

MAINE STATE LEGISLATURE

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EIGHTY-FIRST LEGISLATURE

HOUSE

NO. 101

House of Representatives, Feb. 15, 1923.

Referred to Committee on Judiciary and five hundred copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Nichols of Portland.

STATE OF MAINE

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

AN ACT to Amend Section Seventy-six of Chapter Eleven, Revised Statutes, as Amended by Chapter One Hundred and Eighty-two of the Public Laws of 1921, Relative to Certificates of Sale of Tax Deeds, and Proceedings, if Redeemed.

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

Section seventy-six of chapter eleven, revised statutes, as
2 amended by chapter one hundred and eighty-two of the
3 public laws of 1921 is hereby amended by striking out the
4 whole of said section seventy-six and inserting in lieu there-
5 of the following:

Sect. 76. Collector to lodge with treasurer, certificate of

2 sale and deed; proceedings, if redeemed; if not redeemed,
3 grantee shall receive deed.

When real estate is so sold for taxes, the collector shall,
2 within thirty days after the day of sale, lodge with the
3 treasurer of his town a certificate under oath, designating
4 the quantity of land sold, the names of the owners of each
5 parcel and the names of the purchasers; what part of the
6 amount of each was tax and what was cost and charges;
7 also a deed of each parcel sold, running to the purchasers.
8 The treasurer shall not at that time deliver the deeds to
9 the grantees, but put them on file in his office, to be delivered
10 at the expiration of two years from the day of sale, and
11 the treasurer shall after the expiration of two years deliver
12 said deed to the grantee or his heirs, provided the owner,
13 the mortgagee, or any person in possession or other person
14 legally taxable therefor does not within such time redeem
15 the estate from such sale, by payment or tender of the
16 taxes, all the charges and interest on the whole at the rate
17 of ten per cent per annum from the date of sale to the time
18 of redemption, and costs as above provided, with sixty-
19 seven cents for the deed and certificate of acknowledgment,
20 and all sums paid for internal revenue stamps affixed to
21 such deed.

Any person or persons, firm or corporation having a
2 mortgage or mortgages on real estate in any city or town
3 in this state may file before November 15th of each year
4 with the treasurer of such city or town a list of his mort-

5 gages, giving the names of the mortgagors and an intelligible
6 description of each piece of property covered by said mort-
7 gage or mortgages, together with a fee of one dollar. The
8 said treasurer shall, in case any of said properties are ad-
9 vertised for sale for unpaid taxes, send a written notice, by
10 registered mail, not later than January 15th of the year of
11 sale, to each mortgagee filing said list and paying said fee,
12 setting out the names of any delinquent tax payers whose
13 names are on said list, and the amount due on each said
14 piece of property described in said list. If any such notice
15 is not sent, and the real estate is sold and the deed is
16 delivered as above provided, the said mortgagee shall have
17 the right of redeeming said property from said tax sale at
18 any time within three months after receiving notice of said
19 sale, and no interest or costs shall accrue to said city or
20 town or to any purchaser of land in regard to which said
21 notice was not sent, after the date of said tax sale.

If there is an undischarged mortgage or mortgages duly
2 recorded within twenty years last past on the estate so sold
3 for taxes, and the purchaser at such sale is a person or
4 persons, firm or corporation other than the city, town or
5 plantation assessing said tax, the purchaser at such sale
6 shall notify the holder of record of each of such mortgages
7 within six months from the date of said sale, by sending a
8 notice in writing by registered letter addressed to the record
9 holder of such mortgage or mortgages at the residence of
10 such holder as given in the registry of deeds in the county

11 where said real estate is situated, stating that he has pur-
12 chased the estate at a tax sale on such date and request
13 the mortgagee to redeem the same. If such notice is not
14 given and the real estate is sold for taxes and the deed
15 delivered, the holder of record of any mortgage, which
16 mortgage was on record in the registry of deeds at the time
17 of said sale, may redeem the land so sold at any time within
18 three months after receiving actual notice of such sale, by
19 the payment or tender of the amounts, interest and costs
20 as above specified, even though the deed has been recorded.

If any owner of real estate which is assessed to any former
2 owner who was not the owner on April 1st of the taxable
3 year as assessed, or to owners unknown, does not have
4 actual notice of the sale of his real estate for taxes within
5 said two years, he may, at any time, within three months
6 after he has had actual notice, redeem the land so sold from
7 such sale although the deed may have been recorded, by
8 payment or tender of the amounts, interest and costs as
9 above specified and the registry fee for recording and dis-
10 charging the deed, in case the deed has been recorded, and
11 the deed shall be discharged by the grantee therein in man-
12 ner provided for the discharge of mortgages on real estate.

If so redeemed, the treasurer shall give the redeeming
2 owner, mortgagee or party to whom the land is assessed or
3 other person legally taxable therefor a certificate thereof,
4 cancel the deed and pay to the grantee on demand the
5 amount so received from him. If the amounts, interest and

6 costs above specified are not so paid to the treasurer within
7 the time as above specified, he shall deliver to the grantee
8 his deed upon the payment of the fees aforesaid for the deed
9 and acknowledgment and thirty cents more for receiving
10 and paying out the proceeds of the sale, but all tax deeds
11 of land upon which there is an undischarged mortgage duly
12 recorded within twenty years last past, sold for the amount
13 of taxes, and running to any other person, firm or corpora-
14 tion other than the city, town or plantation assessing such
15 tax, shall carry no title except subject to such mortgage,
16 unless the purchaser at such tax sale gives to the record
17 holder of the mortgage, notice as above provided. For the
18 fidelity of the treasurer in discharging his duties herein re-
19 quired, the town is responsible, and has a remedy on his
20 bond in case of default.