

MAINE STATE LEGISLATURE

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REVISED STATUTES
OF THE
STATE OF MAINE
1954

1961 CUMULATIVE SUPPLEMENT

ANNOTATED

IN FIVE VOLUMES

VOLUME 4

Discard Previous Pocket Part Supplement

THE MICHIE COMPANY
CHARLOTTESVILLE, VIRGINIA
1961

appeals, he shall recognize in like manner to the plaintiff, conditioned to enter the action and to pay all intervening costs and such reasonable rent of the premises, as the magistrate shall adjudge, if the judgment is not reversed. (R. S. c. 109, § 8. 1959, c. 317, § 266.)

Effect of amendment.—The 1959 amendment substituted “as in other civil actions” for “next to be held in the county” at the end of the first sentence, substituted “plaintiff” for “claimant” in the second and third sentences, substituted “otherwise”

for “hereinafter” in the second sentence and substituted “action” for “suit” in the second and third sentences.

Effective date of 1959 amendment.—See note to § 4.

Sec. 10. Sums due for rent and damages.—Sums due for rent on leases under seal or otherwise and claims for damages to premises rented may be recovered in an action, specifying the items and amount claimed, but no action 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. 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. (R. S. c. 109, § 10. 1959, c. 317, § 267.)

Effect of amendment.—The 1959 amendment divided the section into two sentences, deleted “of assumpsit on account annexed to the writ” following the words “recovered in an action,” near the beginning of the section and deleted “or suit at

law in assumpsit, debt, covenant broken or otherwise” preceding the words “shall be maintained” also near the beginning of the section.

Effective date of 1959 amendment.—See note to § 4.

Chapter 123.

Petitions and Actions of Review.

Secs. 1-15. Repealed by Public Laws 1959, c. 317, § 268.

Effective date and applicability of Public Laws 1959, c. 317. — Section 420, chapter 317, Public Laws 1959, provides as follows: “This act shall become effective December 1, 1959. It shall apply to all actions brought after December 1, 1959 and also to all further proceedings in actions at law or suits

in equity then pending, except to the extent that in the opinion of the court the application of this act in a particular action pending on December 1, 1959 would not be feasible or would work injustice, in which event the laws in effect prior to December 1, 1959 would prevail.”

Chapter 124.

Waste and Trespass on Real Estate.

Sec. 1. Remedy, if tenant commits waste. — If a tenant in dower, by curtesy, for life or for years commits or suffers any waste on the premises, the person having the next immediate estate of inheritance may recover the place