

1904, art. 21, sec. 45. 1888, art. 21, sec. 44. 1860, art. 24, sec. 46. 1729, ch. 8, sec. 5. 1856, ch. 154, sec. 131. 1888, ch. 464.

47. Bills of sale shall be recorded in the county or city where the vendor or donor resides within twenty days from the date thereof. If the vendor or donor resides out of the State, and the personal property conveyed by such bill of sale is located in this State, then such bill of sale shall be recorded in the county where such property is located, or in Baltimore city, if it be located in said city, within twenty days from the date of such bill of sale.

**Application of this section.**

A deed for the benefit of creditors conveying personal property is a bill of sale with a declaration of trust, and comes under the operation of this section. *Stiefel v. Barton*, 73 Md. 411. *Cf. Hoopes v. Knell*, 31 Md. 555.

This section does not apply to a deed or a bill of sale made outside of Maryland. *Wilson v. Carson*, 12 Md. 76 (decided prior to the act of 1888, ch. 464); *Moore v. Title and Trust Co.*, 82 Md. 291. *Cf. Fouke v. Fleming*, 13 Md. 407.

**Generally.**

The fact that the bill of sale was recorded within twenty days must appear; an unsigned statement on the bill of sale as to the time of its record, held insufficient. *Byer v. Etnyre*, 2 Gill. 161.

A bill of sale held to be duly recorded as required by this section. *Salabes v. Castleberg*, 98 Md. 652; *Kreuzer v. Cooney*, 45 Md. 590.

Design of this section. *Wilson v. Carson*, 12 Md. 76; *Garrett v. Hughlett*, 1 H. & J. 4; *Gill v. Griffith*, 2 Md. Ch. 271; *Hudson v. Warner*, 2 H. & G. 430.

This section referred to in construing section 43. *Ober and Sons Co. v. Keating*, 77 Md. 103.

This section referred to in construing section 52. *Pleasanton v. Johnson*, 91 Md. 676.

As to railroad equipment and rolling stock, see sec. 91.

See also, sections 1, 13 and 43, and notes.

*Ibid.* sec. 46. 1888, art. 21, sec. 45. 1860, art. 24, sec. 47. 1856, ch. 154, sec. 142.

48. A mortgage of personal property shall be executed, acknowledged and recorded as bills of sale.

A mortgage held to be executed, acknowledged and recorded as required. *Salabes v. Castelberg*, 98 Md. 652.

This section referred to in construing section 43. *Ober and Sons Co. v. Keating*, 77 Md. 103.

This section cited in construing section 47. *Fouke v. Fleming*, 13 Md. 407.

This section referred to in construing section 52. *Pleasanton v. Johnson*, 91 Md. 676.

As to the interest chargeable on chattel mortgages, see art. 49, sec. 7, and art. 23, sec. 124.

*Ibid.* sec. 47. 1888, art. 21, sec. 46. 1860, art. 24, sec. 48. 1856, ch. 154, sec. 139.

49. A mortgage of personal property shall be deemed to contain an implied covenant (unless the contrary is therein expressed) by the mortgagor to pay the debt and interest specified in said mortgage.

Cited but not construed in *Dentzel v. City, etc., Ry. Co.*, 90 Md. 446.

*Ibid.* sec. 48. 1888, art. 21, sec. 47. 1860, art. 24, sec. 49. 1856, ch. 154, sec. 143.

50. Mortgages of personal property shall be valid and take effect, except as between parties thereto, only from the time of recording; and