

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

OF THE

## FORTY-SEVENTH LEGISLATURE

OF THE

## STATE OF MAINE.

1868.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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PUBLIC LAWS

OF THE

STATE OF MAINE.

1868.

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**Chapter 204.****CHAP. 204.**

An act relating to recording lost deeds.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:*

SECT. 1. In case any deed of real estate duly made, executed and delivered, before or after the passage of this act, has been or may be lost or accidentally destroyed, the grantee therein or any person claiming under him, may leave a true copy of it with the register of deeds in the county in which the land lies and it shall have the same effect for ninety days as a record of the deed.

Lost deeds,  
how recorded.

SECT. 2. Within ninety days after the filing of such copy, the person filing the same or those claiming under him may apply to the same officers and in the same manner as are provided by section twenty-two of chapter one hundred and seven of the revised statutes to have the testimony of the subscribing witnesses to such lost deed, and of any other persons cognizant of the making, execution or delivery thereof, taken in the same manner as provided for the taking of depositions in perpetuam; except that in case any of the persons supposed to be interested adversely to the claimants under said lost deed reside out of this state and their place of residence is unknown, any justice of the supreme judicial court in term time or vacation may order notice of the time and place appointed for taking the testimony aforesaid to be given by publication in such manner as he may designate.

Deposition of  
subscribing  
witnesses may  
be taken same  
as depositions  
in perpetuam.

SECT. 3. Within ninety days after the filing of the copy named in the first section of this act, the depositions taken as contemplated in the foregoing section are to be filed and recorded in the registry of deeds in the county where the real estate is situate, and the copy of the deed filed as aforesaid, is to be recorded with said depositions and thereupon is to have the same force and effect that a record of the original deed would have had if made at the time of the first filing of the copy thereof; but the copy so filed and recorded shall be liable to be impeached for any cause as the original deed.

Such deposition  
may be  
recorded in  
the registry  
of deeds.

SECT. 4. The copy filed as aforesaid, shall be deemed to have the same force upon the party filing it by way of estoppel or otherwise, as the original deed would have.

Such copy to  
act as estoppel.

SECT. 5. Certified copies of the record of such deed and of the depositions taken, filed and recorded as herein provided, may be used in any trial or proceeding where the original deed would be admissible.

Certified copy  
of record may  
be used in  
court.

SECT. 6. This act shall take effect when approved.

Approved March 6, 1868.