

**CHAPTER 429.**

AN ACT to renumber 241.10 (4) and (5) to be 241.10 (5) and (6); to amend 241.08 and 241.10 (1) and (3); and to create 241.10 (4) of the statutes, relating to the filing of chattel mortgages.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 241.08 of the statutes is amended to read:

241.08 No mortgage of personal property shall be valid against any other person than the parties thereto *or persons having notice thereof*, unless the possession of the mortgaged property be delivered to and retained by the mortgagee or unless the mortgage \* \* \* be filed as provided in section 241.10, except when otherwise directed in these statutes. Nor shall a chattel mortgage of personal property which is by law exempt from seizure and sale upon execution, except a purchase money chattel mortgage, be valid unless the same be signed by the wife of the person making such chattel mortgage, if he be a married man and his wife at the time be a member of his family, and unless such signature of such wife be witnessed by 2 witnesses. In this section "purchase money chattel mortgage" means a mortgage given to the vendor as a part of a transaction of sale to secure all or part of the purchase money, or a mortgage given to a third person who advances all or part of the money with which to make a purchase.

SECTION 2. 241.10 (1) and (3) of the statutes are amended to read:

241.10 (1) Every mortgage of personal property and any assignment thereof shall be filed with the register of deeds of the county in which such personal property is situated. Provided, in such cities or villages which are located in more than one county and the place where the personal property is to be kept cannot be definitely located as being within one of such counties, then and in that event \* \* \* *the chattel mortgages* may be filed in the office of register of deeds of each county in which such city or village is situated. To entitle the chattel mortgage to be filed it shall not be necessary that it be acknowledged or attested, except as provided in section 241.08.

(3) Mortgages so filed shall be as valid and binding upon all persons as if the property thereby mortgaged had been, immediately upon the execution of such mortgages, delivered to, and the possession thereof retained by, the mortgagees. \* \* \* A single mortgage of personal property, situated in different counties, may be filed with the register of deeds in all counties in which any of the property described in the mortgage is situated. Filing such a chattel mortgage \* \* \* in any county shall be valid only with respect to the property situated in such county.

SECTION 3. 241.10 (4) and (5) are renumbered 241.10 (5) and (6), respectively, of the statutes.

SECTION 4. 241.10 (4) of the statutes is created to read:

241.10 (4) Either the original chattel mortgage or a copy thereof certified by the holder of the chattel mortgage to be a true and correct copy thereof or a duplicate original thereof may be filed wherever filing of the mortgage is required or provided for. The signatures on the duplicate original may be carbon copies of the signatures of the parties affixed to the original chattel mortgage.

Approved July 7, 1949.

---