

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 405

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 Section seventy-seven of Chapter ten of the Revised Statutes, relating to the sale of real estate for taxes.

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

Section 1. Section seventy-seven of chapter ten of the
2 Revised Statutes as amended by chapter eighteen of the
3 Public Laws of 1907 is hereby amended by striking out all
4 of said section after the word "owners" in the twelfth line
5 and inserting in lieu thereof the words:

'If the owner, the mortgagee, or any person in possession
7 or other person legally taxable therefor does not within

8 such time redeem the estate from such sale, by payment
9 or tender of the taxes, all the charges and interest on the
10 whole at the rate of ten per cent per annum from the date
11 of sale to the time of redemption, and costs as above pro-
12 vided, with sixty-seven cents for the deed and certificate
13 of acknowledgement.

14 If there is an existing mortgage or mortgages of record
15 on the estate so sold, the purchaser at such sale shall notify
16 the holder of record of each mortgage within four months
17 from the date of said sale, that he has purchased the estate
18 at a tax sale on such date and request the mortgagee to
19 redeem the same. And the holder of any such mortgage
20 may redeem the land so sold as above provided, at any time
21 within six months after receiving actual notice of such sale,
22 upon the payment or tender of the amounts, interest and
23 cost as above specified.

24 If any owner of land legally assessed to any other party,
25 does now have actual notice of the sale of his land for
26 taxes, he may, at any time within six months after he has
27 had actual notice, in addition to the above provisions, re-
28 deem the land so sold from such sale although the deed
29 may have been recorded by payment or tender of the
30 amounts, interest and costs as above specified and the reg-
31 ister fee for recording and discharging the deed in case
32 the deed has been recorded, and the deed shall be discharged
33 by the grantee therein in manner provided for the discharge
34 of mortgages on real estate.

‘If land has been assessed as belonging to persons unknown
36 or to the person in possession or other person taxable there-
37 for, the owner thereof, not having had actual notice of the
38 sale of his land for taxes may, at any time within six
39 months after he has had actual notice, in addition to the
40 above provisions, redeem the land so sold from such sale
41 although the deed may have been recorded by payment or
42 tender of the amounts, interest and costs as above specified
43 and the register’s fee for recording and discharging the
44 deed in case the deed has been recorded, and the deed shall
45 be discharged by the grantee therein in manner provided
46 for the discharge of mortgages.

‘If so redeemed the treasurer shall give the owner, mort-
48 gagee or party to whom the land is assessed or other per-
49 son legally taxable therefor a certificate thereof, cancel the
50 deed and pay to the grantee on demand the amount so
51 received for him. If the amounts, interest and costs above
52 specified are not so paid to the treasurer within the time
53 as above specified he shall deliver to the grantee his deed
54 upon the payment of the fees aforesaid for the deed and
55 acknowledgment and thirty cents more for receiving and
56 paying out the proceeds of the sale, but all tax deeds of
57 land upon which there is an existing mortgage of record
58 shall carry no title except subject to such mortgage, unless
59 the purchaser at such tax sale gives to the record holder
60 of the mortgage, notice as above provided.’

So that said section as amended shall read as follows:

·Sect. 77. When real estate is so sold for taxes, the collector shall, within thirty days after the day of sale, lodge with the treasurer of his town a certificate under oath designating the quantity of land sold, the names of the owners of each parcel, and the names of the purchasers; what part of the amount of each was tax, and what was cost and charges; also a deed of each parcel sold, running to the purchasers. The treasurer shall not deliver the deeds to the grantees, but put them on file in his office, to be delivered at the expiration of two years from the day of sale, in the case of lands of resident owners, and one year from the day of sale in the case of lands of non-resident owners, if the owner, the mortgagee, or any person in possession, or other person legally taxable therefor does not within such time redeem the estate from such sale, by payment or tender of the taxes, all the charges and interest on the whole at the rate of ten per cent per annum from the date of sale to the time of redemption, and costs as above provided, with sixty-seven cents for the deed and certificate of acknowledgement.

If there is an existing mortgage or mortgages of record on the estate so sold, the purchaser at such sale shall notify the holder of record of each mortgage within four months from the date of said sale, that he has purchased the estate at a tax sale on such date and request the mortgagee to redeem the same. And the holder of any mortgage may

88 redeem the land so sold as above provided, at any time
89 within six months after receiving actual notice of such sale,
90 upon the payment or tender of the amounts, interest and
91 cost as above specified.

‘If any owner of land legally assessed to any other party,
93 does not have actual notice of the sale of his land for taxes,
94 he may, at any time within six months after he has had
95 actual notice, in addition to the above provisions, redeem
96 the land so sold from such sale although the deed may have
97 been recorded by payment or tender of the amounts, inter-
98 est and costs as above specified and the register fee for
99 recording and discharging the deed in case the deed has
100 been recorded, and the deed shall be discharged by the
101 grantee therein in manner provided for the discharge of
102 mortgages on real estate.

‘If land has been assessed as belonging to persons un-
104 known or to the person in possession or other person tax-
105 able therefor, the owner thereof, not having had actual
106 notice of the sale of his land for taxes may, at any time
107 within six months after he has had actual notice, in addi-
108 tion to the above provision redeem the land so sold from
109 such sale although the deed may have been recorded by
110 payment or tender of the amounts, interest and costs as
111 above specified and the register’s fee for recording and
112 discharging the deed in case the deed has been recorded,
113 and the deed shall be discharged by the grantee therein
114 in manner provided for the discharge of mortgages.

'If so redeemed the treasurer shall give the owner, mort-
116 gagee or party to whom the land is assessed or other per-
117 son legally taxable therefor a certificate thereof, cancel
118 the deed and pay to the grantee on demand the amount
119 so received for him. If the amounts, interests and costs
120 above specified are not so paid to the treasurer within
121 the time as above specified he shall deliver to the grantee
122 his deed upon the payment of the fees aforesaid for the
123 deed and acknowledgement and thirty cents more for re-
124 ceiving and paying out the proceeds of the sale, but all
125 tax deeds of land upon which there is an existing mort-
126 gage of record shall carry no title except subject to such
127 mortgage, unless the purchaser at such tax sale gives to
128 the record holder of the mortgage, notice as above pro-
129 vided.'