

MAINE STATE LEGISLATURE

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N I N E T Y - F O U R T H L E G I S L A T U R E

Legislative Document

No. 789

S. P. 435

In Senate, February 17, 1949.

Referred to Committee on Legal Affairs, sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Baker of Kennebec by request.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Relating to Possession of Chattel Property.

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

R. S., c. 164, §§ 11-A, 11-B, additional. Chapter 164 of the revised statutes is hereby amended by adding thereto 2 new sections to be numbered 11-A and 11-B, to read as follows:

'Sec. 11-A. Possession of chattel property. Upon the decease of any mortgagor of personal property or any vendee in a conditional sales contract, notwithstanding any agreement in such mortgage or sales contract, no holder shall take possession of the property subject to said mortgage or sales contract, until and unless he has filed in the probate court having jurisdiction of the estate of the decedent a petition asking possession of said property and authority thereunder granted by the court to do so after the notice required in the following section.

Sec. 11-B. Notice. Upon receipt of said petition the court shall give at least 3 days' notice of the subject matter of the petition by publication, by written notice in hand or left at the last and usual place of abode to the widow, widower, or an heir of the mortgagor or vendee, by registered mail, or otherwise as the court may determine.'