

# HOUSE . . . . . No. 932.

---

[Bill accompanying the petition of Edwin Sweetser. Judiciary.]

---

## Commonwealth of Massachusetts.

---

In the Year One Thousand Nine Hundred.

---

### AN ACT

Relative to Contracts for the Conditional Sale of Personal Property.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

- 1 SECTION 1. Section two of chapter three hundred  
2 and thirteen of the acts of the year eighteen hundred and  
3 eighty-four, as amended by chapter four hundred and  
4 eleven of the acts of the year eighteen hundred  
5 and ninety-eight, is hereby amended by striking out,  
6 in the seventh and thirteenth lines thereof, the word  
7 "thirty," and inserting in place thereof the words:—  
8 forty-five; also by striking out, in the seventeenth line  
9 thereof, the words "seventy-five," and inserting in place  
10 thereof the word:—sixty,—so as to read as follows:—  
11 *Section 2.* The vendor before taking possession of  
12 such furniture or effects for non-compliance with the

13 terms of such contract of sale, shall furnish the vendee  
14 or other person in charge of such furniture or effects an  
15 itemized statement of the account, showing the amount  
16 then due thereon, and shall make a demand in writing  
17 for the balance then due, at least forty-five days before  
18 taking possession; and the fifteen days provided by sec-  
19 tion thirteen of chapter one hundred and ninety-two of  
20 the Public Statutes during which the vendee shall have  
21 the right to redeem the furniture or household effects so  
22 taken shall not begin to run until such statement is furn-  
23 ished and such demand made, and until the forty-five  
24 days above named have expired, provided the vendee or  
25 other person in charge can be found by the vendor by  
26 the exercise of reasonable care and diligence. And in  
27 all cases where sixty per centum or more has been paid  
28 upon the contract price by the vendee, upon default in  
29 the conditions of the lease by the vendee, after the ex-  
30 piration of the fifteen days as now provided by law, for  
31 the vendee's equity of redemption, the goods so for-  
32 feited shall be sold by the vendor at public auction when  
33 the vendee or his legal representative shall request in  
34 writing the vendor so to do, and the sale shall be duly  
35 advertised in one of the principal newspapers published  
36 in such county, notice to be published at least three days  
37 prior to the time of sale, and the balance of the price of  
38 said sale, after deducting the balance due the vendor on  
39 the contract price and the actual expenses of the auction  
40 sale, shall be paid to the vendee or his legal representa-  
41 tives, and in case the vendor refuses or neglects to sell  
42 as provided herein, the right to redeem shall not be  
43 deemed to have been foreclosed.

1 SECTION 2. This act shall take effect upon its passage.