

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 176

S. P. 82

In Senate, January 14, 1971

Referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Harding of Aroostook.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Relating to Jurisdiction of the District Court in Proceedings to
Quiet Title in Real Estate Matters.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., T. 4, § 152, amended. The first sentence of section 152 of Title 4 of the Revised Statutes, as amended by chapter 236 of the public laws of 1965, is further amended to read as follows:

The District Court shall possess the civil and criminal jurisdiction exercised by all trial justices and municipal courts in the State on September 16, 1961, and in addition, original jurisdiction, concurrent with that of the Superior Court of all civil actions in which neither damages in excess of \$10,000 nor equitable relief is demanded, of **proceedings under Title 14, sections 6651 to 6658 and of actions for divorce or annulment of marriage and of proceedings under Title 19 and original jurisdiction, concurrent with that of the probate court, of actions for separation.**

Sec. 2. R. S., T. 14, § 6651, amended. The first sentence of section 6651 of Title 14 of the Revised Statutes is amended to read as follows:

A person in possession of real property, claiming an estate of freehold therein or an unexpired term of not less than 10 years, or a person who has conveyed such property or any interest therein with covenants of title or warranty, upon which he may be liable, may, if he or those under whom he claims or those claiming under him have been in uninterrupted possession of such property for 4 years or more, bring an action in the Superior Court, **or in the District Court in the county or district respectively in which said real property lies,** setting forth his estate, stating the source of his title,

describing the premises, and averring that an apprehension exists that persons named in the complaint, or persons unknown claiming as heirs, devisees or assigns, or in any other way, by, through or under a person or persons named in the complaint, claim or may claim some right, title or interest in the premises adverse to his said estate; and that such apprehension creates a cloud upon the title and depreciates the market value of the property; and praying that such persons be summoned to show cause why they should not bring an action to try their title to the described premises.

Sec. 3. R. S., T. 14, § 6653, amended. The first sentence of section 6653 of Title 14 of the Revised Statutes is amended to read as follows:

An action under either section 6651 or 6652 shall be brought in the county or in the district where the real estate lies.

STATEMENT OF FACT

The intent of the bill is to give the District Court concurrent jurisdiction with the Superior Court to quiet title in real estate matters.