

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 820

H. P. 622

House of Representatives, February 12, 1973

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Binnette of Old Town.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Relating to Conveyance by Release Deed for the Penobscot
Tribe of Indians.

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

R. S., T. 22, § 4784, repealed and replaced. Section 4784 of Title 22 of the Revised Statutes is repealed and the following enacted in place thereof:

§ 4784. Conveyance by release deed; lots on Old Town Island; miscellaneous defects

1. Deeds. Conveyances made by virtue of section 4777 shall be by release deed, quit-claim deed, quit-claim deed with covenant, warranty deed, warranty deed with covenant, executed and acknowledged, and the approval of the Commissioner of Indian Affairs shall be written thereon. Said deed and approval shall be recorded by the register of deeds of Penobscot County in a book kept in the registry of deeds in said county, upon payment of 25¢ for each deed so recorded; and until recorded, no deed shall pass any title. This chapter and chapters 1351 and 1355 shall apply to house lots on the point of Old Town Island, as well as to land allotted for agricultural purposes.

2. Validation. All deeds heretofore made prior to January 1, 1972 for the conveyance of real property pursuant to subsection 1, and duly recorded in the Penobscot County registry of deeds, and otherwise valid except that the same was not in the form of a release deed as required by said subsection 1, are validated regardless of whether or not they are in the form of a quit-claim deed, quit-claim deed with covenant, warranty deed, warranty deed with covenant or such other form sufficient to pass title under the laws of the State of Maine, and whether or not said deeds contain the approval of

the Commissioner of Indian Affairs as required by subsection 1. All deeds affecting real property on the Penobscot Indian Reservation duly recorded in the Penobscot County registry of deeds having certain defects as described in Title 33, sections 351, 352 and 353 and any like provisions of law hereafter enacted by the Legislature shall apply to conveyances made pursuant to subsection 1.

STATEMENT OF FACT

The purpose of this bill is to clarify procedures for deeds conveying Indian lands.