

MAINE STATE LEGISLATURE

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EIGHTY - THIRD LEGISLATURE

Senate Document

No. 98

S. P. 302

In Senate, Feb. 17, 1927.

Referred to Committee on Legal Affairs and 500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Morrison of Franklin.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-SEVEN

AN ACT to Amend Section Twenty-three of Chapter One Hundred Seventy-six of the Public Laws of Nineteen Hundred Twenty-five, Relating to Recording of Instruments and Conveyances.

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

Section twenty-three of chapter one hundred seventy-six 2 of the public laws of nineteen hundred twenty-five is here- 3 by amended by adding after the word "plans" in the third 4 line, the words 'and notices of foreclosure of mortgages,' 5 and by adding after the word "same" in the fifth line the 6 words 'or by the lessor in a lease or one of the lessors or 7 his attorney executing the same,' so that said section, when 8 amended, shall read as follows:

'Sect. 23. Deeds and all other written instruments before
2 recording in the registries of deeds, except those issued by
3 a court of competent jurisdiction and duly attested by the
4 proper officer thereof, and excepting plans and notices of
5 foreclosure of mortgages, shall be acknowledged by the
6 grantors, or one of them, or by their attorney executing
7 the same, or by the lessor in a lease or one of the lessors
8 or his attorney executing the same, before a justice of the
9 peace, or notary public having a seal, or woman otherwise
10 eligible under the constitution and appointed for the pur-
11 pose by the governor with the advice and consent of the
12 council, in the state; or before any clerk of a court of rec-
13 ord having a seal, notary public, justice of the peace, or
14 commissioner appointed by the governor of this state for
15 the purpose, or a commissioner authorized in the state
16 where the acknowledgment is taken, within the United
17 States; or before a minister or consul of the United States
18 or notary public in any foreign country. The seal of such
19 court or the official seal of such notary or commissioner, if
20 he have one, shall be affixed to the certificate of acknowl-
21 edgment, but if such acknowledgment is taken outside the
22 state of Maine before a justice of the peace, notary public
23 not having a seal, or commissioner, a certificate under seal
24 from the secretary of state, or clerk of a court of record
25 in the county where the officer resides or took the acknowl-
26 edgment, authenticating the authority of the officer taking
27 such acknowledgment, and the genuineness of his signature,
28 must be annexed thereto.

‘All notices of foreclosure of mortgages of real estate which
2 did not contain a certificate of acknowledgment, recorded
3 before this act takes effect, are hereby made valid as far
4 as such certificate of acknowledgment may be necessary to
5 perfect such record.’