

# MAINE STATE LEGISLATURE

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# FIFTY-THIRD LEGISLATURE.

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SENATE.

No. 14.

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## STATE OF MAINE.

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

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AN ACT in addition to chapter ninety of the revised statutes, in relation to the discharge of mortgages.

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

SECTION 1. When an amount due on a mortgage  
2 has been paid or tendered to the mortgagee or person  
3 claiming under him before the foreclosure of the mort-  
4 gage, and the mortgagee or his assignee is beyond the  
5 limits of this state, and the mortgage is undischarged  
6 on the record, the mortgagor or person claiming under  
7 him may have his bill in equity for the redemption of  
8 mortgaged premises, as provided in section fourteen of  
9 chapter ninety of the revised statutes, or for the dis-  
10 charge of the mortgage, and, on notice given by pub-  
11 lication in some newspaper in the county where said

12 premises are situated, three weeks successively, the  
13 last publication being thirty days before the time of  
14 hearing, or in such other way as the supreme judicial  
15 court, or judge thereof, in vacation, orders of the  
16 pendency of such bill, said court may decree a dis-  
17 charge of such mortgage, and the record of such de-  
18 cree in the records for deeds for said county shall be  
19 evidence of the discharge of said mortgage.

SECT. 2. A mortgage may be discharged on the  
2 record thereof in the office of the registry for deeds  
3 by an attorney at law, authorized by the mortgagee or  
4 person claiming under him, although the authority to  
5 said attorney be not under seal or acknowledged.

SECT. 3. This act shall take effect when approved.

**STATE OF MAINE.**

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**IN SENATE, February 4, 1874.**

**Reported from the Committee on Judiciary, by Mr. BOYLE of  
Waldo, and laid over to be printed under the Joint Rule.**

**SAMUEL W. LANE, *Secretary.***