

MAINE STATE LEGISLATURE

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FIFTY-THIRD LEGISLATURE.

HOUSE.

No. 105.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
SEVENTY-FOUR

AN ACT in addition to chapter ninety of the revised
statutes relating to mortgages.

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

SECTION 1. Whenever any mortgagee or his assignee
2 shall die, and there be no executor or administrator to
3 receive the mortgage money, the mortgager or person
4 claiming under him having right to redeem, may apply
5 to the judge of probate for the appointment of an ad-
6 ministrator to such estate, and if after due notice to
7 all parties interested in the estate they neglect or re-
8 fuse to take out administration for thirty days after
9 such notice, then the judge may commit administration
10 to such person as he deems suitable, who shall have
11 full power to act as such with reference to said mort-
12 gage as is already provided by law. In all such cases

13 however, personal notice shall be first given to the
14 widow and heirs of the deceased known to be living
15 in the state, either by service on them in person or by
16 leaving such notice at their last and usual place of
17 abode.

SECT. 2. The provisions of the foregoing section shall
2 not apply to or embrace any case where the death has
3 already occurred before the passage of this act.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
February 26, 1874. }

Reported from the Committee on Judiciary, by Mr. WILSON,
and ordered printed under the Joint Rule.

S. J. CHADBOURNE, *Clerk.*