

MAINE STATE LEGISLATURE

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Sixty-Ninth Legislature.

HOUSE.

No. 328

STATE OF MAINE.

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

AN ACT to amend Section forty-eight of Chapter 104 of the Revised Statutes, relating to petitions to remove clouds from title to real estate, and to authorize Justices of the Supreme Judicial Court to order notice on such petitions in vacation.

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

Section 1. Section forty-eight of chapter one hundred and 2 four of the Revised Statutes is hereby amended by inserting 3 after the word "court" in the first line of said section the 4 words 'or any justice thereof in vacation,' so said section 5 as amended, shall read as follows:

'Sect. 48. Upon such petition the court, or any justice there- 7 of in vacation, shall order notice to the supposed claimants,

8 returnable at a court to be held in the county where the prop-
9 erty, or some portion of it lies, and if upon return of the order
10 of notice duly executed, they make default, or, having
11 appeared, disobey the order of the court to bring an action
12 and try their title, the court shall enter a decree that they be
13 forever debarred and estopped from having or claiming any
14 right or title, adverse to the petitioner, in the premises
15 described. If the petitioner prefers, the petition may be in-
16 serted like a declaration in a writ, and served by copy like a
17 writ of original summons. If the persons so summoned
18 appear and disclaim all right and title adverse to the petition-
19 er, they recover their costs. If they claim title, they shall by
20 answer show cause why they should not be required to bring
21 an action and try such title; and the court shall make such
22 decree respecting the bringing and prosecuting of such action
23 as seems equitable and just.'

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, March 10, 1899.

Reported by Mr. MERRILL of Skowhegan, from Committee on
Judiciary, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*