

MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

HOUSE

NO. 173

House of Representatives, Feb. 18, 1919.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Barnes of Houlton.

STATE OF MAINE

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

AN ACT to amend section one of chapter ninety-six of the
Revised Statutes relating to the Recording of Chattel
Mortgages.

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

Section one of chapter 96 of the revised statutes is hereby
2 amended by striking out the word "ten" in the eighth,
3 twelfth and twenty-ninth lines thereof, and inserting in lieu
4 thereof the word 'thirty', so that said section as amended
5 shall read as follows:

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

4 assignee in insolvency of the mortgagor, or against any
5 person other than the mortgagor, unless and until possession
6 of said property is delivered to the mortgagee within thirty
7 days from the date written in said mortgage, or, when un-
8 dated, then from date of execution and delivery of the
9 same, and unless such possession is retained by the mort-
10 gagee, or unless and until the mortgage is recorded within
11 the said period of thirty days in the office of the clerk of
12 the city, town, or plantation organized for any purpose, in
13 which the mortgagor resides when the mortgage is given,
14 or registry of deeds as hereinafter provided. When all
15 mortgagors reside without the state, the mortgage shall be
16 so recorded in the office of the register of deeds in the
17 registry district where the property is when the mortgage is
18 made; but if a part of the mortgagors reside in the state,
19 then in the cities, towns or plantations so organized in which
20 such mortgagors reside when the mortgage is given. If
21 any mortgagor resides in an unorganized place, the mort-
22 gage shall be so recorded in the office of the register of
23 deeds for the district in which such unincorporated place is
24 located. A mortgage made by a corporation shall be so
25 recorded in the city, town or plantation where it has its es-
26 tablished place of business, and, if said corporation has no
27 established place of business in the state, or said place of
28 business is in an unorganized place in the state, then in the
29 office of the register of deeds for the registry district in
30 which such property is when the mortgage is made. Such

31 chattel mortgages need not be acknowledged for presenta-
32 tion for record. If possession is taken or said mortgage
33 recorded subsequent to said period of thirty days, it shall
34 be valid against mortgages, assignments and bills of sale
35 executed and delivered subsequent to the making of said
36 record, and also against attachments made subsequent
37 thereto, based upon causes of action arising subsequent
38 thereto, and also against trustees in bankruptcy and common
39 law assignees, so far as relates to claims accruing subse-
40 quent thereto.