

HOUSE . . . . . No. 84.

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Bill accompanying the petition (taken from the files of last year) of Arthur S. Prout and others for legislation relative to the publication of notices of sales to foreclose a mortgage and especially to require publication at an earlier date than is now required. Joint Judiciary. January 9.

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Commonwealth of Massachusetts.

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In the Year One Thousand Nine Hundred and Six.

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AN ACT

Relative to the Publication of Notices of Sales to foreclose  
Mortgages.

*Be it enacted by the Senate and House of Representatives  
in General Court assembled, and by the authority of the  
same, as follows:*

1 SECTION 1. Section fourteen of chapter one hundred  
2 and eighty-seven of the Revised Laws is hereby amended  
3 by striking out the word "twenty-one," in the eighth  
4 line, and inserting in place thereof the word: — forty-two,  
5 — so as to read as follows:— *Section 14.* The mort-  
6 gagee or a person who has his estate in the land mort-  
7 gaged, or a person authorized by the power of sale, may,  
8 upon a breach of the condition and without action brought,

9 do all the acts authorized or required by the power; but  
10 no sale under such power shall be effective to foreclose  
11 a mortgage, unless, previous to such sale, notice thereof  
12 has been published once in each of three successive weeks,  
13 the first publication to be not less than forty-two days  
14 before the day of sale, in a newspaper, if any, published  
15 in the city or town in which the land lies; otherwise, in a  
16 newspaper published in such county.

1 SECTION 2. This act shall not be construed as affect-  
2 ing any contract or agreement, executory or otherwise,  
3 lawfully entered into, before the day this act shall become  
4 a law.