

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 404

In Senate, Feb. 27, 1913.

Came from the House, referred to the Committee on Legal Affairs, and on motion by Senator Richardson of Penobscot, laid on the table for printing, pending reference in concurrence.

W. E. LAWRY, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTEEN.

AN ACT to amend chapter forty-six of the Revised Statutes
relating to Interest.

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

Section 1. Section two of chapter forty-six of the Revised
2 Statutes as amended by chapter ninety-seven of the Public
3 Laws of nineteen hundred and seven, is hereby further
4 amended so as to read as follows:

'Sect. 2. All loans secured by mortgage, conveyance, or
6 pledge of property shall be dischargeable by the debtor upon
7 payment or tender of the principal sum actually borrowed,
8 and interest at the rate specified therein, which shall not
9 exceed three per cent a month for a period not exceeding

10 three months, and thereafter not exceeding the rate of fif
11 teen per cent a year; no renewal thereof to bear a greater
12 rate than fifteen per cent a year. A sum not exceeding
13 three dollars for the actual expense of making the loan and
14 in securing the same may be charged and collected. And
15 all loans made in violation of this act shall bear interest at
16 the rate of six per cent only, and all payments made in ex-
17 cess of six per cent interest on loans so made in violation
18 hereof shall be applied to the discharge of the principal;
19 and in case a greater sum has been paid by the borrower
20 than the amount of the principal and interest at six per
21 cent on loans so made in violation hereof, may be recovered
22 from the person loaning the money, whether principal or
23 agent, by the borrower in an action on the case.'

Sect. 2. Section three of chapter forty-six of the Revised
2 Statutes is hereby amended by striking out in the first line
3 thereof the words "for less than two hundred dollars" and
4 in the second line the word "personal" so that said section
5 as amended shall read as follows:

Sect. 3. When a loan is secured by mortgage, convey-
7 ance, or pledge of property the creditor shall discharge such
8 mortgage or conveyance and restore said pledge upon pay-
9 ment or tender to him of the amount due him under the
10 preceding section, and such payment or tender may be
11 made by the debtor or by any person having an interest in
12 the property pledged, mortgaged or conveyed.'

Sect. 3. Chapter one hundred and forty-six of the Revised

2 Statutes is hereby further amended by adding thereto the
3 following section:

‘Sect. 7. Whoever intentionally demand and receive any
5 money or property in violation of any of the six preceeding
6 sections of this chapter shall be punished by a fine of not
7 more than fifty dollars, or by imprisonment for not more
8 than sixty days, or both.’