

MAINE STATE LEGISLATURE

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CHAPTER 1

PARTIES AND TITLE OF ACTIONS

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§ 1. Treasurers may bring action in own name

Treasurers of state, counties, towns and corporations may maintain civil actions in their own names as treasurers on contracts given to them or their predecessors and prosecute civil actions pending in the names of their predecessors.

R.S.1954, c. 113, § 29; 1961, c. 317, § 360.

§ 2. Actions by unincorporated societies

Any organized unincorporated society or association may sue in the name of its trustees for the time being and may maintain an action, though the defendant or defendants or some of them are members of the same society or association.

R.S.1954, c. 113, § 30; 1959, c. 317, § 166.

§ 3. Guardian of incompetent party; compensation

A guardian appointed to prosecute or defend an action for an incompetent party is entitled to a reasonable compensation and is not liable for costs.

R.S.1954, c. 113, § 58; 1959, c. 317, § 177.

§ 4. Action on real covenants of first grantor by assignee of grantee

The assignee of a grantee or his executor or administrator after eviction by an older and better title may maintain an action on a covenant of seizin or freedom from encumbrance contained in absolute deeds of the premises between the parties, and recover such damages as the first grantee might have recovered on eviction, upon filing, with his complaint or at such later time as the court permits, for the use of his grantor, a release of the covenants of his deed and of all causes of action thereon. The prior grantee cannot, in such case, release the covenants of the first grantor to the prejudice of his grantee.

R.S.1954, c. 113, § 32; 1959, c. 317, § 168.

§ 5. Grantee may defend action

Grantees may appear and defend in civil actions against their grantors in which the real estate conveyed is attached.

R.S.1954, c. 113, § 33; 1961, c. 317, § 361.

§ 6. Property of deceased debtor on joint contract liable

The goods and estate of a deceased debtor in a joint contract, express or implied, or in a judgment on contract are liable in the same manner and the creditor has the same remedy as in case of a joint and several contract.

R.S.1954, c. 113, § 46.