

# MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

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SENATE

NO. 441

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*In Senate, March 26, 1915.*

*Reported by Sen. Butler from Committee on Judiciary and ordered printed under joint rules.*

*W. E. LAWRY, Secretary.*

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STATE OF MAINE

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

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AN ACT to amend Section One of Chapter Ninety-three of the Revised Statutes as amended by Chapter 169, Public Laws of 1913, relating to the registration of chattel mortgages.

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

Section 1 of Chapter Ninety-three of the Revised Statutes of Maine, and as amended by Chapter Eighty-six, Public Laws of 1911, and by Chapter One Hundred and Sixty-nine, Public Laws of 1913, is hereby further amended, so that said section shall read as follows:

Section 1. No mortgage of personal property executed and delivered after this Act has taken effect shall be valid against a Trustee in Bankruptcy or an Assignee in Insolvency of the mortgagor, or against an assignee under a gen-

10 eral assignment for the benefit of the creditors of the mort-  
11 gator, or against any person other than the mortgagor, un-  
12 less and until possession of such property is delivered to  
13 the mortgagee within ten days from the date written in said  
14 mortgage, or, when undated, then from the date of execu-  
15 tion and delivery of the same, and unless such possession is  
16 retained by the mortgagee, or unless and until the mortgage  
17 is recorded within the said period of ten days in the office of  
18 the Clerk of the city, town or plantation organized for any  
19 purpose, in which the mortgagor resides when the mortgage  
20 is given, or Registry of Deeds as hereinafter provided.  
21 When all mortgagors reside without the State, the mortgage  
22 shall be so recorded in the office of the Register of Deeds  
23 in the registry district where the property is when the mort-  
24 gage is made; but if a part of the mortgagors reside in the  
25 State, then in the cities, towns or plantations so organized  
26 in which such mortgagors reside when the mortgage is  
27 given. If any mortgagor resides in an unorganized place,  
28 the mortgage shall be so recorded in the office of the Regis-  
29 ter of Deeds for the registry district in which such unincor-  
30 porated place is located. A mortgage made by a corpora-  
31 tion shall be so recorded in the city, town or plantation  
32 where it has its established place of business, and, if said  
33 corporation has no established place of business in the  
34 State, or said place of business is in an unorganized place in  
35 the State, then in the office of the Register of Deeds for the  
36 registry district in which such property is when the mort-

37 gage is made. Such chattel mortgages need not be ac-  
38 knowledged for presentation for record.

If possession is taken of said mortgage recorded subse-  
40 quent to said period of ten days, it shall be valid against  
41 mortgages, assignments and bills of sale executed and deliv-  
42 ered subsequent to the making of said record, and also  
43 against attachments made subsequent thereto, based upon  
44 causes of action arising subsequent thereto, and also against  
45 trustees in bankruptcy and common law assignees, so far  
46 as relates to claims accruing subsequent thereto.'