

HOUSE No. 943

By Mr. Landry of Watertown, petition of Wycliffe C. Marshall relative to repossession provisions in certain contracts of conditional sale of household or other personal property. Legal Affairs.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO REPOSSESSION PROVISIONS IN CERTAIN CONTRACTS OF CONDITIONAL SALE OF HOUSEHOLD OR OTHER 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 Chapter two hundred and fifty-five of the General
2 Laws is hereby amended by inserting after section
3 thirteen B the following new section: —

4 *Section 13D.* Any provision or provisions of a
5 written contract of conditional sale of household
6 furniture, jewelry or other household or other personal
7 property which purports to provide, in substance,
8 that, “after any default or failure of the vendee to
9 perform any of the conditions or agreements contained
10 in said contract, the vendor may, without notice or
11 demand, and with or without process of law, enter
12 upon the premises where the property is located, or
13 supposed to be located, and take the property, or
14 enter upon said premises, take said property and store

15 the same at the vendee's expense until the balance
16 payable under said contract has been paid" shall be
17 null and void, and shall render such contract in which
18 it is incorporated null and void. No such contract
19 containing such a provision or provisions shall afford
20 any basis for the granting of legal or equitable relief
21 by any court within the commonwealth against any
22 party to such contract.