

# MAINE STATE LEGISLATURE

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# **PUBLIC ACTS**

OF THE

## **STATE OF MAINE,**

PASSED BY THE

### **FIFTEENTH LEGISLATURE,**

AT ITS SESSION, HELD IN JANUARY, 1835.

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Published agreeably to the Resolve of June 28, 1820.

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**AUGUSTA:**

WILLIAM J. CONDON.....PRINTER TO THE STATE.

1835.

**Chapter 183.**

AN ACT additional to "An Act regulating judicial process and proceedings."

Assignee of grantee may recover against first grantor on breach of covenants of warranty.

*Be it enacted by the Senate and House of Representatives, in Legislature assembled, That* in all cases, where real estate has been or may be absolutely conveyed by deed to any person, his heirs, and assigns, with the usual covenants, that the grantor is seized in fee of the same, and that the same is free of incumbrances, and with a covenant of general warranty, the same estate being under mortgage or other incumbrance, or the grantor not being seized of the same at the time of such conveyance, the assignee of such grantee or the executors or administrators of such assignee, after having been evicted by said mortgagee or other person having permanent title, his executors, administrators, or assigns, may maintain an action against the first grantor, his executors, or administrators on any of the covenants in such absolute deed in his or their names, and recover such damages as the said grantee might, if the action had been prosecuted in his name or that of his executors or administrators; upon filing in Court, at the first term after such action is brought for the use of the grantee, a release of the covenants of seizen and freedom from incumbrances in said grantee's deed to such assignee, and all causes of action on such covenants.

[Approved by the Governor, March 23, 1835.]

**Chapter 184.**

AN ADDITIONAL ACT relating to Enginemen.

**SECT. 1.** *Be it enacted by the Senate and House of Representatives, in Legislature assembled, That* no person shall be exempt from the performance of any military duty, by virtue of his be-