

GORDON M. SNYDER v. NEW HAMPSHIRE SAVINGS BANK & a.

[Cite as Snyder v. Savings Bank, 134 N.H. 32]

Merrimack

No. 90-055

March 13, 1991

1. Appeal and Error---Discretion of Lower Court---Intervention of Right

Trial court's decision as to party's right to intervene will not be overturned absent abuse of discretion.

2. Parties---Intervention---Intervention of Right

A person who seeks to intervene in a case must have a right involved in the trial and his interest must be direct and apparent, such as would suffer or be sacrificed were the court to deny the privilege.

3. Statutes---Construction and Application---Legislative History

Principles of statutory construction require a look first at the statutory language itself, but where statutory language is ambiguous, statute's legislative history will be looked at for interpretive guidance.

4. Statutes---Construction and Application---Ambiguity

Ordinarily, any material change in language of an original act is presumed to indicate a change in legal rights; but where language of the original act is ambiguous, presumption may be rebutted, and enactment of the amending statute may be viewed as an attempt to resolve that ambiguity.

5. Statutes---Construction and Application---Particular Words and Phrases

In notice provision of statute governing foreclosure of power of sale mortgages, term "then record owner of the premises" properly construed applies to all persons having record interests in the property. RSA 479:25, II.

6. Mortgages---Foreclosure---Notice of Sale

Obvious intention of legislature in enacting statute governing foreclosure under power of sale mortgages was to provide all interested parties with per-

sonal notice of a foreclosure sale, the class of parties entitled to notice apparently being limited only by requirement that party's interest be a recorded one. RSA 479:25.

7. Mortgages---Foreclosure---Notice of Sale

Record owner of leasehold interest in property was entitled to personal notice of foreclosure sale