

# MAINE STATE LEGISLATURE

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# DOCUMENTS

PUBLISHED BY ORDER OF

# THE LEGISLATURE

OF THE

STATE OF MAINE.

1865.

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AUGUSTA:

STEVENS & SAYWARD, PRINTERS TO THE STATE.

1865.

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# FORTY-FOURTH LEGISLATURE.

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HOUSE.

No. 35.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SIXTY-FIVE.

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AN ACT requiring conditional sales to be recorded.

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*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :*

SECTION 1. No conditional sale of personal property  
2 of more than thirty dollars in value or price shall be  
3 valid as a conditional sale against any other person  
4 than the parties thereto, but shall be considered  
5 absolute without any condition, unless possession of  
6 said property is retained by the vender, or unless the  
7 sale is in writing, and recorded by the clerk of the  
8 city, town or plantation where the vendee resides in  
9 the book of record of mortgages of personal property.  
10 When the vendee resides in an unincorporated place,

11 the instrument shall be recorded in the oldest adjoining  
12 town or plantation in the county.

SECT. 2. The clerk, on payment of the same fees  
2 allowed to register of deeds for like services, shall  
3 record all such instruments delivered to him in said  
4 book, noting therein and in the instrument the time  
5 when it was received, and it shall be considered as  
6 recorded when received.

SECT. 3. The sale may be completed by the vendee,  
2 or persons claiming under him, within sixty days after  
3 breach of the condition, unless it has been sold by  
4 virtue of the terms of the instrument, or on execution  
5 against the vendee.

SECT. 4. In order to redeem the same, the sum due  
2 in the instrument, with reasonable charges, must be  
3 paid or tendered. And if the property is in the  
4 possession of the vender, it may be replevied, or  
5 damages for withholding the same may be recovered  
6 in an action in the case.

SECT. 5. Nothing in this act shall defeat any  
2 conditional sale made previous to the time when this  
3 act shall take effect. Any contract of bottomry,  
4 respondentia, transfer, assignment or hypothecation of  
5 a vessel or goods at sea or abroad shall remain as  
6 heretofore.

STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, }  
February 10, 1865. }

Laid on the table by leave, by Mr. CROSBY of Dexter.

HORACE STILSON, *Clerk.*