

# MAINE STATE LEGISLATURE

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NEW DRAFT OF H. P. 19, L. D. 6

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**Legislative Document**

**No. 1086**

H. P. 1414

House of Representatives, March 30, 1945.

Reported by Mr. Payson from Committee on Legal Affairs and laid on table to be printed under joint rules.

HARVEY R. PEASE, Clerk.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-FIVE

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**AN ACT Relating to Alternative Method for the Enforcement of Liens  
for Taxes on Real Estate.**

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

**Sec. 1. R. S., c. 81, § 98, amended.** Section 98 of chapter 81 of the revised statutes is hereby amended by adding at the end thereof the following:

'After the foreclosure of such mortgage and the expiration of the right of redemption therefrom has expired, the record holder of a mortgage on said real estate or his assignee and the record owner if the said real estate has not been assessed to him or the person claiming under him, in the event the notice provided for such record holder of a mortgage and such record owner has not been given as provided in section 97 shall have the right to redeem the said real estate at any time within 3 months after receiving actual knowledge of the recording of the certificate by payment or tender of the mortgage, together with interest and costs and the registry fee for recording and discharging said mortgage, which shall be discharged by the owner under said mortgage at the time of redemption in manner provided for the discharge of mortgages of real estate.

The mortgage shall be prima facie evidence in all courts in all proceedings by and against the town, its successors and assigns, of the truth of the

statements therein and after the period of redemption has expired, of the title of the town to the real estate therein described, and of the regularity and validity of all proceedings with reference to the acquisition of title by such mortgage and the foreclosure thereof.'

Sec. 2. R. S., c. 81, § 99, amended. Section 99 of chapter 81 of the revised statutes is hereby amended to read as follows:

'Sec. 99. Court may permit amendment of record, deed or certificate when error or defects appear therein. At the trial of any action for the collection of taxes, or of any action at law or in equity involving the validity of any sale of real estate for non-payment of taxes, and of any tax lien certificate under the provisions of sections 97 and 98 and of the title to real estate acquired upon foreclosure of such certificate, if it shall appear that the tax in question was lawfully assessed, the court may permit the collector or other officer to amend his record, return, ~~or~~ deed or certificate in accordance with the fact, when circumstantial errors or defects appear therein; provided that the rights of third parties are not injuriously affected thereby. If a deed be so amended, and the amended deed be thereupon recorded, it shall have the same effect as if it had been originally made in its amended form.'