

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

EXTRA SESSION OF THE THIRTY-SECOND LEGISLATURE, 1853,

AND THE

## THIRTY-THIRD LEGISLATURE

OF THE

## STATE OF MAINE,

1854.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
Feb. 26, 1840, and March 16, 1842.  
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Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1854.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1854.

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annual account of his expenditure of said appropriation, to be by them examined and audited.

SECT. 11. The act entitled "An act establishing a commissioner of common schools, in each county in the state," passed the twenty-sixth day of April, in the year of our Lord one thousand eight hundred and fifty-two, is hereby repealed.

SECT. 12. This act shall take effect and be in force from and after its approval by the governor.

[Approved April 17, 1854.]

CHAP. 90.

Act establishing commissioners of common schools, repealed.

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## Chapter 90.

An act in relation to costs in real and mixed actions.

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

SECT. 1. In all real or mixed actions now pending, or which may be hereafter commenced, in which the tenant shall prove that he and those under whom he claims, have been in the open, notorious and exclusive possession of the demanded premises for a period of forty years next preceding the commencement of the demandant's action, it shall be the duty of the jury to inquire into and decide as to the fact of possession aforesaid, and if they find that the tenant, and those under whom he claims, had occupied the premises, claiming to hold the same adversely against all persons in fee simple, they shall return their verdict accordingly; and in case they find that the tenant, and those under whom he claims, have so occupied, the demandant or demandants shall recover no costs.

Tenancy claimed for 40 years, fact in regard to possession, how determined.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

SECT. 3. This act shall take effect and be in force from and after its approval by the governor.

[Approved April 18, 1854.]