

# MAINE STATE LEGISLATURE

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EIGHTY - SEVENTH LEGISLATURE

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Legislative Document

No. 569

H. P. 1313

House of Representatives, February 12, 1935.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Davis of Fairfield.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
THIRTY-FIVE

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AN ACT Relating to Uniform Amendments to Uniform Sales Act.

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

**Sec. 1. R. S., c. 165, § 32, amended.** Section 32 of chapter 165 of the revised statutes is hereby amended to read as follows:

**'Sec. 32. Who may negotiate a document.** A negotiable document of title may be negotiated—

(a) By the owner thereof, or

(b) By any person to whom the possession or custody of the document has been entrusted by the owner, if, by the terms of the document the bailee issuing the documents undertakes to deliver the goods to the order of the person to whom the possession or custody of the document has been entrusted, or if at the time of such entrusting the document is in such form that it may be negotiated by delivery.

by any person in possession of the same, however such possession may have been acquired if, by the terms of the document, the bailee issuing it undertakes to deliver the goods to the order of such person, or if at the time of negotiation the document is in such form that it may be negotiated by delivery.'

Sec. 2. R. S., c. 165, § 38, amended. Section 38 of chapter 165 of the revised statutes is hereby amended to read as follows:

**'Sec. 38. When negotiation not impaired by fraud, mistake or duress.** The validity of the negotiation of a negotiable document of title is not impaired by the fact that the negotiation was a breach of duty on the part of the person making the negotiation, or by the fact that the owner of the document was ~~induced by fraud, mistake or duress to entrust the possession or custody thereof to such person,~~ **deprived of the possession of the same by loss, theft, fraud, accident, mistake, duress, or conversion,** if the person to whom the document was negotiated or a person to whom the document was subsequently negotiated paid value therefor, ~~without notice of the breach of duty, or fraud, mistake, or duress in good faith, without notice of the loss, theft, breach of duty, or fraud, accident, mistake, duress or conversion.'~~