

MAINE STATE LEGISLATURE

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Sixty-Seventh Legislature.

SENATE.

No. 254.

STATE OF MAINE.

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

AN ACT to make State Tax Sales more Effectual.

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

SECTION 1. When the state has taxed wild land, and
2 the state treasurer has deeded it, or part of it, for non-
3 payment of tax, by deed purporting to convey the interest
4 of the state by forfeiture for such non-payment, and his
5 record shows that the grantee, his heirs or assigns, has
6 paid the state and county taxes thereon, or on his acres
7 or interest therein as stated in the deed, continuously for
8 the twenty years subsequent to such deed; and when a
9 person claims under a recorded deed describing wild land
10 taxed by the state, and the state treasurer's record shows
11 that he has, by himself or by his predecessors under
12 such deed, paid the state and county taxes thereon, or

13 on his acres or interest therein as stated in the deed,
14 continuously for twenty years subsequent to recording
15 such deed; and whenever, in either case, it appears that
16 the person claiming under such a deed, and those under
17 whom he claims, have, during such period, held such
18 exclusive, peaceable, continuous and adverse possession
19 thereof as comports with the ordinary management of
20 wild lands in Maine, and it further appears that during
21 such period, no former owner, or person claiming under
22 him, has paid any such tax, or any assessment by the
23 county commissioners, or done any other act indicative of
24 ownership, no action shall be maintained by a former
25 owner, or those claiming under him, to recover such land,
26 or to avoid such deed, unless commenced within said
27 twenty years, or before January 1, 1900. Such payment
28 shall give such grantee or person claiming as afore-
29 said, his heirs or assigns, a right of entry and
30 seizin in the whole, or such part, in common and
31 undivided, of the whole tract as the deed states, or as
32 the number of acres in the deed is to the number of
33 acres assessed.

SECT. 2. If any such former owner, or person claiming
2 under him, during said period of twenty years, or any
3 portion thereof, is a minor, married woman, insane,
4 imprisoned or absent from the United States, he may, if
5 otherwise entitled, bring such action at any time within
6 ten years after such disability is removed, notwithstand-
7 ing said period of twenty years has expired. And if such
8 person dies during the continuance of the disability, and
9 no determination or judgment has been had on his title or
10 right of action, such action may be brought by his heirs,

11 or other person claiming under him, at any time within
12 ten years after his death, notwithstanding the twenty
13 years have elapsed.

SECT. 3. Before trial of an action involving the validity
2 of a tax sale made by the state treasurer, the party claim-
3 ing under such sale may file in court treasurer's certifi-
4 cates showing the amount paid by him at such sale and
5 afterwards, for state and county taxes and charges, where-
6 upon the other party shall pay to the clerk the amount
7 thereof with interest from each time of payment to the
8 time of deposit, to be finally paid out by order of court to
9 the party equitably entitled thereto; on motion the court
10 shall determine the amount to be deposited, and when;
11 and on failure to deposit as ordered, the court shall render
12 judgment by default against the party so failing.

SECT. 4. This act shall not apply to actions between
2 cotenants, nor to actions now pending in court, nor to
3 those commenced before January 1, 1900.

STATE OF MAINE.

IN SENATE, March 19, 1895.

Reported by Mr. HIGGINS, from Committee on Judiciary, and laid
on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary.*