

MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

THE KNOWLTON AND McLEARY COMPANY
FARMINGTON, MAINE
1973

RESOLVES
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
1973

was covered by insurance of the said Berkshire Mutual Insurance Company, due to the negligence of the State Department of Transportation while constructing a highway on the Canton Road in said Jay, is authorized to bring an action in the Superior Court for the County of Franklin, within one year from the effective date of this resolve, at any term thereof against the State of Maine for damages, if any, 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 said civil action shall be payable from the General Highway Fund on final process issued by said Superior Court or, if appealed, the Supreme Judicial Court, and costs may be taxed for the said Berkshire Mutual Insurance Company if it recovers in said action. Any recovery in said action shall not be in excess of \$4,000, including costs. Hearing thereon shall be before a justice, without a jury; said justice to be assigned by the Chief Justice of the Supreme Judicial Court.

Effective October 3, 1973

CHAPTER 24

RESOLVE, Authorizing Fred P. Haskell, or his Legal Representative, to Bring Civil Action Against State of Maine.

Fred P. Haskell; authorized to sue the State of Maine.

Resolved: That Fred P. Haskell of New Gloucester in the County of Cumberland, who suffered damages to his home and personal property, on November 12, 1962, caused by fires and other malicious damage, allegedly performed by inmates of the Pineland Hospital and Training Center, or his legal representative, is authorized to bring an action in the Superior Court for the County of Cumberland, within one year from the effective date of this resolve, at any term thereof against the State of Maine for damages, if any, 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 said civil action shall be payable from the State Treasury on final process issued by said Superior Court or, if appealed, the Supreme Judicial Court, and costs may be taxed for the said Fred P. Haskell if he recovers in said action. Any recovery in said action shall not be in excess of \$11,000, 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 October 3, 1973