

MAINE STATE LEGISLATURE

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NEW DRAFT

EIGHTY-THIRD LEGISLATURE

Senate Document

No. 219

S. P. 490

In Senate, March 10, 1927.

Reported by Mr. Morrison from Committee on Legal Affairs
and laid on table to be printed under joint rules.

ROYDEN V. BROWN, Secretary.

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 Hun-
dred 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
7 or his attorney executing the same,' so that said section,
8 when 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 the persons executing any such written instru-
7 ments, or by one of them, or by their attorney executing
8 the same, or by the lessor in a lease or one of the lessors
9 or his attorney executing the same, before a justice of the
10 peace, or notary public having a seal, or woman otherwise
11 eligible under the constitution and appointed for the pur-
12 pose by the governor with the advice and consent of the
13 council, in the state; or before any clerk of a court or
14 record having a seal, notary public, justice of the peace,
15 or commissioner appointed by the governor of this state for
16 the purpose, or a commissioner authorized in the state
17 where the acknowledgment is taken, within the United
18 States; or before a minister or consul of the United States
19 or notary public in any foreign country. The seal of such
20 court or the official seal of such notary or commissioner, if
21 he have one, shall be affixed to the certificate of acknowl-
22 edgment, but if such acknowledgment is taken outside the
23 state of Maine before a justice of the peace, notary public
24 not having a seal, or commissioner, a certificate under seal
25 from the secretary of state, or clerk of a court of record
26 in the county where the officer resides or took the acknowl-
27 edgment, authenticating the authority of the officer making

28 such acknowledgment, and the genuineness of his signature,
29 must be annexed thereto.

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