

HOUSE No. 715.

[Bill accompanying the petition of James R. Carret and others. Judiciary.]

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Ninety-five.

AN ACT

To amend Chapter Two hundred and Fifty-three of the Acts of the Year Eighteen Hundred and Ninety-four.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section four of chapter two Hundred
2 and fifty-three of the acts of the year eighteen hundred
3 and ninety-four is hereby amended by inserting after the
4 words "preceding section," in second line, the words
5 "before any officer not authorized by law of this state
6 to take the proof and acknowledgment of deeds of land
7 in this state," so that the same shall read as follows: —
8 *Section 4.* To entitle any conveyance or written in-
9 strument acknowledged or proved under the preceding
10 section before any officer not authorized by law of this
11 state to take the proof and acknowledgment of deeds of
12 land in this state to be read in evidence or recorded in

13 this state, there shall be subjoined or attached to the
14 certificate of proof or acknowledgment signed by such
15 officer a certificate of the secretary of state of the state
16 or territory in which such officer resides under the seal
17 of such state or territory or a certificate of the clerk
18 of a court of record of such state, territory or district
19 in the county in which said officer resides or in which he
20 took such proof or acknowledgment under the seal of
21 such court stating that such officer was at the time of
22 taking such proof or acknowledgment duly authorized
23 to take acknowledgments and proofs of deeds of lands
24 in said state, territory or district and that said secretary
25 of state or clerk of court is well acquainted with the
26 hand-writing of such officer and that he verily believes
27 that the signature affixed to such certificate of proof or
28 acknowledgment is genuine.

1 SECT. 2. Section five of chapter two hundred and
2 fifty-three of the acts of the year eighteen hundred and
3 ninety-four is hereby amended by inserting after the
4 words "United States," in the fourth line, the words
5 "by any officer not authorized by law of this state to
6 take the proof and acknowledgment of deeds of land in
7 this state," so that the same shall read as follows:—

8 *Section 5.* The following form of authentication of
9 the proof or acknowledgment of a deed or other written
10 instrument when taken without this state and within any
11 other state, territory or district of the United States by
12 any officer not authorized by law of this state to take
13 the proof and acknowledgment of deeds of land in this
14 state or any form substantially in compliance with the
15 foregoing provisions of this act, may be used. Begin
16 with a caption specifying the state, territory or district
17 and county or place where the authentication is made.
18 I, clerk of the in and for said

19 county, which court is a court of record, having a seal
20 (or, _____, the secretary of state of such state or
21 territory), do hereby certify that _____ by and
22 before whom the foregoing acknowledgment or proof
23 was taken, was, at the time of taking the same, a notary
24 public (or other officer) residing (or authorized to act)
25 in said county, and was duly authorized by the laws of
26 said state (territory or district) to take and certify ac-
27 knowledgments or proofs of deeds of land in said state,
28 (territory or district) and further that I am well ac-
29 quainted with the handwriting of said _____ and
30 that I verily believe that the signature to said certificate
31 of acknowledgment (or proof) is genuine. In testimony
32 whereof I have hereunto set my hand and affixed the
33 seal of the said court (or state) this _____ day of
34 _____, 18 _____.

1 SECT. 3. All deeds and instruments affecting land in
2 this Commonwealth acknowledged without the Com-
3 monwealth and recorded since the fourteenth day of
4 May in the year eighteen hundred and ninety-four are
5 hereby ratified and confirmed whatever form of certifi-
6 cate made by a clerk of court or secretary of state may
7 have been subjoined thereto, or if no such certificate was
8 subjoined thereto.

