

# MAINE STATE LEGISLATURE

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E I G H T Y - F I F T H      L E G I S L A T U R E

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Legislative Document

No. 519

S. P. 411

In Senate, Feb. 12, 1931.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Farnsworth of Aroostook.

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S T A T E   O F   M A I N E

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

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AN ACT Limiting the Right of Mortgagee to Take Possession of Real Estate.

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

Limitation of right of mortgagee to take possession. Section two of chapter one hundred four of the revised statutes is hereby amended by adding thereto the following words: 'The right of a mortgagee to take possession of real estate conveyed in mortgage is limited to the extent that the mortgagee cannot take a growing crop that has been planted on said real estate by the mortgagor the same year.', so that said section as amended shall read as follows:

'Sec. 2. A mortgagee, or person claiming under him, may enter on the premises, or recover possession thereof, before or after breach of condition, when there is no agreement to the contrary; but in such case, if the mortgage is afterwards redeemed, the amount of the clear rents and profits from the time of taking possession, shall be accounted for and deducted from the sum due on the mortgage. The right of a mortgagee to take possession of real estate conveyed in mortgage is limited to the extent that the mortgagee cannot take a growing crop that has been planted on said real estate by the mortgagor the same year.'