

MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

SENATE

NO. 30

In Senate, Jan. 24, 1917.

Referred to Committee on Judiciary and one thousand copies ordered printed. Sent down for concurrence.

W. E. LAWRY, Secretary.

Presented by Mr. Davies of Cumberland.

STATE OF MAINE

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

AN ACT to amend Section 1 of Chapter 96 of the Revised Statutes of Maine, relating to recording mortgages of personal property.

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

Section 1 of Chapter 96 of the Revised Statutes of Maine
2 is hereby amended by inserting after the word "provided,"
3 in the thirteenth line of said section, the words "When the
4 property conveyed by a mortgage is not situated in the city,
5 town or plantation in which the mortgagor resides at the
6 time the mortgage is given, the mortgage shall also be re-
7 corded in the city, town or plantation in which the prop-

erty is situated at the time the mortgage is given,' so that
said section, as so amended, shall read as follows:

'Section 1. Mortgages of Personal Property, When
Valid; Provisions as to Record. No mortgage of per-
sonal property executed and delivered after the third day
of July, nineteen hundred and fifteen, shall be valid against
a trustee in bankruptcy or an assignee in insolvency of the
mortgagor, or against an assignee under a general assign-
ment for the benefit of the creditors of the mortgagor, or
against any person other than the mortgagor, unless and
until possession of such property is delivered to the mort-
gagee within ten days from the date written in said mort-
gage, or, when undated, then from the date of execution
and delivery of the same, and unless such possession is
retained by the mortgagee, or unless and until the mort-
gage is recorded within the said period of ten days in the
office of the clerk of the city, town or plantation organized
for any purpose, in which the mortgagor resides when the
mortgage is given, or registry of deeds as hereinafter pro-
vided. When the property conveyed by a mortgage is not
situated in the city, town or plantation in which the mort-
gagor resides at the time the mortgage is given, the mort-
gage shall also be recorded in the city, town or plantation
in which the property is situated at the time the mortgage
is given. When all mortgagors reside without the state,
the mortgage shall be so recorded in the office of the reg-
ister of deeds in the registry district where the property

26 is when the mortgage is made; but if a part of the mort-
27 gagors reside in the state, then in the cities, towns or plan-
28 tations so organized in which such mortgagors reside when
29 the mortgage is given. If any mortgagor resides in an
30 unorganized place, the mortgage shall be so recorded in
31 the office of the register of deeds for the registry district
32 in which such unincorporated place is located. A mortgage
33 made by a corporation shall be so recorded in the city,
34 town or plantation where it has its established place of
35 business, and, if said corporation has no established place
36 of business in the state, or said place of business is in an
37 unorganized place in the state, then in the office of the reg-
38 ister of deeds for the registry district in which such prop-
39 erty is when the mortgage is made. Such chattel mort-
40 gages need not be acknowledged for presentation for record.
41 If possession is taken or said mortgage recorded subsequent
42 to said period of ten days, it shall be valid against mort-
43 gages, assignments and bills of sale executed and delivered
44 subsequent to the making of said record, and also against
45 attachments made subsequent thereto, based upon causes
46 of action arising subsequent thereto, and also against trus-
47 tees in bankruptcy and common law assignees, so far as
48 relates to claims accruing subsequent thereto.'