

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE

1895.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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PUBLIC LAWS
OF THE
STATE OF MAINE.

1895.

CHAP. 38 takes, and such errors or mistakes are either corrected or the proceedings had in relation to the same as hereinafter provided, such transcript shall be signed by the person whose testimony or examination it is, in all cases where the person testifying or submitting to examination is required by law to sign his testimony or examination. When the reading of a transcript is waived as provided by this section, such transcript shall be deemed correct. But any person whose testimony or examination has been so taken, may, with the consent of the judge, waive, in writing, the signing of the transcript, and in such case, the stenographer shall read his notes to such person before the hearing or examination is closed, and if they are found to be correct, or if alleged errors or mistakes are either corrected, or proceedings are had in relation to the same, in like manner as provided in section three with reference to transcripts, the transcript of such testimony or examination shall be deemed to be complete and correct without signing, and shall have the same effect as if signed.'

The signing of transcript may be waived with consent of judge, and shall, if found correct, have same effect as if signed.

Certified copies of notes shall be taken as evidence.

SECT. 2. Whenever it becomes necessary, in any court in the state, to prove the testimony or examination taken, as provided in this act, the certified copy of the notes of such testimony or examination, taken by such stenographer, is evidence to prove the same.

Approved February 21, 1895.

Chapter 38.

An Act to amend section twenty-seven of chapter seventy-three of the Revised Statutes, relating to recording Unrecorded Deeds.

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

Section twenty-seven of chapter seventy-three of the revised statutes, is hereby amended by striking out the words, "and tender to him, or leave with the register, the legal fees therefor," in lines three and four of said section, and by adding at the end of said section the following words, 'together with the legal fees of the register for recording such deed or other evidence of title,' so that said section as amended, shall read as follows :

Sec. 27, ch. 73
R. S.,
amended.

'SECT. 27. A person having an interest in real estate of which any prior grantee has an unrecorded deed or other evidence of title, may give the latter personal notice in writing to have the same recorded; and if he neglects to have it so recorded for thirty days, a justice of the supreme judicial court, in session or vacation, on complaint, may cause said grantee or his heirs to be brought before him for examination, and unless sufficient cause is shown for such neglect, may order such deed or other evidence of title to be recorded, and the cost paid by the respondent, together with the legal fees of the register for recording such deed or other evidence of title.'

CHAP. 39

How a person holding an unrecorded deed, may be compelled to have it recorded.

Approved February 21, 1895.

Chapter 39.

An Act to amend section one, chapter ninety-one of the Revised Statutes, relating to Mortgages of Personal Property.

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

Section one of chapter ninety-one of the revised statutes is hereby amended by inserting after the word "resides" in line five, the words 'when the mortgage is given,' and by inserting after the word "reside" in line nine, the words 'when the mortgage is given,' so that said section as amended, shall read as follows :

Sec. 1, ch. 91, R. S., amended.

'SECT. 1. No mortgage of personal property is valid against any other person than the parties thereto, unless possession of such property is delivered to, and retained by the mortgagee, or the mortgage is recorded by the clerk of the city, town or plantation organized for any purpose, in which the mortgagor resides, when the mortgage is given. When all the mortgagors reside without the state, the mortgage shall be recorded in said city, town or plantation, where the property is when the mortgage is made; but if a part of the mortgagors reside in the state, then in the cities, towns or plantation in which such mortgagors reside, when the mortgage is given. A mortgage made by a corporation, shall be recorded in the town where it has its established place of business. If any mortgagor resides in an unorganized place, the mortgage shall be recorded in the oldest adjoining town or plantation, organized as aforesaid, in the county.'

Mortgages of personal property not valid except between the parties, unless recorded by town clerk, or possession is taken.

—when to be recorded.

Approved February 21, 1895.