

MAINE STATE LEGISLATURE

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N I N E T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 1059

H. P. 971

House of Representatives, February 24, 1953.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. McGlauffin of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-THREE

AN ACT Relating to Acknowledgment of Certain Deeds.

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

R. S., c. 154, § 23, amended. Section 23 of chapter 154 of the revised statutes, as amended, is hereby further amended by adding at the end of the 3rd paragraph the following:

'Deeds and all other instruments before recording in the registries of deeds, except those issued by a court of competent jurisdiction and duly attested by the proper officer thereof, excepting plans and certain chattel mortgages as provided in section 1 of chapter 164, shall be drawn by the grantors in such instrument, or by one of them and shall bear a certificate thereon signed and acknowledged before a justice of the peace or a notary public having a seal, in the state; or before any clerk of a court of record having a seal, notary public, justice of the peace, or commissioner appointed by the governor of this state for the purpose, or a commissioner authorized in the state where the acknowledgment is taken, within the United States; or before a minister or consul of the United States or notary public in any foreign country. The seal of such court or the official seal of such notary public or commissioner, if he has one, shall be affixed to the certificate of acknowledgment, but if such acknowledgment is taken outside the state

before a justice of the peace, notary public not having a seal, or commissioner, a certificate under seal from the secretary of state, or clerk of a court or record in the county where the officer resides or took the acknowledgment and the genuineness of his signature must be annexed thereto.

Provided, however, that when a state of war exists between the United States and any other nation, any resident of the state who is in the armed forces of the United States, and who executes a general or special power of attorney, deed, lease, contract, or any instrument that is required to be recorded, may acknowledge the same as his true act and deed before any lieutenant or officer of senior grade thereto in the army, or before any ensign or officer of senior grade thereto in the navy, and the record of such acknowledgment by said officers shall be received and have the same force and effect as acknowledgments under the other provisions of this sections.

Provided, however, that when such deeds and all other instruments, as provided in the aforesaid paragraph, are not drawn by the grantors or as aforesaid, they shall bear the indorsement of an attorney-at-law or a law office or law firm located within the United States.'