

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING THE

EXTRA SESSION OF 1853, AND SESSION OF 1854.



Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1854.

THIRTY-THIRD LEGISLATURE.

HOUSE.

No. 15.

STATE OF MAINE.

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

AN ACT additional to the one hundred and twenty-ninth chapter of the revised statutes.

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

SECTION 1. No damages shall hereafter be sued
2 for, or recovered in any action under the provisions
3 of the seventh section of chapter one hundred and
4 twenty-nine of the revised statutes, except such as
5 have been done to the interest or share in the prem-
6 ises of the plaintiff or plaintiffs in the suit ; and in all
7 cases in which the party defendant and those under
8 whom he claims, shall show that he or they have
9 been in exclusive possession of the premises, claiming

10 them as their own, for the space of three years
11 before the acts set forth in the plaintiff's writ were
12 committed, single damages only shall be recovered.

SECT. 2. All acts and parts of acts inconsistent
2 with this act are hereby repealed; and this act shall
3 take effect from and after its approval by the
4 governor.

AMENDMENTS.

A.

Amend section 1, by striking out the words "such as" in the fourth line, and inserting instead the following: "three times the amount of damages that shall."

Also amend the same section, by inserting after the word "suit" in the sixth line, the following: "and the damages recovered shall in all cases be appropriated to the plaintiff or plaintiffs in the suit."

Also amend the same section, in the seventh and eighth lines, by striking out the words, "and those under whom he claims, shall show that he or they have," and inserting the words "shall show that he and those under whom he claims had"—

So that the section, as amended, shall read as follows:

SECTION 1. No damages shall hereafter be sued for
3 or recovered, in any action under the provisions of the
4 seventh section of chapter one hundred and twenty-
5 nine of the revised statutes, except three times the
6 amount of the damages that shall have been done to
7 the interest or share in the premises of the plaintiff

8 or plaintiffs in the suit ; and the damages recovered
9 shall in all cases be appropriated to the plaintiff or
10 plaintiffs in the suit. And in all cases, in which the
11 party defendant shall shew that he and those under
12 whom he claims had been in the exclusive possession
13 of the premises, claiming them as their own for the
14 space of three years before the acts set forth in the
15 plaintiff's writ were committed, single damages only
16 shall be recovered.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
March 14, 1854. }

This bill, reported by the committee on the Judiciary, was amended as on sheet marked (A,) and laid upon the table, and 350 copies ordered to be printed for the use of the Legislature.

BENJAMIN FREEMAN, *Clerk pro tem.*