

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

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Legislative Document

No. 1017

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S. P. 352

In Senate, February 23, 1973

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

HARRY N. STARBRANCH, Secretary

Presented by Senator Joly of Kennebec.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

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AN ACT Authorizing File of Abstracts in Registry of Deeds in Guardianship,  
Conservatorship and Intestate Estates.

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

Sec. 1. R. S. T. 18, § 552, sub-§ 1, amended. The first two sentences of subsection 1 of section 552 of Title 18 of the Revised Statutes are repealed and the following enacted in place thereof:

Making and certifying to the register of deeds copies of devises of real estate, abstracts of petitions for administration and abstracts of petitions for guardians or conservators, §4. Said sum shall be paid by the executor, administrator, guardian or conservator when the copy of the devise or abstracts are made.

Sec. 2. R. S., T. 18, § 1551-A, additional. Title 18 of the Revised Statutes is amended by adding a new section 1551-A, to read as follows:

§ 1551-A. Abstract filed with registry of deeds

In all intestate estates, within 30 days after the appointment of an administrator, in which the petition for administration indicates the deceased owned real estate, the register of probate shall file an abstract of the petition showing such ownership, including the names of heirs or next of kin, in the registry of deeds in the county where the real estate is situated. The register of deeds receiving such copy shall forthwith file the same, minuting thereon the time of the reception thereof, and record it in the same manner as a deed of real estate.

Sec. 3. R. S., T. 18, § 3504-A, additional. Title 18 of the Revised Statutes is amended by adding a new section 3504-A, to read as follows:

**§ 3504-A. Abstract filed with registry of deeds**

Within 30 days after the petition for the appointment of a guardian or a conservator has been granted and the petition therefor indicates the ward owns real estate, the register of probate shall file an abstract of the petition showing such ownership in the registry of deeds in the county where the real estate is situated. The register of deeds receiving such copy shall forthwith file the same, minuting thereon the time of the reception thereof, and record it in the same manner as a deed of real estate.

**STATEMENT OF FACT**

When a person dies owning real estate and has a will, an abstract is filed in the registry of deeds. This bill is to show the continuity of title to property in the registry of deeds. It requires a similar abstract to be filed in the registry of deeds in the case a person dies without a will or in the case of the appointment of a guardian or conservator.