

MAINE STATE LEGISLATURE

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(NEW DRAFT)

EIGHTIETH LEGISLATURE

SENATE

NO. 104

In Senate, March 9, 1921.

Reported by Mr. Gillin from Committee on Judiciary and
laid on table to be printed under joint rules.

L. ERNEST THORNTON, Secretary.

STATE OF MAINE

**IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND TWENTY-ONE**

AN ACT to Make Unnecessary the Filing of Affidavits by
Mortgagees in Foreclosing Real Estate Mortgages.

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

Section 1. Section four of chapter ninety-five of the re-
vised statutes, as amended by section one of chapter one
hundred ninety-two of the public laws of nineteen hundred
and seventeen, is hereby further amended by striking out
all of said section after the word "redemption" in the sec-
ond line thereof, so that said section will read as it original-
ly stood prior to said amendment, and as follows, to wit:

‘Sect. 4. Possession obtained in either of these three modes,
2 and continued for one year, forever forecloses the right of
3 redemption.’

Sect. 2. Section seven of said chapter ninety-five, as
2 amended by section three of chapter one hundred ninety-
3 two of the public laws of nineteen hundred and seventeen,
4 is hereby further amended by striking out all of said section
5 after the word “foreclosed” in the fifth line thereof, so that
6 said section will read as it originally stood prior to said
7 amendment, and as follows, to wit:

‘Sect. 7. The mortgagor, or person claiming under him,
2 may redeem the mortgaged premises within one year after
3 the first publication, or the service of the notice mentioned
4 in section five, and if not so redeemed his right of redemp-
5 tion is forever foreclosed.’

Sect. 3. All proceedings for foreclosure of real estate
2 mortgages which shall have been instituted at the time when
3 this act takes effect, and under which the period of redemp-
4 tion fixed by law shall not then have expired, shall be sub-
5 ject to the provisions of this act, and no affidavit shall be
6 required to perfect foreclosure. All foreclosures of mort-
7 gages of real estate heretofore begun in which the affidavit
8 required by chapter one hundred ninety-two of the public
9 laws of nineteen hundred and seventeen has been seasonably
10 filed are hereby made valid as far as such affidavit may be
11 necessary to perfect such foreclosure.