

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

and the 2 preceding sections shall not prevent the court from also exercising jurisdiction in personam against the defendants who have been actually served with process and who are personally amenable to its decrees. (R. S. c. 158, § 54. 1961, c. 317, § 570.)

Effect of amendment.—The 1961 amendment substituted “action” for “suit” near the beginning of the second sentence of this section.

Sec. 55. Action by owners of wild land.—Any person or persons claiming an estate of freehold in wild lands or in an interest in common and undivided therein, if the plaintiff and those under whom he claims has for 4 years next prior to the filing of the complaint held such open, exclusive, peaceable, continuous and adverse possession thereof as comports with the ordinary management of wild lands in this state, may maintain an action to quiet or establish the title thereto or to remove a cloud from the title thereto, as provided in sections 52 to 54. (R. S. c. 158, § 55. 1959, c. 317, § 357.)

Effect of amendment.—The 1959 amendment substituted “complaint” for “bill,” “an action” for “a suit in equity” and “sections 52 to 54” for “the 3 preceding sections.”

Effective date of 1959 amendment.—See note to § 1.

Chapter 173.

Inquest of Office and Information for Intrusion.

Sec. 3. State may maintain action; service.—The state may maintain an action against the person stated as holding the lands under such grant, returnable to said court, which shall be served 30 days before the return day. (R. S. c. 159, § 3. 1961, c. 317, § 571.)

Effect of amendment.—The 1961 amendment substituted “The state may maintain an action” for “The court shall issue a scire facias” at the beginning of this section.

Sec. 14. Defendant may hold by title subsequently acquired.—If it is found that the defendant was not the legal owner of such estate nor had any right as tenant or agent when the process was commenced against him, but afterward acquired a good title, or became tenant or agent, the attorney general shall cease further to prosecute the action; but when the defendant proves no such title to the estate as owner or interest therein as tenant or agent, judgment shall be rendered that the state be seized thereof, and recover rents and profits as in a civil action between private persons. (R. S. c. 159, § 14. 1961, c. 317, § 572.)

Effect of amendment.—The 1961 amendment substituted “action” for “suit” near the middle of this section and substituted “a civil action” for “case of a writ of entry” near the end of the section.

Sec. 17. Betterments obtained.—For the purpose of ascertaining the amount of such improvements, the attorney general or the tenant or grantee of the estate may file a complaint in the superior court for recovering the same. Proceedings shall be had thereon as in other civil actions to ascertain and adjust the amount. (R. S. c. 159, § 17. 1961, c. 317, § 573.)

Effect of amendment.—The 1961 amendment divided this section into two sentences, substituted “complaint” for “bill in equity in the supreme judicial court or” in the present first sentence and substituted “civil actions” for “cases in equity” in the present second sentence.