

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

One Hundredth Legislature

OF THE

STATE OF MAINE

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the One Hundredth Legislature

**1961**

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custody of the Commissioner of Mental Health and Corrections to be placed in an appropriate institution for the mentally ill for custody, care and treatment.'

Effective September 16, 1961

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## Chapter 311

### AN ACT Relating to Sewage Pollution Surveys.

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

R. S., c. 79, § 7-B, amended. Section 7-B of chapter 79 of the Revised Statutes, as enacted by chapter 294 of the public laws of 1959, is amended to read as follows:

'Sec. 7-B. Pollution surveys. The commission is authorized to pay up to 50%, or \$2,500, whichever is less, of the expenses of a sewage survey for a municipal or quasi-municipal corporation or regional planning commission organized under chapter 90-A, which shall have been approved as to purpose, necessity and priority. Municipalities ~~and~~, quasi-municipal corporations and regional planning commissions are specifically authorized to make such contracts with the State as are deemed necessary and may pay over moneys to the State to carry out the purposes of this section.'

Effective September 16, 1961

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## Chapter 312

### AN ACT Relating to Recording of Conditional Sales.

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

Sec. 1. R. S., c. 119, § 9, amended. The first paragraph of section 9 of chapter 119 of the Revised Statutes is amended to read as follows:

'No agreement that personal property bargained and delivered to another shall remain the property of the seller till paid for is valid unless the same is in writing and signed by the person to be bound thereby; ~~and when~~. When so made and signed, whether said agreement is ~~or is~~ called a note, lease, conditional sale, purchase on installments or by any other name, and in whatever form it may be, it shall not be valid except as between the original parties thereto, unless it or a memorandum thereof is recorded in the office of the clerk of the city, town or plantation organized for any purpose municipality in which the purchaser resides at the time of the purchase; ~~but if any of the purchasers are not residents of the State or reside in an unorganized place in the State, then in the registry of deeds in the county where the seller resides at the time of the sale, within 20 days from the date of sale stated therein, or, when not so stated, then from the date of execution and delivery of the same.~~ When all the purchasers reside without the State, the agreement or a memorandum thereof shall be so recorded in the office of the register of deeds in the registry district where the property is when the sale is made; but if a part of the purchasers reside in the State, then in the municipalities in which such purchasers reside when the sale is made. If any purchaser resides in an unorganized place, the agreement or a memorandum thereof shall be so recorded in the office of the

register of deeds for the registry district in which such unincorporated place is located. An agreement or a memorandum thereof made by a domestic corporation shall be recorded in the municipality which the corporation has designated in its certificate of organization as the location of the corporation; and, that of a foreign corporation shall be recorded in the municipality designated by the corporation in its certificate of foreign corporation as its usual place of business in this State. If a municipality in this State is not designated by the corporation as its location, or the location designated is in an unorganized place in this State, then in the office of the register of deeds for the registry district in which such property is when the agreement is made. The fee for recording the same shall be the same as that for recording mortgages of personal property. All such property, whether said agreements are recorded or not, shall be subject to redemption and to trustee process as provided in ~~section 50 of chapter 114, section 50~~, but the title may be foreclosed in the same manner as is provided for mortgages of personal property.'

Sec. 2. R. S., c. 119, § 9, amended. Section 9 of chapter 119 of the Revised Statutes, as amended by chapter 383 of the public laws of 1957, is further amended by adding after the first paragraph, a new paragraph as follows:

'If repossession is made or the instrument or a memorandum thereof is recorded subsequent to the said 20-day period, it shall be valid against mortgages, assignments and bills of sale executed and delivered subsequent to the recording, and also against attachments made subsequent thereto, based upon causes of action arising subsequent thereto, and also against trustees in bankruptcy and common law assignees, so far as relates to claims accruing subsequent thereto.'

Effective September 16, 1961

## Chapter 313

### AN ACT Relating to Place for Recording Certain Chattel Mortgages.

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

R. S., c. 178, § 1, amended. The 4th sentence of section 1 of chapter 178 of the Revised Statutes is amended to read as follows:

'A mortgage or a memorandum thereof made by a domestic corporation shall be so recorded in the ~~city, town or plantation where it has its established place of business, and, if said corporation has no established place of business in the State, or said place of business~~ municipality which the corporation has designated in its certificate of organization as the location of the corporation; and, that of a foreign corporation shall be recorded in the municipality designated by the corporation in its certificate of foreign corporation as its usual place of business in this State. If a municipality in this State is not designated by the corporation as its location, or the location designated is in an unorganized place in the State, then in the office of the register of deeds for the registry district in which such property is when the mortgage is made.'

Effective September 16, 1961