

MAINE STATE LEGISLATURE

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REVISED STATUTES
OF THE
STATE OF MAINE

1954

1959 CUMULATIVE SUPPLEMENT

ANNOTATED

IN FIVE VOLUMES

VOLUME 3

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

THE MICHIE COMPANY
CHARLOTTESVILLE, VIRGINIA
1959

tion 41 of chapter 94; and for sums necessary for legal plantation expenses. (R. S. c. 89, § 11. 1945, c. 378, § 73. 1957, c. 429, § 85.)

Effect of amendment.—The 1957 amendment, effective October 31, 1957, substituted “section 28” for “sections 28, 157 and 158.”

Sec. 11-A. Accounting and postaudit provisions.—Sections 24 to 28 of chapter 90-A, which contain accounting and postaudit provisions for towns, apply equally to plantations. (1957, c. 405, § 16.)

Chapter 102.

Emergency Municipal Finance Board. Deorganized Towns and Plantations.

Emergency Municipal Finance Board.

Sec. 10. Voluntary compromise settlements.

Such an offer may be made to the state upon obligations due the state, whether arising from taxes, bonds, notes or otherwise by presentation to the treasurer of state; and upon recommendation, certification and approval in the manner prescribed in section 47 of chapter 15-A, the treasurer of state shall thereupon accept and receipt for the sum or sums so offered in full and final settlement, and the balance of any such obligation shall be charged off the books of account of the state.

(1957, c. 340, § 6.)

Effect of amendment. — The 1957 amendment substituted “section 47 of chapter 15-A” for “section 32 of chapter 16” in the second paragraph. Section 12 of such amendatory act provided that it

should be retroactive to July 1, 1957.

As the rest of the section was not changed by the amendment, only the second paragraph is set out.

Deorganized Towns and Plantations.

Sec. 12. Debts of deorganized towns and school districts therein. — Where towns are deorganized by a repeal of their charters, and their liabilities are excepted and reserved by the repealing act, legal service of process to collect such liabilities may be made on any inhabitant of lawful age resident in the territory included in said towns; provided there are no legal officers in said territory on whom service can be made. The provisions of this section extend to school districts in said towns so far as applicable. (R. S. c. 90, § 12. 1959, c. 317, § 66.)

Effect of amendment.—The 1959 amendment struck out the words “as provided for service of such process against towns,” formerly appearing after the word “towns” and struck out the word “that”, formerly appearing after the word “provided.”

Effective date and applicability of Public Laws 1959, c. 317. — Section 420, chapter 317, Public Laws 1959, provides as follows: “This act shall become effective December

1, 1959. It shall apply to all actions brought after December 1, 1959 and also to all further proceedings in actions at law or suits in equity then pending, except to the extent that in the opinion of the court the application of this act in a particular action pending on December 1, 1959 would not be feasible or would work injustice, in which event the laws in effect prior to December 1, 1959 would prevail.”

Sec. 13. Power and authority of state tax assessor.—Whenever the organization of any town or plantation has been terminated by act of the legislature, the powers, duties and obligations relating to the affairs of said town or plantation shall be vested in the state tax assessor for not more than 5 years. The state tax assessor shall have the authority to sell or otherwise dispose of any property,

other than property formerly used or still being used for school purposes, the title of which rests in the town at the time of deorganization or may come to the town subsequent to deorganization. The state tax assessor shall have the power and authority to assess taxes any time after the act terminating the organization of the town or plantation becomes operative by making assessment once a year under the laws now relating to the assessment of state taxes in unorganized territory, and the state tax assessor shall have the same power and authority to enforce the collection of said taxes as is now provided for the collection of state taxes. All moneys received by virtue of said assessment and collection, or disposal of property, shall be applied to the payment of necessary expenses of the state tax assessor in making such assessment, and to the payment of any obligations of said town or plantation outstanding at the time of termination of its organization, and to the payment of state and county taxes assessed against such town or plantation and for the completion of any public works of said town or plantation already begun. When in the best judgment of said state tax assessor final payment of all known accounts against said town, which has been or may be deorganized, has been made, or at the end of said period of 5 years, any funds unexpended, if any exist, shall be deposited by the former town if still in its possession, or by the 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 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 described in this section. (R. S. c. 90, § 13. 1945, c. 41, § 38; c. 182, § 1; c. 378, § 74. 1957, c. 140, §§ 1, 2. 1959, c. 38, § 2.)

Effect of amendments.—The 1959 amendment rewrote this section. The 1957 amendment had made changes in the former sec-

ond and third paragraphs, both of which were deleted by the 1959 amendment.

Chapter 103.

Supreme Judicial Court.

Supreme Judicial Court; Constitution and General Jurisdiction.

Sec. 4. Salary of justices; expenses; clerical assistance.—The justices of the supreme judicial court shall each receive an annual salary of \$14,000 and the chief justice of the supreme judicial court shall receive an annual salary of \$15,000. Each justice shall be reimbursed by the state for his expenses actually and reasonably incurred in attending meetings and the sessions of the law court, appointed by the chief justice under the provisions of section 11, upon presentation to the state controller of a detailed statement of such expenses. When any justice of said court holds nisi prius terms of the superior court in any town other than the town in which he resides, or when any hearing of a cause in law or in equity is had before a justice of the supreme judicial court other than one residing in the town where said hearing is had, such justice shall be reimbursed by the state for his expenses actually and reasonably incurred in holding such terms or in attending said hearing, upon presentation to the state controller of a detailed statement of such expenses. The counties wherein such justices reside, have their offices or are holding court shall also receive from the state the expenses necessarily incurred by such justices for postage, stationery, express and telephone tolls. Each justice of said court shall be reimbursed by the state for expenses actually and reasonably incurred by him for clerical assistance, upon presentation to the state controller of an itemized statement of such expenses. (R. S. c. 91, § 4. 1945,