

MAINE STATE LEGISLATURE

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NEW DRAFT

EIGHTY-THIRD LEGISLATURE

Senate Document No. 348

S. P. 590

In Senate, Apr. 4, 1927.

Reported by Senator 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 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 seventy-eight of the revised statutes as re-enacted by chapter forty of the laws of nineteen hundred and twenty-one, as amended by chapter one hundred seventy-six of the public laws of nineteen hundred twenty-five, is hereby further amended by striking out the whole of said section and inserting in place thereof the following:

'Sect. 23. Deeds and all other written instruments before recording in the registries of deeds, except those issued by a court of competent jurisdiction and duty 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 by the persons executing any such written
7 instruments, or by one of them, or by their attorney execut-
8 ing 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 purpose
12 by the governor with the advice and consent of the council,
13 in the state; or before any clerk of a court of record having
14 a seal, notary public, justice of the peace, or commissioner
15 appointed by the governor of this state for the purpose or
16 a commissioner authorized in the state where the acknowl-
17 edgment is taken, within the United States; or before a
18 minister or consul of the United States or notary public in
19 any foreign country. The seal of such court or the official
20 seal of such notary or commissioner, if he have one, shall
21 be affixed to the certificate of acknowledgment, but if such
22 acknowledgment is taken outside the state of Maine before
23 a justice of the peace, notary public not having a seal, or
24 commissioner, a certificate under seal from the secretary of
25 state, or clerk of a court of record in the county where the
26 officer resides or took the acknowledgment, authenticating
27 the authority of the officer taking such acknowledgment,
28 and the genuineness of his signature, must be annexed
29 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.'

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All notices of foreclosure of mortgages of real estate