
FORTY-SEVENTH LEGISLATURE.

SENATE.

No. 59.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT.

AN ACT relating to recording lost deeds.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECTION 1. In case any deed of real estate duly
2 made, executed and delivered before or after the pas-
3 sage of this act, has been or may be lost or accident-
4 ally destroyed, the grantee therein or any person
5 claiming under him may leave a true copy of it with
6 the register of deeds in the county in which the land
7 lies, and it shall have the same effect for ninety days
8 as a record of the deed.

SECT. 2. Within ninety days after the filing of such
2 copy, the person filing the same or those claiming un-
3 der him may apply to the same officers and in the

4 same manner as are provided by section twenty-two
5 of chapter one hundred and seven of the revised stat-
6 utes, to have the testimony of the subscribing witnesses
7 to such lost deed, and of any other persons cognizant
8 of the making, execution or delivery thereof, taken in
9 the same manner as provided for the taking of deposi-
10 tions in perpetuum; except that in case any of the
11 persons supposed to be interested adversely to the
12 claimants under said lost deed reside out of this state,
13 and their place of residence is unknown, any justice of
14 the supreme judicial court in term time or vacation
15 may order notice of the time and place appointed for
16 taking the testimony aforesaid, to be given by publi-
17 cation in such manner as he may designate.

SECT. 3. Within ninety days after the filing of the
2 copy named in the first section of this act, the deposi-
3 tions taken as contemplated in the foregoing section
4 are to be filed and recorded in the registry of deeds in
5 the county where the real estate is situated, and the
6 copy of the deed filed as aforesaid is to be recorded
7 with said depositions, and thereupon is to have the
8 same force and effect that a record of the original deed
9 would have had if made at the time of the first filing
10 of the copy thereof; but the copy so filed and record-
11 ed shall be liable to be impeached for any cause as the
12 original deed.

SECT. 4. The copy filed as aforesaid shall be deemed
2 to have the same force upon the party filing it by way
3 of estoppel or otherwise as the original deed would
4 have.

SECT. 5. Certified copies of the record of such deed
2 and of the depositions taken, filed and recorded as
3 herein provided, may be used in any trial or proceed-
4 ing where the original deed would be admissible.

SECT. 6. This act shall take effect when approved.

STATE OF MAINE.

IN SENATE, February 28, 1868.

Reported by Mr. LUDDEN, from a Committee of Conference of
both Houses, and printed under Joint Rule.

THOMAS P. CLEAVES, *Secretary.*