

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
98th LEGISLATURE

COMMITTEE AMENDMENT "A" to H. P. 369, L. D. 499, Bill, "An Act
Relating to Acknowledgment and Validation of Certain
Instruments."

Amend said Bill by inserting before the period at the end of
"Sec. 1" the following underlined words: 'as to acknowledgment and
authenticity'

Further amend said Bill by striking out the 5th line of "Sec. 2"
and inserting in place thereof the following:
'cluding powers of attorney, heretofore made between April 15, 1927
and January 1, 1957,'

Further amend said Bill by striking out the first 5 sentences
of that part of "Sec. 3" designated "Sec. 41" and inserting in place
thereof the following sentences:

'All deeds and other instruments, including powers of attorney here-
tofore made between April 15, 1927 and January 1, 1957, for the
conveyance of real property in this State or any interest therein,
and otherwise valid except that the same omitted to state any con-
sideration therefor or that the same were not sealed by the grantors
or any of them, are validated. Every duly recorded satisfaction piece
or instrument heretofore executed between April 15, 1927 and January
1, 1957, with intent to cancel and discharge or assign a mortgage of
real estate, fully identifying the mortgage so intended to be can-
celed and discharged or assigned, but not drawn in formal accordance
with statutory requirements, shall be held a valid discharge or
assignment of such mortgage and a release or assignment of the mort-
gage interest in such real estate. All corporations organized or
attempted to be organized under and by virtue of any of the statutes
of this State more than 20 years prior to ~~April 15, 1927~~ January 1,
1957, and not heretofore ,between April 15, 1927 and January 1, 1957,
declared to be invalid, shall be held to all intents and purposes as
if the same had in all respects been properly and rightfully organized
and existing as lawful corporations, and the deeds or other instru-
ments of such corporations organized or attempted to be organized,
given in their corporate names, affecting real estate in this State
or conveying the same, and heretofore between April 15, 1927 and
January 1, 1957 recorded, or written out at length upon the books of
record in the registry of deeds in the county in which such real
estate lies, shall not be held invalid by reason of any lack of au-
thority or informality for or in their execution or delivery, if taken
bona fide from the acting officers of such corporation or attempted
organization as such, which such taking shall be presumed, but such
corporations, attempted organizations as such, with such deeds and
their records made as aforesaid, are validated. Any deed or other
instrument made for the purpose of conveying real property in this
State or any interest therein, and heretofore recorded or spread at
length in the books of record in the registry of deeds for the county
in which said real property lies, between April 15, 1927 and January
1, 1957, which said deed or other instrument or said records fail to
disclose authority by such corporation for the conveyance of such

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real estate, or which deed or other instrument fails to bear the corporate seal, or is executed or acknowledged by the person executing such deed in his individual capacity, or which fails to disclose the official capacity of the person executing such deed, or which was not signed by the officer duly authorized to sign such deed, with its record made as aforesaid, is validated. All deeds and other instruments heretofore made between April 15, 1927 and January 1, 1957 for the conveyance of real property in this State, or any interest therein and executed by a person or persons purporting to act as the agent or attorney of the grantors, their spouses, or any of them, which such deeds have been recorded or written at length in the books of record in the registry of deeds for the county in which said real property lies more than 40 years prior to ~~April-15,-1927~~ January 1, 1957, but no power of attorney authorizing and empowering such agent or attorney to make such conveyance or execute and deliver such deed, appears of record, but such real estate has in the meantime been occupied, claimed or treated by the grantees and those claiming by, through or under them as other property of like kind and similarly situated would be held or claimed by the owners thereof, shall be held to all intents and purposes as if executed and delivered under and by virtue of proper power of attorney duly recorded and given for the purpose, and the records thereof are validated.'

Reported by the Committee on Judiciary.

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5/16/57