

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-NINTH LEGISLATURE

HOUSE

NO. 252

House of Representatives, Feb. 26, 1919.

Reported by Mr. Baxter from Committee on Judiciary and
ordered printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND NINETEEN

AN ACT to Amend Chapter Ten of the Revised Statutes to
Provide for Actual Notice of Sale for Taxes of Land in
Places Not Incorporated.

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

Section 1. Section forty-six of chapter ten of the revised
2 statutes is amended by adding after the word "sale" in
3 the tenth line thereof the words: 'But no such sale shall
4 be valid against an owner who for the twelve months pre-
5 ceding notice of sale has resided, or maintained a tenant
6 on the land so listed unless written notice of such sale has
7 been made on such owner or tenant by service, personal
8 or at the last and usual place of abode on such land, by a

9 deputy sheriff of the county where the land lies, said notice
10 to be a copy of so much of the list of the lands to be sold,
11 as describes the land of such owner or tenant, certified by
12 the state treasurer. Such service shall be made within
13 not more than sixty days and not less than thirty days
14 before the time of sale, and the fees for service and travel
15 shall be the same as in case of service of writs, to be paid
16 by the state treasurer from any moneys not otherwise ap-
17 propriated.' So that said section as amended shall read
18 as follows:

'Sect. 46. TREASURER OF STATE SHALL SELL
2 FORFEITED LANDS; LAND AGENT MAY BID IN
3 BEHALF OF STATE; DISPOSAL OF PROCEEDS.
4 R. S. c. 9, sect. 44. 1907, c. 174. 1909, c. 226. Lands
5 thus forfeited shall annually in November be sold by the
6 treasurer of state at public auction to the highest bidder;
7 but never at a price less than the full amount due thereon
8 for such unpaid state, county and district taxes, interest
9 and cost of advertising except that in case of a sale to the
10 land agent no interest shall be added. Notice of the sale
11 shall be given by publishing a list of the lands to be sold,
12 with the amount of such unpaid taxes, interest and costs
13 on each parcel and the time and place of sale, in the state
14 paper and in some newspaper, if any, published in the
15 county in which the lands lie, three weeks successively
16 within three months before the time of sale. But no such
17 sale shall be valid against an owner who for the twelve

18 months preceding notice of sale has resided, or maintained
19 a tenant on the land so listed unless written notice of such
20 sale has been made on such owner or tenant by service,
21 personal or at the last and usual place of abode on such
22 land, by a deputy sheriff of the county where the land lies,
23 said notice to be a copy of so much of the list of the lands
24 to be sold, as describes the land of such owner or tenant,
25 certified by the state treasurer. Such service shall be made
26 within not more than sixty days and not less than thirty
27 days before the time of sale, and the fees for service and
28 travel shall be the same as in case of service of writs,
29 to be paid by the state treasurer from any moneys not
30 otherwise appropriated. The treasurer shall give to the
31 purchaser a deed of such lands, which shall vest in such
32 purchaser title to the same in fee subject to the right of
33 redemption hereinafter provided. Such deed, before de-
34 livery, and all releases and certificates given under the
35 provisions of section forty-eight, shall be recorded in the
36 land office with appropriate references thereto on the mar-
37 gin of the record of the original deed therein recorded.
38 The land agent of the state shall attend such sales, and
39 may, in behalf of the state, bid for the same amount of
40 such unpaid taxes, and costs. In such case the deed may
41 be made to the inhabitants of the state of Maine and de-
42 livered to said land agent; for such deed the land agent
43 shall give his receipt, which shall be a sufficient authority
44 for the governor and council to draw their warrant upon

45 the treasurer of state for the amount of such taxes and
46 costs. The proceeds of any tax sales under this section
47 shall be credited by the treasurer of state to the several
48 accounts of state, county and district taxes, interest and
49 costs of advertising.'

Sect. 2. Section forty-eight of said chapter ten of the
2 revised statutes is amended by adding after the word "due"
3 in the third line of said section the following: 'including
4 the cost of serving the notice upon the owner or his tenant,
5 as provided in section forty-six.'

'Sect. 48. OWNER MAY PAY TAX BEFORE SALE
2 OR HE MAY REDEEM FROM THE PURCHASER
3 WITHIN ONE YEAR. R. S. c. 9, sect. 46. Any owner
4 may redeem his interest in such lands, by paying to the
5 treasurer of state his part of the sums due, including the
6 cost of serving the notice upon the owner or his tenant,
7 as provided in section forty-six, at any time before sale;
8 or after sale, by paying or tendering to the purchaser with-
9 in a year, his proportion of what the purchaser paid there-
10 for at the sale, with interest at the rate of twenty per cent
11 a year from the time of sale, and one dollar for a release;
12 and the purchaser, on reasonable demand, shall execute
13 such release; and if he refuses or neglects, a bill in equity
14 may be maintained to compel him, with costs and any
15 damages occasioned by such refusal or neglect. Or such
16 owner may redeem his interest by paying as aforesaid to
17 the treasurer of state, who, on payment of fifty cents, shall

18 give a certificate thereof; which certificate, recorded in
19 the registry of deeds in the county or district where the
20 lands lie, shall be a release of such interest, and the title
21 thereto shall revert and be held as if no such sale had
22 been made. The governor and council may draw their
23 warrant on the treasurer for any money so paid to him,
24 in favor of the purchaser for whom it was paid, or his
25 legal representatives.'