

MAINE STATE LEGISLATURE

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DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1844.

AUGUSTA:
WM. R. SMITH & Co., PRINTERS.

1844.

TWENTY-FOURTH LEGISLATURE.

No. 40.]

[HOUSE.

A N A C T

RELATING TO

TENANTS IN COMMON.

[Wm. R. SMITH & Co....Printers.]



STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
FORTY-FOUR.

AN ACT relating to repairing buildings, owned by tenants in common.

*Be it enacted by the Senate and House of Representatives in Legislature assembled—*as follows:

SECTION 1. In all cases, where any tenant in common of a building has a right to repair the same, at the common law, the tenant, making the repairs, shall have a lien upon such building and the land on which it is placed against any part owner, his heirs or assigns, until he shall be reimbursed for said repairs, out of the rents of said building, or until the same shall otherwise be paid.

SEC. 2. Any part owner, desirous of having the amount of said repairs ascertained, and the proportions of the several tenants established, may petition the district court for that purpose, in the district where said building is located, and said court shall give due notice to the parties interested, and shall determine the amount and proportions aforesaid, and shall have power to award costs in such cases as it

9 may deem proper, and said lien shall continue until
10 the proportions are paid, as aforesaid.

SEC. 3. But nothing in this act shall be construed
2 to restrain any tenant in common, making repairs,
3 from pursuing the remedies given by the common law.

AMENDMENT.

Amend by inserting,

SEC 4. No tenant in common shall hereafter be
2 authorized to make any repairs on any building own-
3 ed in common by himself and another or others, ex-
4 cept such as may be necessary for the preservation of
5 such building, and to keep it in a tenantable condi-
6 tion, without the consent of his co-tenant or co-ten-
7 ants.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 25, 1844. }

ORDERED, That 400 copies of the foregoing Bill, be printed
for the use of the Legislature.

W^M. T. JOHNSON, *Clerk.*