

HOUSE No. 517

By Mr. Karner of Athol, petition of Walter E. Farnum and Warren C. Karner for legislation to regulate further the fees to be charged by city and town clerks. Legal Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Nine.

AN ACT FURTHER REGULATING THE FEES TO BE CHARGED BY CITY AND TOWN CLERKS.

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 34 of chapter 262 of the
2 General Laws is hereby amended by striking out
3 clauses (47) and (48), as appearing in section 1 of
4 chapter 550 of the acts of 1948, and inserting in
5 place thereof the following:—

6 (47) For recording a mortgage of personal property,
7 chattel mortgage, conditional bill of sale, conditional
8 sale contract, or any deed or conveyance, however
9 called, by which personal property is conveyed to a
10 creditor or title thereto retained by a seller as security
11 for the payment of a debt, one dollar; if the paper
12 contains more than one page, one dollar for each
13 additional page or major fraction thereof.

14 The clerk may accept a copy of a printed form of
15 personal property mortgage or conveyance as described

16 herein, or in clause fifty-three, submitted for record,
17 such copy to be completed and attested by him as a
18 true copy, and securely attached to a page or pages
19 of the personal property mortgage record book, in
20 which case such copy so attached and attested shall
21 become the record, and a fee of three dollars shall be
22 charged.

23 (48) For recording assignment, partial release,
24 acknowledgment of payment or discharge of mortgage
25 of personal property, one dollar.

1 SECTION 2. Said section 34 is hereby further
2 amended by striking out clause (79), as so appearing,
3 and inserting in place thereof the following:—

4 (79) For recording any paper not specifically
5 named herein, the fee shall be the same as for mort-
6 gages of personal property. If a paper contains the
7 names of more than two parties, an additional fee of
8 twenty-five cents each shall be charged for indexing
9 the names of additional parties.

10 The schedule of fees for city and town clerks as
11 established by this section shall be posted in a con-
12 spicuous place in the office of every such clerk.

1 SECTION 3. Chapter 255 of the General Laws is
2 hereby amended by striking out section 3, as most
3 recently amended by chapter 550 of the acts of 1948,
4 and inserting in place thereof the following:—

5 *Section 3.* City and town clerks shall, upon the
6 payment of their fees as provided by section thirty-
7 four of chapter two hundred and sixty-two, record
8 in books kept for that purpose mortgages and bills
9 of sale of personal property as described in clauses
10 forty-seven and fifty-three of said section thirty-four,

11 written statements by mortgagees of oral conditions
12 for redemption, assignments, partial releases, dis-
13 charges, acknowledgments of payment and notices
14 of foreclosure of personal property mortgages, notices
15 of intention to sell property pledged for payment of
16 money with affidavit of service, assignments of future
17 earnings, and powers of attorney; and he may attest
18 the signature of mortgagee on a discharge of mortgage
19 of personal property entered on the margin of the
20 record of such mortgage.

