

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

NEW DRAFT.

SEVENTY-SIXTH LEGISLATURE

HOUSE

NO. 424

House of Representatives, March 6, 1913.

*Reported by Mr. Wheeler from Committee on Legal Affairs,
and ordered printed under joint rules.*

W. R. ROIX, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTEEN.

AN ACT to amend Section five, Chapter one hundred and thirteen, of the Revised Statutes of the State of Maine, relating to Personal Property bargained and delivered to another, which shall remain the property of the seller till paid for.

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

Section 1. Section five of chapter one hundred and thirteen of the Revised Statutes is hereby amended by inserting after the word "the" and before the word "town" in the eighth line, the word 'city,' and inserting after the word

5 "town" and before the word "in" in the eighth line the
6 words 'or plantation organized for any purpose,' and by
7 inserting after the word "purchase" and before the word
8 "the" in the ninth line the words 'but if any of the pur-
9 chasers are not residents of the state, or reside in an un-
10 organized place in the state, then in the registry of deeds
11 in the county where the seller resides at the time of the
12 sale'; so that said sections as amended shall read as fol-
13 lows:

'Sect. 5. No agreement that personal property bargained
15 and delivered to another, shall remain the property of the
16 seller till paid for, is valid unless the same is in writing and
17 signed by the person to be bound thereby. And when so
18 made and signed, whether said agreement is, or is called
19 a note, lease, conditional sale, purchase on instalments, or
20 any other name, and in whatever form it may be, it shall
21 not be valid, except as between the original parties thereto,
22 unless it is recorded in the office of the clerk of the city,
23 town or plantation organized for any purpose, in which the
24 purchaser resides at the time of the purchase; but if any
25 of the purchasers are not residents of the state, or reside
26 in an unorganized place in the state, then in the registry
27 of deeds in the county where the seller resides at the time
28 of the sale. The fee for recording the same shall be the
29 same as that for recording mortgages of personal property.
30 All such property, whether said agreements are recorded

31 or not, shall be subject to redemption and to trustee process
32 as provided in section fifty of chapter eighty-eight of the
33 Revised Statutes, but the title may be foreclosed in the same
34 manner as is provided for mortgages of personal property.'