

HOUSE No. 732

By Mr. Roberts of Boston, petition of William S. Kinney and others for amendment of the law relative to conditional sales of elevator apparatus or machinery. Legal Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Seven.

An Act relative to Conditional Sales of Elevator Apparatus or Machinery.

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 thirteen of chapter one hundred and eighty-
2 four of the General Laws, as appearing in the Ter-
3 centenary Edition thereof, is hereby amended by
4 inserting after the word "buildings" and before the
5 word "or" in the fourth line the following:—; ele-
6 vator apparatus or machinery,—so as to read as
7 follows:— *Section 13.* No conditional sale of heat-
8 ing apparatus, plumbing goods, ranges, buildings of
9 wood or metal construction of the class commonly
10 known as portable or sectional buildings, elevator
11 apparatus or machinery or other articles of per-
12 sonal property, which are afterward wrought into
13 or attached to real estate, whether they are fixtures
14 at common law or not, shall be valid as against any
15 mortgagee, purchaser or grantee of such real estate,

16 unless not later than ten days after the delivery
17 thereon of such personal property a notice such as
18 is herein prescribed is recorded in the registry of
19 deeds for the county or district where the real estate
20 lies. The notice shall be signed by the vendor or a
21 person claiming under him and shall contain the
22 names of the contracting parties, the name of the
23 record owner of the real estate at the time of record-
24 ing the notice, the fact that it is agreed that title
25 to such personal property shall remain in the vendor
26 until the purchase price is paid, the terms of pay-
27 ment and the amount of such purchase price remain-
28 ing unpaid, and descriptions, sufficiently accurate
29 for identification, of such real estate and the personal
30 property delivered or to be delivered thereon. If the
31 sale is of several articles for a lump sum greater
32 than the value of the personal property delivered
33 or to be delivered on the real estate, the notice shall
34 also state such lump sum and such value. The
35 notice shall be indexed under the name of such record
36 owner, and a release of title in any such article of
37 personal property may be recorded at any time.