

MAINE STATE LEGISLATURE

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REVISED STATUTES
OF THE
STATE OF MAINE

1954

1957 CUMULATIVE SUPPLEMENT

ANNOTATED

IN FIVE VOLUMES

VOLUME 2

**Place in Pocket of Corresponding
Volume of Main Set**

THE MICHIE COMPANY
CHARLOTTESVILLE, VIRGINIA
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istered or certified mail to him at his last known address. If such failure to so comply is not remedied within 30 days after the date of mailing such notice, the permit, claim, license or lease of such violator in existence at the time of such violation shall be liable to forfeiture. For cause, the bureau may extend such further time for compliance as it may determine. No forfeiture shall be valid until a second notice in writing shall have been served upon the person, firm or corporation holding the prospector's permit, claim, mining lease or license to mine, setting forth the alleged violations of law or rules and regulations, or both, 30 days prior to the date set for hearing. The hearing shall be held before the mining bureau. At such hearing the party so charged shall have the right to appear personally and by counsel to cross-examine the witnesses appearing against him and to produce evidence and witnesses in his own defense. A copy of the decision of the mining bureau shall be forthwith sent by registered or certified mail to the alleged violator. If the forfeiture relates to a claim or mining lease, an appropriate entry shall be made on the records of the state land agent, after the time for appellate review has expired or the appeal finally determined.

The mining bureau shall have the power to compel the attendance of witnesses and the production of any books, records, papers, accounts or documents from any person believed to have information pertinent to any matter to be heard before the mining bureau.

The fees of witnesses required to attend any hearing shall be the same as those allowed to witnesses appearing in the superior court.

Any justice of the superior court upon application of the mining bureau may compel the attendance of witnesses and the giving of testimony before the mining bureau in the same manner, to the same extent and subject to the same penalties as if before said court.

If any person is aggrieved by the decision of the bureau, he may within 30 days thereafter appeal on matters of law, to any justice of the superior court, by presenting to him a petition therefor, in term time or vacation. Such justice shall forthwith fix a time and place for hearing, which may be in vacation, and cause notice thereof to be given to the bureau; and after hearing, such justice may affirm, modify or reverse the decision of the bureau. Appeal by such aggrieved person or the mining bureau to the law court from such decision of such superior court justice may be taken as in equity cases. Upon such appeal the proceedings shall be the same as in appeals in equity procedure, and the law court may, after consideration, reverse or modify any decree so made by a justice based upon an erroneous ruling or finding of law. (1957, c. 293, § 2.)

Sec. 12. Rights acquired prior to effective date of act.—All holders of claims duly recorded prior to the effective date of this act shall be required, insofar as may be consistent with their existing rights, to comply with the provisions of this chapter within one year from said effective date. (1957, c. 293, § 2.)

Effective date.—The effective date of the act inserting this section is August 28, 1957.

Chapter 40.

Maine Mining Bureau.

Secs. 1-14. Repealed by Public Laws 1955, c. 409, § 2.

Cross reference.—See c. 39-B for present provisions re Maine mining bureau.