

MAINE STATE LEGISLATURE

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SIXTIETH LEGISLATURE.

HOUSE.

No. 16.

STATE OF MAINE.

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

AN ACT relating to forcible entry and detainer and
tenancies.

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

SECTION 1. Section one of chapter ninety-four of
2 the revised statutes is hereby amended, so as to
3 read as follows:

4 *Sect. 1.* Forcible entry and detainer shall lie
5 against a tenant at sufferance, a tenant at will by
6 the common law, and one guilty of actual disseisin
7 against whom a writ of entry would lie.

SECT. 2. Section two of the same chapter, as
2 amended by chapter two hundred and nineteen of
3 the public laws of eighteen hundred and eighty, is
4 hereby further amended, so as to read as follows:

5 *Sect. 2.* Tenancies at will may be determined by

6 either party by thirty days' notice in writing given
7 to the other party, and not otherwise except by
8 mutual consent. Such notice shall not be preju-
9 diced by the landlord's alienation, and it shall ter-
10 minate on a pay-day of rent, if any be fixed, unless
11 such days are separated by longer intervals than
12 thirty days, or unless the tenant shall owe rent
13 when the landlord's notice expires, which became
14 due before it expired. These provisions apply to
15 tenancies of buildings which are personal chattles,
16 as well as to tenancies of lands.

SECT. 3. Section seventy-nine of chapter eighty-
2 one of the revised statutes is hereby amended, by
3 adding thereto the following words, "*Eighth*. All
4 processes of forcible entry and detainer for dissei-
5 sin," so that said section, as amended, shall read
6 as follows:

7 *Sect. 79.* The following actions shall be com-
8 menced within six years next after the cause of
9 action accrues, and not afterwards:

10 *First*—All actions of debt founded upon any con-
11 tract or liability not under seal, except such as are
12 brought upon the judgment or decree of some court
13 of record, of the United States or a state, or of some
14 municipal or police court, trial justice, or justice of
15 the peace in this state.

16 *Second*—All actions upon judgments of any court
17 not a court of record, except municipal and police
18 courts, trial justices and justices of the peace in
19 this state.

20 *Third*—All actions for arrears of rent.

21 *Fourth*—All actions of assumpsit or upon the case
22 founded upon any contract or liability, express or
23 implied.

24 *Fifth*—All actions for waste, of trespass on land
25 and of trespass, except those for assault and bat-
26 tery and false imprisonment.

27 *Sixth*—All actions of replevin and other actions
28 for taking, detaining or injuring goods or chattels.

29 *Seventh*—All other actions on the case, except
30 actions for slanderous words and for libels.

31 *Eighth*—All processes of forcible entry and de-
32 tainer for disseisin.

SECT. 4. Section ten of chapter seventy-three of
2 the revised statutes, shall not be held to require the
3 surrender of a tenancy at will or at sufferance by
4 mutual consent to be in writing.

STATE OF MAINE.

In HOUSE OF REPRESENTATIVES, }
January 28, 1881. }

Reported by Mr. BRIDGHAM, from the Committee on Legal
Affairs, and ordered printed under Joint Rule.

ORAMANDAL SMITH, *Clerk.*