

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty - Third Legislature

OF THE

STATE OF MAINE

1927

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-third Legislature

1927

[supplied from page 1 of volume]

Chapter 196.

An Act Relating to the Mill Tax Highway Fund.

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

P. L., 1919, c. 263, sec. 1; 1923, c. 216; relating to creating a mill tax highway fund and expenditure thereof, amended. Section one of chapter two hundred sixty-three of the public laws of nineteen hundred nineteen, on page thirty of the acts passed at a special session of the legislature, as amended by chapter two hundred sixteen of the public laws of nineteen hundred twenty-three, is hereby further amended by inserting in the fifth line thereof after the word "hundred" the word 'fifty,' so that said section as amended shall read as follows:

'Sec. 1. The sum of \$150,000 of fund made available for construction of special resolve highways and bridges. A tax of one mill on a dollar shall annually be assessed on all property of the state according to the value thereof, and shall be known as the mill tax highway fund. This fund shall be used for the construction of third class highways as defined in section five of chapter twenty-five of the revised statutes, except that not more than one hundred fifty thousand dollars of the fund shall annually be used for the construction of highways and bridges and other purposes contemplated by said chapter twenty-five and in accordance with the terms of any appropriate resolves of the legislature, and further, except that two hundred thousand dollars of said fund shall be transferred and used in the fund for second class or state aid highways.'

Approved April 15, 1927.

Chapter 197.

An Act to Amend Section Five of Chapter Ninety-five of the Revised Statutes of Nineteen Hundred and Sixteen, in Relation to Mortgages of Real Estate.

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

Sec. 1. R. S., c. 95, sec. 5, par. I; relating to modes of foreclosing mortgages without possession, amended. Division one of section five of chapter ninety-five of the revised statutes of nineteen hundred and sixteen is hereby amended by inserting after the word "foreclosure" in the sixth line of said section, the following words: 'the notice before publication shall be sworn to as true before any officer authorized to administer oaths by the holder of the mortgage claiming foreclosure thereof, or by the legal representatives of said holder or his attorney duly authorized by letter of attorney recorded in the registry of deeds where said mortgage is recorded;' and after the word "and" in the sixth line by adding the words

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'he shall' and after the word "notice" in the sixth line, by adding the words 'together with the certificate or jurat of the officer,' so that said section when amended shall read as follows:

I. Notice to be sworn to before publication; notice with certificate of oath to be recorded in registry of deeds. He may give public notice in a newspaper published and printed in whole or in part in the county where the premises are situated, if any, or if not, in the state paper, three weeks successively, of his claim by mortgage on such real estate, describing the premises intelligibly, and naming the date of the mortgage, and that the condition in it is broken, by reason whereof he claims a foreclosure, the notice before publication shall be sworn to as true before any officer authorized to administer oaths by the holder of the mortgage claiming foreclosure thereof, or by the legal representatives of said holder or his attorney duly authorized by letter of attorney recorded in the registry of deeds where said mortgage is recorded; and he shall cause a copy of such printed notice, together with the certificate or jurat of the officer, and the name and date of the newspaper in which it was last published to be recorded in said registry in which the mortgage deed is or by law ought to be recorded, within thirty days after such last publication.'

Sec. 2. R. S., c. 95, sec. 5, par. II; P. L., 1917, c. 192, sec. 2; relating to modes of foreclosing mortgages without possession, amended. Subdivision II as amended by section two of chapter one hundred ninety-two of the public laws of nineteen hundred and seventeen is hereby amended by striking out all of said subdivision II and inserting in lieu thereof, the following:

II. Service of notice to be made by sheriff or deputy of county where mortgagor or record title holder resides; provision for service when mortgagors or title holders reside in different counties. He may cause an attested copy of such notice to be served on the mortgagor, or mortgagors or in case of any recorded transfer or transfers of the mortgaged property since the giving of the mortgage, on the record holder or holders of the title of the mortgaged property at the time of the service of said notice, if he lives in the state, by the sheriff of the county where the mortgagor or the record holder of the title resides, or his deputy, by delivering it to him in hand or leaving it at his last and usual place of abode; and cause the original notice and the sheriff's return thereon to be recorded within thirty days after such service as aforesaid; and in case different mortgagors or record holders reside in different counties, then service shall be made of such notice as above provided by any sheriff or his deputy upon the mortgagors or record holders residing in the same county as such sheriff or deputy, and in all cases the certificate of the register of

deeds is prima facie evidence of the fact of such entry, notice, publication of foreclosure, and of the sheriff's return.'

Sec. 3. Pending and prior foreclosures validated. All notices of foreclosure of mortgages of real estate already begun at the time this act takes effect, but neither acknowledged nor sworn to, may be duly recorded in the registry of deeds where the mortgage is recorded; and all notices of foreclosure which have been heretofore served by a sheriff or his deputy in compliance with the terms of said subdivision II as amended by said section two of chapter one hundred ninety-two of the public laws of nineteen hundred and seventeen are hereby validated as to their service.

Approved April 15, 1927.

Chapter 198.

An Act Conferring Authority Upon Municipal Officers to Enforce the Laws and the Rules and Regulations Relating to Trucks Upon the Highway.

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

Municipal officers authorized to enforce provisions of law relating to highways closed to heavy traffic. The municipal officers of each city, town and plantation, shall, within their respective municipalities, have the same power as the chief and members of the state highway police in the enforcement of the provisions of section twenty of chapter two hundred eleven of the public laws of nineteen hundred twenty-one and of all rules and regulations promulgated by the state highway commission, the county commissioners and the municipal officers of towns pertaining thereto, and in arresting all violators thereof and in prosecuting all offenders against the same; such municipal officers shall, in such cases, serve without compensation.

Approved April 15, 1927.

Chapter 199.

An Act to Regulate the Trapping of Fur-bearing Animals.

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

P. L., 1917, c. 219, sec. 50; 1917, c. 244; 1919, c. 196; 1925, cc. 55 and 70; relating to licenses for trapping fur-bearing animals, amended. The first paragraph of section fifty of chapter two hundred and nineteen of the public laws of nineteen hundred and seventeen, as amended by chapter two hundred and forty-four of the public laws of nineteen hundred and seventeen, and by chapter one hundred and ninety-six of the public