

MAINE STATE LEGISLATURE

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Acts and Resolves

As Passed by the

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

1917

Including Acts and Resolves of the Special Session of the
Seventy-Seventh Legislature held in 1916.

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1917

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Eighth Legislature

1917

[supplied from page 1 of volume]

Chapter 282.

An Act to Amend Section Ten of Chapter Ninety-nine of the Revised Statutes,
Relative to Leases.

Be it enacted by the People of the State of Maine, as follows:

R. S., c. 99, § 10, relating to recovery of sums due for rent and damages, amended. Section ten of chapter ninety-nine of the revised statutes is hereby amended by adding thereto the following:

'But no action or suit at law in assumpsit, debt, covenant broken or otherwise, shall be maintained for any sum or sums claimed to be due for rental or for any claim for damages for the breach of any of the conditions claimed to be broken on the part of the lessee, his legal representatives, assigns or tenant, contained in a lease or written agreement to hire or occupy any building, buildings or part of a building, during a period when such building, buildings or part of a building, which the lessee, his assigns, legal representatives or tenant may occupy or have a right to occupy, shall have been destroyed or damaged by fire or other unavoidable casualty, so that the same shall be thereby rendered unfit for use or habitation, and no agreement contained in a lease of any building, buildings or part of a building or in any written instrument, shall be valid and binding upon the lessee, his legal representatives or assigns, to pay the rental stipulated in said lease or agreement, during a period when the building, buildings or part of a building described therein shall have been destroyed or damaged by fire or other unavoidable casualty, so that the same shall be rendered unfit for use and habitation,' so that said section when amended shall read as follows:

'Sec. 10. Buildings damaged by fire or other casualty; actions not to be maintained. Sums due for rent on leases under seal or otherwise, and claims for damages to premises rented, may be recovered in an action of assumpsit on account annexed to the writ, specifying the items and amount claimed, but no action or suit at law in assumpsit, debt, covenant broken or otherwise, shall be maintained for any sum or sums claimed to be due for rental or for any claim for damages for the breach of any of the conditions claimed to be broken on the part of the lessee, his legal representatives, assigns or tenant, contained in a lease or written agreement to hire or occupy any building, buildings or part of a building, during a period when such building, buildings or part of a building, which the lessee, his assigns, legal representatives or tenant may occupy or have a right to occupy, shall have been destroyed or damaged by fire or other unavoidable casualty, so that the same shall be thereby rendered unfit for use or habitation; and no agreement contained in a lease of any building, buildings or part of a building or in any written instrument, shall be valid and binding upon the lessee, his legal representatives or assigns, to pay the rental stipulated in said lease or agreement, during a period when the building, buildings or part of a building described therein shall have been destroyed or damaged by fire or other unavoidable casualty, so that the same shall be rendered unfit for use and habitation.'

Approved April 7, 1917.