

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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SEVENTY-NINTH LEGISLATURE

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HOUSE

NO. 415

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House of Representatives, March 14, 1919.

Reported by Mr. Barnes from Committee on Judiciary and ordered printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND  
NINE HUNDRED AND NINETEEN

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AN ACT to Amend Section one of Chapter ninety-six of the Revised Statutes Relating to the Recording of Chattel Mortgages.

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Be it enacted by the People of the State of Maine, as follows:

Section one of chapter ninety-six of the Revised Statutes 2 is hereby amended by striking out the word "ten" in the 3 eighth, twelfth and twenty-ninth lines thereof, and inserting 4 in lieu thereof the word 'twenty' so that said section as 5 amended shall read as follows:

'Sec. 1. No mortgage of personal property executed and 2 delivered after the third day of July, nineteen hundred fif- 3 teen, shall be valid against a trustee in bankruptcy or an

4 assignee in insolvency of the mortgagor, or against any per-  
5 son other than the mortgagor, unless and until possession of  
6 said property is delivered to the mortgagee within twenty  
7 days from the date written in said mortgage, or, when un-  
8 dated, then from date of execution and delivery of the same,  
9 and unless such possession is retained by the mortgagee, or  
10 unless and until the mortgage is recorded within the said  
11 period of twenty days in the office of the clerk of the city,  
12 town, or plantation organized for any purpose, in which the  
13 mortgagor resides when the mortgage is given, or registry  
14 of deeds as hereinafter provided. When all mortgagors  
15 reside without the state, the mortgage shall be so recorded,  
16 in the office of the register of deeds in the registry district  
17 where the property is when the mortgage is made; but if a  
18 part of the mortgagors reside in the state, then in the cities,  
19 towns or plantations so organized in which such mortgagors  
20 reside when the mortgage is given. If any mortgagor re-  
21 sides in an unorganized place, the mortgage shall be so  
22 recorded in the office of the register of deeds for the district  
23 in which such unincorporated place is located. A mortgage  
24 made by a corporation shall be so recorded in the city, town  
25 or plantation where it has its established place of business,  
26 and, if said corporation has no established place of business  
27 in the state, or said place of business is in an unorganized  
28 place in the state; then in the office of the registry of deeds  
29 for the registry district in which such property is when the  
30 mortgage is made. Such chattel mortgages need not be

31 acknowledged for presentation for record. If possession is  
32 taken or said mortgage recorded subsequent to said period  
33 of twenty days, it shall be valid against mortgages, assign-  
34 ments and bills of sale executed and delivered subsequent to  
35 the making of said record, and also against attachments  
36 made subsequent thereto, based upon causes of action aris-  
37 ing subsequent thereto, and also against trustees in bank-  
38 ruptcy and common law assignees, so far as relates to claims  
39 accruing subsequent thereto.'