any county of the State of Maine; and the conduct of said action shall be according to the practice of actions and proceedings between parties in said Superior Court, and the liabilities of the parties and elements of damage, if any, shall be the same as the liabilities and elements of damage between individuals; and the Attorney General is authorized and designated to appear, answer and defend said action. Any judgment that may be recovered in such action shall be payable from the General Highway Fund of the State of Maine on final process issued by said Superior Court or, if appealed, the Supreme Judicial Court, and costs may be taxed for the said plaintiffs if they recover in said action. Any recovery in said action shall not be in excess of \$20,000, including costs. Hearing thereon shall be before 3 Justices, without a jury; said Justices to be assigned by the Chief Justice of the Supreme Judicial Court.

Effective September 3, 1965

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## Chapter 15

### RESOLVE, Authorizing Margarete E. Putnam, Administratrix of the Estate of Weldon Putnam, to Bring a Death Action Against the State of Maine.

Margarete E. Putnam, Administratrix of the Estate of Weldon Putnam, authorized to sue the State of Maine. **Resolved:** That Margarete E. Putnam, Administratrix of the Estate of Weldon Putnam, formerly of Cary Plantation, County of Aroostook, deceased, who on July 21, 1963 sustained a fatal injury while operating his motorcycle on Maine Route No. 159, 5.2 miles south of the intersection of Routes 159 and 11 in Mount Chase, County of Penobscot, due, as claimed, by the negligence of the Maine State Highway Commission in excavating a hole in said Route 159 of which the Maine State Highway Commission failed to adequately warn travelers on said highway, is authorized to bring a death action in the Superior Court for the County of Aroostook within one year from the first day of August, 1965, at any term thereof against the State of Maine for damages, if any, for negligence, if any, of the State of Maine, and the complaint 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 a term of said court by the sheriff or either of his deputies in any county of the State of Maine; and the conduct of said action shall be according to the practice of actions and proceedings between parties in said Superior Court, and the liabilities of the parties and elements of damage, if any, shall be the same as the liabilities and elements of damage between individuals, provided that said administratrix shall be precluded from invoking the Revised Statutes, Title 16, section 1, subsection 2, known as the Dead Man's Statute, and provided that the State of Maine shall be precluded from pleading the statute of limitations as a defense; and the

Attorney General is authorized and designated to appear, answer and defend said action. Any judgment that may be recovered in such action shall be payable from the General Highway Fund of the State of Maine on final process issued by said Superior Court or, if appealed, the Supreme Judicial Court, and costs may be taxed for the said Estate if the administratrix recovers in said action. Any recovery in said action shall not be in excess of \$30,000, including costs. Hearing thereon shall be before 3 Justices, without a jury; said Justices to be assigned by the Chief Justice of the Supreme Judicial Court.

Effective September 3, 1965

## Chapter 16

### RESOLVE, for Laying of the County Taxes for the Years Nineteen Hundred Sixty-Five and Nineteen Hundred Sixty-Six.

**Emergency preamble.** Whereas, the several counties hereinafter named have certain expenses and liabilities which must be met as they become due; and

Whereas, the several counties have no source of revenue except the taxes hereinafter mentioned; and

Whereas, it is necessary that the taxes for the year 1965 hereinafter mentioned be immediately assessed, in order to provide the required revenue for the several counties; 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

**County taxes apportioned. Resolved:** That the sums appearing opposite to the names of the counties in the following schedule are hereby granted as a tax on each county respectively to be appropriated, assessed, collected and applied to the purpose of paying the debts and necessary expenses of the same and for other purposes of law, for the years 1965 and 1966.

	1965	1966
Androscoggin	\$304,469.32	\$304,469.32
Aroostook	309,599.50	309,599.50
Cumberland	816,010.75	794,335.75
Franklin	137,935.00	137,935.00
Hancock	188,900.00	188,900.00
Kennebec	259,660.00	259,660.00
Knox	143,278.27	143,278.27