

By Mr. Daly of Boston, petition of Charles N. Ross and others for legislation to regulate further the fees charged by the Land Court and by registries of deeds. Government Regulations.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Sixty-Nine.

AN ACT REGULATING FEES TO BE CHARGED BY THE LAND COURT AND  
REGISTRY OF DEEDS.

*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. The last sentence of section 23 of chapter 60 of  
2 the General Laws, is hereby amended by striking out, in line  
3 3, the words "four dollars" and inserting in place thereof the  
4 words:—six dollars,—so as to read as follows:—The register  
5 of deeds as such or as assistant recorder of the land court  
6 shall receive and record or register such certificate upon the  
7 payment of a fee of six dollars.

1 SECTION 2. The third sentence of section 37A of said  
2 chapter 60, is hereby amended by striking out, in line 3, the  
3 words "four dollars" and inserting in place thereof the  
4 words:—six dollars,—so as to read as follows:—The register  
5 of deeds as such or as assistant recorder of the land court  
6 shall receive and record or register such statement upon the  
7 payment of a fee of six dollars which shall be paid by the  
8 town, but which shall not be added to or become part of the  
9 unpaid tax.

1 SECTION 3. Chapter 262 of the General Laws is hereby  
2 amended by striking out section 38, and inserting in place  
3 thereof the following section:—

4 *Section 38.* The fees of Registers of Deeds, except as

5 otherwise provided, to be paid when the instrument is left for  
6 recording, filing or deposit shall be as follows: For entering  
7 and recording any paper, certifying the same on the original,  
8 and indexing it, and for all other duties pertaining thereto,  
9 six dollars. If the paper contains more than one page, at the  
10 rate of one dollar for each page after the first; provided, that  
11 if the paper contains the names of more than two parties  
12 thereto, other than the husband and wife of the Grantor or  
13 Grantee, an additional fee of one dollar each shall be charged  
14 for indexing the names of additional Grantors or Grantees or  
15 other parties thereto. The minimum fee for recording a Deed  
16 or conveyance or a Mortgage shall be ten dollars.

17 For all copies except photostat copies, at the rate of one  
18 dollar a legal page of two hundred and twenty-four words.  
19 For photostat copies of all instruments, except copies of  
20 plans, at the rate of sixty cents a page.

21 For each abstract card referred to in section twenty-four B  
22 of chapter thirty-six, forty cents.

23 For recording and filing a plan, of a size not over fourteen  
24 inches by nine and a half inches, three dollars. For larger  
25 sizes, not less than six dollars.

26 For entering any additional marginal reference or refer-  
27 ences when required, one dollar for each reference.

1 SECTION 4. Said chapter 262 is hereby further amended by  
2 striking out section 39 and inserting in place thereof the  
3 following section:—

4 *Section 39.* The fees payable under chapter one hundred  
5 and eighty-five shall be as follows:—

6 For the entry of every original petition or writ and  
7 transmitting it to the recorder, when filed with an assistant  
8 recorder, five dollars.

9 For every plan filed in an original proceeding, one dollar,  
10 and for every new plan filed after original registration, or for  
11 making a new plan filed under original registration, or for  
12 making a new plan on request of a registered owner, ten  
13 dollars plus one dollar for each lot shown on said plan. The  
14 filing fee in a registry of deeds upon receipt from the recorder

15 of the land court of a plan or copy of a plan shall be two  
16 dollars.

17 For indexing an instrument recorded while a petition for  
18 registration is pending, twenty-five cents.

19 For examining title, on a petition to register land, or on a  
20 petition to register easements or rights in land, the actual  
21 amount charged or allowed therefor to the examiner by the  
22 court.

23 For each notice by mail, seventy-five cents and the actual  
24 cost of printing.

25 For all services by a sheriff or deputy sheriff under provis-  
26 ions of chapter one hundred and eighty-five, the same fees as  
27 are provided by law for like services.

28 For each notice by publication, seventy-five cents and the  
29 actual cost of publication.

30 For entry of an order dismissing a petition for registration  
31 of title, or for foreclosure of a tax title, or a decree of  
32 foreclosure of a tax title or of redemption, and sending a  
33 memorandum to the assistant recorder, two dollars.

34 For entry of a decree of registration and sending a memo-  
35 randum to the assistant recorder, one quarter of one per cent  
36 of the assessed value of the property registered, on the basis  
37 of the last assessment for municipal taxation, in addition to  
38 any sum payable under section ninety-nine of chapter one  
39 hundred and eighty-five, but in no one proceeding shall the  
40 amount payable under this paragraph be less than ten nor  
41 more than one thousand dollars.

42 For a copy of a decree of registration, foreclosure or  
43 redemption, two dollars.

44 For the entry of an original certificate of title issuing one  
45 duplicate, ten dollars.

46 For making and entering a new certificate of title, includ-  
47 ing issue of one duplicate, five dollars.

48 For filing and registering an adverse claim, six dollars.

49 For filing and registering a mortgage, ten dollars.

50 For entering statement of change of residence or post-office  
51 address, including endorsing and attesting it on a duplicate  
52 certificate, two dollars.



53 For entering any note in the entry book or in the registra-  
54 tion book, **two dollars.**

55 For every petition after the original registration, two  
56 dollars.

57 For a certified copy of any decree or registered instrument,  
58 the same fees as are provided for registers of deeds.

59 For the registration of all other instruments, whether single  
60 or in duplicate or triplicate, including entering, indexing and  
61 filing it and attesting the registration thereof, and also  
62 making and attesting a copy of memorandum on one instru-  
63 ment or a duplicate certificate when required, except as  
64 otherwise provided, six dollars.