

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-second Legislature

OF THE

STATE OF MAINE

1925

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-second Legislature

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and forfeitures collected under this act shall be paid (1) to the commission and applied as provided in section ninety-two hereof, together with any part of the costs taxed by the court for a state highway police or inspector, when the prosecution or arrest is made by such police, or inspector, but (2) into the treasury of the county where the offense is prosecuted, when the prosecution or arrest is made by any other officer,' so that said section, as amended, shall read as follows :

'Sec. 93. In cases where prosecution is made by state highway police, fines and costs to be paid to commission; if made by any other officer to be paid into county treasury. Municipal and police courts and trial justices in their respective counties shall have concurrent jurisdiction with the supreme judicial and superior courts over all prosecutions for all violations of the provisions of this act. All fines and forfeitures collected under this act shall be paid (1) to the commission and applied as provided in section ninety-two hereof, together with any part of the costs taxed by the court for a state highway police or inspector, when the prosecution or arrest is made by such police, or inspector, but (2) into the treasury of the county where the offense is prosecuted, when the prosecution or arrest is made by any other officer.'

Approved March 30, 1925.

Chapter 99.

An Act to Provide for Notice to Mortgagees in Case Mortgaged Real Estate is Sold for Taxes; to Provide for Redemption by a Mortgagee if Notice is not Given; and to Provide for Redemption in Case Real Estate is Sold for Taxes when Same are Assessed against the Name of a Person not the True Owner.

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

R. S., c. 11, sec. 76; P. L., 1921, c. 182; relating to redemption proceedings when land is sold for taxes, amended. Section seventy-six of chapter eleven of the revised statutes, as amended by chapter one hundred and eighty-two of the public laws of nineteen hundred and twenty-one, is hereby amended by striking out the whole of said section and inserting in place thereof the following :

'Sec. 76. Mortgagees of lands sold for taxes to be notified of sale by the purchaser; if not notified, has right of redemption for three months after receiving actual notice; lands assessed to former owners or to owners unknown to have right of redemption for three months after receiving actual notice of sale. When real estate is so sold for taxes, the collector shall, within thirty days after the day of sale, lodge with the treasurer of his town a certificate under oath, designating the quantity of land sold, the names of the owners of each parcel and the names of the purchasers;

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what part of the amount of each was tax and what was cost and charges; also a deed of each parcel sold, running to the purchasers. The treasurer shall not at that time deliver the deeds to the grantees, but put them on file in his office, to be delivered at the expiration of two years from the day of sale, and the treasurer shall after the expiration of two years deliver said deed to the grantee or his heirs, provided the owner, the mortgagee, or any person in possession or other person legally taxable therefor does not within such time redeem the estate from such sale, by payment or tender of the taxes, all the charges and interest on the whole at the rate of ten per cent. per annum from the date of sale to the time of redemption, and costs as above provided, with sixty-seven cents for the deed and certificate of acknowledgment, and all sums paid for internal revenue stamps affixed to such deed.

'If there is an undischarged mortgage or mortgages duly recorded on the estate so sold for taxes, the purchaser at such sale shall notify the holder of record of each of such mortgages within sixty days from the date of said sale, by sending a notice in writing by registered letter addressed to the record holder of such mortgage or mortgages at the residence of such holder as given in the registry of deeds in the county where said real estate is situated, stating that he has purchased the estate at a tax sale on such date and request the mortgagee to redeem the same. If such notice is not given and the real estate is sold for taxes and the deed delivered, the holder of record of any mortgage, which mortgage was on record in the registry of deeds at the time of said sale, may redeem the land so sold at any time within three months after receiving actual notice of such sale, by the payment or tender of the amounts, interest and costs as above specified, and the registry fee for recording and discharging the deed, if the deed has been recorded, and the deed shall be discharged by the grantee therein, or the owner under the tax deed at the time of redemption, in manner provided for the discharge of mortgages of real estate.

'If any owner of real estate which is assessed to any former owner who was not the owner on April first of the taxable year as assessed, or to owners unknown, does not have actual notice of the sale of his real estate for taxes within said two years, he may, at any time, within three months after he has had actual notice redeem the land so sold from such sale although the deed may have been recorded, by payment or tender of the amounts, interest and costs as above specified and the registry fee for recording and discharging the deed, in case the deed has been recorded, and the deed shall be discharged by the grantee therein, or the owner under the tax deed at the time of redemption, in manner provided for the discharge of mortgages on real estate.

'If the real estate is redeemed before the deed is delivered, the treasurer shall give the owner, mortgagee or party to whom the land is assessed or other person legally taxable therefor a certificate thereof, cancel the deed and pay to the grantee on demand the amount so received from him. If the amounts, interest and costs above specified are not paid to the treasurer within the time as above specified, he shall deliver to the grantee his deed upon the payment of the fees aforesaid for the deed and acknowledgment and thirty cents more for receiving and paying out the proceeds of the sale, but all tax deeds of land upon which there is an undischarged mortgage duly recorded shall carry no title except subject to such mortgage, unless the purchaser at such tax sale gives to the record holder of the mortgage, notice as above provided. For the fidelity of the treasurer in discharging his duties herein required, the town is responsible, and has a remedy on his bond in case of default.'

Approved March 30, 1925.

Chapter 100.

An Act to Provide for the Schooling of Children in the Towns Where Their Parents Have Temporary Residence.

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

Sec. 1. Schooling for children of parents who have a temporary residence, provided for; jurisdiction over such children granted to towns of temporary residence, school privileges in town of permanent residence not affected. In order to facilitate the education of children whose parents find it necessary, in the pursuit of their occupations, to move from place to place and whose children reside with them in such temporary residence, it is hereby provided that the children of such person or persons shall be under the jurisdiction of the towns and plantations in which the parent has temporary residence and shall be subject to the school attendance laws and to the rules and regulations of the towns and plantations in which they with the parent have temporary residence, provided, further, that this does not interfere with the free school privileges of such children in the towns and plantations of the permanent residence of the parent.

Sec. 2. Transportation or board of children in places of temporary residences, provided for; procedure to obtain; payment of, how made. Where the distance from the place of temporary residence to the school is more than two miles and transportation is deemed advisable by the superintending school committee, the superintendent of schools shall report the same to the state commissioner of education with such other information as may be required and if so directed by the state commis-