

Hall of Records
Commission

(Cards made)

REQUEST FOR RECORDS RETENTION SCHEDULE
To be Submitted to the Records Management Division
Hall of Records Commission

SCHEDULE NO. **435**
PAGE NO. **1**

1. Requesting Agency: **SUPREME BENCH OF BALTIMORE CITY**
2. Division or Bureau of Requesting Agency: **Superior Court, Chattel Division**

3. Authorization Requested (Check only one of the squares below).

- A** Dispose of present accumulation. No additional accumulation is anticipated. Records have ceased to have value to warrant retention.
- B** Establish retention schedule for records for which there is a continuing accumulation. The records will cease to have value to warrant their retention after the period of time indicated.
- C** Microfilm and destroy originals. Originals if not microfilmed would be retained for the period of time indicated.

4. Item No.	5. Description of Records Describe records accurately. Include title, form number, size of documents, work or activity to which the records relate, inclusive dates, and quantity (cubic or linear feet). Show recommended retention period.	6. Recommendation of Hall of Records and Board of Public Works.
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N.B.: SUPERSEDES SCHEDULE 358, ITEM 1 (10/21/59), AND SCHEDULE 409, ITEMS 1, 2, 3, 6, 7, & 17 (8/11/64).

1 CHATTEL RECORDS AND ORIGINAL INSTRUMENTS

Dates: 1920-1964
Quantity: 1194 volumes; 150 document films
Size: 14" x 18" x 3"; folded papers
File Arrangement: Chronological
Annual Accumulation: Discontinued - See Schedule 409, Item 4

This is a record of all instruments pertaining to the mortgage of personal property, including bills of sale and chattel mortgages, chattel deeds of trust, and indentures, agreements, assignments, extensions, and releases if recorded. Chattel mortgages relating to fixtures to land were recorded in the Land Records and cross-indexed to the Land Records in the indexes to Bills of Sale and Chattel Mortgages.

Under the provisions of the Uniform Commercial Code (Annotated Code of Maryland, 1957 Edition as amended, Art. 95B, Secs. 9-401-406), Financing Statements replaced the Bills of Sale and Chattel Mortgages, and a new Index to Financing Statements was substituted for the former indexes and record books; the original paper is returned to the secured party or assignee, if assigned, after recordation. Chapter 578, Session Laws of 1965, provided for destruction of the former records five years and sixty days after the last entry.

The Chattel Records for 1750-1773 and 1813-1814 have been transferred to the Hall of Records, and those covering the period 1851 to 1920, including the original instruments, have been destroyed by order of the court. Chattel Records for 1920-1938 included recordation of mortgages under the Small Loan Law of 1918, in which real estate was included with chattels as security for small loans, in the absence of

(continued)

7. Agency, Division or Bureau Representative: James G. Casney Clerk December 14, 1965 Date

Schedule Authorized as Indicated in Col. 6 by Hall of Records Commission.
Dec. 22, 1965 Date Mona S. Radloff Archivist

Disposal Authorized as Indicated in Col. 6 by Board of Public Works.
1-14-66 Date William H. Hurd Secretary

REQUEST FOR RECORDS RETENTION SCHEDULE
(Continuation Sheet)

5. Description of Records

Describe records accurately. Include title, form number, size of documents, work or activity to which the records relate, inclusive dates, and quantity (cubic or linear feet). Show recommended retention period.

6. Recommendation of Hall of Records and Board of Public Works.

Item No.

1 (cont.)

specific prohibition in the law. This was corrected in 1937 (Laws of Maryland, 1937, Chap. 353) by adding Section 16A, prohibiting inclusion of "real estate or chattels real" as security for small loans (\$300.00 or less). The Chattel Record and the original papers from 1920 to 1938, when they were land records, are covered by Recommendation "A" below.

All other Chattel Records and instruments are subject to Recommendation "B".

RECOMMENDATION: A. RETAIN PERMANENTLY CHATTEL RECORDS AND ORIGINAL INSTRUMENTS FOR THE PERIOD 1920-1938.

B. RETAIN ALL CHATTEL RECORDS AND ORIGINAL INSTRUMENTS SUBSEQUENT TO 1938 FOR FIVE YEARS AND SIXTY DAYS AFTER THE LAST RECORD ENTRY OR PERTINENT DATE, THEN DESTROY.

2

INDEX TO CHATTELS

Dates: 1900-1964

Quantity: 171 vols.

Size: 16" x 18" x 3

File Arr.: Chronological by grantor and grantee

Annual Accumulation: Discontinued (See Item 1)

The Index to Chattels is arranged alphabetically by names of the grantees or mortgagees, giving the date, names of mortgagors or grantors, the type of instrument, a brief description of the property and the liber and folio of recordation in the Chattel Record (Item 1). Since 1964, Chattel Mortgages have been indexed in the Financial Statements Index (Sched. 409, Item 4).

Chattel Records for the period 1920-1938 are permanent records (Item 1), and the Indexes are to be permanently retained for that period (Recommendation "A" below); all other Indexes are subject to Recommendation "B".

RECOMMENDATION: A. RETAIN PERMANENTLY THE INDEX TO CHATTELS FOR THE PERIOD 1920-1938.

B. RETAIN ALL OTHER INDEXES TO CHATTELS FOR FIVE YEARS AND SIXTY DAYS AFTER THE LAST RECORD ENTRY OR PERTINENT DATE, THEN DESTROY.

3

CHATTEL TRACER AND CONTROL

Dates: 1937-1964; DISCONTINUED (See Item 1)

Quantity: 8 vols.

Size: 16" x 19" x 2"

File Arr.: Chronological

The Chattel Tracer and Control is a record of papers recorded in the Chattel Record (Item 1), including deeds, mortgages, releases, the date, the number assigned to the recordation, the names of the grantors and of the grantors (or the mortgagors and mortgagees), the type of instrument, and the amount involved, entered under the liber and folio of recordation.

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4 m No.	5. Description of Records Describe records accurately. Include title, form number, size of documents, work or activity to which the records relate, inclusive dates, and quantity (cubic or linear feet). Show recommended retention period.	6. Recommendation of Hall of Records and Board of Public Works.
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(cont.)	<p>Chattel Records for the period 1920-1938 are permanent records (Item 1), and the Chattel Tracer and Control for that period is to be permanently retained (Recommendation "A" below); all other Chattel Tracers and Controls are subject to Recommendation "B".</p> <p>RECOMMENDATION: A. RETAIN PERMANENTLY CHATTEL TRACER AND CONTROL FOR THE PERIOD 1937-1938.</p> <p>B. RETAIN ALL OTHER CHATTEL TRACERS AND CONTROLS FOR FIVE YEARS AND SIXTY DAYS AFTER THE LAST RECORD ENTRY OR PERTINENT DATE, THEN DESTROY.</p>	
4	<p>CONDITIONAL CONTRACTS OF SALE DOCKETS AND PAPERS</p> <p>Dates: Dockets, 1916-1964; Papers, 1956-1964 - DISCONTINUED Quantity: 98 vols.; 3 transfiles; 100 document files Size: 13" x 18" x 3"; folded papers Index: In Item 5</p> <p>This is a record of conveyances of goods and chattels in which the transfer of title is made conditional on a number of deferred payments. It gives the names of vendor and vendee, date of filing, a brief description of the property conveyed, date of the contract, names of witnesses, amount of money involved, when and how payable, whether assigned and whether discharged.</p> <p>This file is composed of conditional contracts of sale, giving the date of the contract, names of vendor and vendee with their signatures, the amount involved and terms of payment, a description of the property, conditions of the contract, and a notation of the liber and folio of the Conditional Contracts of Sale Docket in which the contract is recorded.</p> <p>Conditional Contracts of Sale Dockets and Papers were superseded in 1964 by the Financing Statements Index and Financing Statements under the provisions of the Uniform Commercial Code of 1963 (Annotated Code of Maryland, 1957 ed. as amended, Art. 95B, Secs. 9-401-406). Provision for disposal of these records was made in Chapter 578 of the Session Laws of 1965.</p> <p>RECOMMENDATION: RETAIN DOCKETS AND PAPERS FOR FIVE YEARS AND SIXTY DAYS AFTER THE LAST RECORD ENTRY OR PERTINENT DATE, THEN DESTROY.</p>	
5	<p>INDEX TO CONDITIONAL CONTRACTS OF SALE DOCKETS</p> <p>Size: 14" x 20" x 2" quantity: 211 vols. Dates: 1928-1964; DISCONTINUED</p> <p>This index is arranged alphabetically by name of vendor, giving date, name of assignee, and liber and folio of recordation in the Conditional Contracts of Sale Dockets (Item 4). See Item 4 for legal requirements on retention.</p> <p>RECOMMENDATION: RETAIN FOR FIVE YEARS AND SIXTY DAYS AFTER THE LAST RECORD ENTRY OR PERTINENT DATE, THEN DESTROY.</p>	(continued)

REQUEST FOR RECORDS RETENTION SCHEDULE
(Continuation Sheet)

4. Item No.	5. Description of Records Describe records accurately. Include title, form number, size of documents, work or activity to which the records relate, inclusive dates, and quantity (cubic or linear feet). Show recommended retention period.	6. Recommendation of Hall of Records and Board of Public Works.
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6 FACTORS' LIEN RECORD AND PAPERS

Dates: 1946... (Papers, 1941...)
Quantity: 1 vol.; 1 document file
Size: 12" x 20" x 1"
Index: Internal alphabetical

This series contains the recorded copies of Factors' Liens placed by supplying companies against their assets to secure commodities handled on consignment, giving date of the agreement, names and addresses of factor and of borrower, a description of the merchandise, and the conditions of the agreement, with the signatures of the parties, notarization, and date of recordation by the Clerk of Court.

Such liens were brought under the provisions of the Uniform Commercial Code of 1963 and have the status of Financial Statements (Items 1-2) [Annotated Code of Maryland, 1957 ed. as amended, Art. 95B, Secs. 9-401-406]. Under the provisions of Chap. 578, Session Laws of 1965, Factors' Lien Records and Papers may be destroyed as recommended below.

RECOMMENDATION: RETAIN FOR FIVE YEARS AND SIXTY DAYS AFTER THE LAST PERTINENT DATE OR RECORD ENTRY, THEN DESTROY.

7 PEOPLE'S COURT SATISFACTIONS AND RENEWALS

Quantity: 14 document files; 1 box (4 cu. ft.); 9 bundles (6 cu. ft.)
Size: Folded papers
File Arr.: Chronological
Index: People's Court Judgments (Trial Magistrates' Judgments, Sched. 408, Item 28)

This file is composed of Satisfactions and of Renewals (Writ of Scire Facias) on judgments issued from the People's Court of Baltimore City prior to January 2, 1954, at which time that court became a court of record. Judgments, Renewals and Satisfactions recorded by the Clerk to the Superior Court of Baltimore City were, after January 2, 1954, retained and recorded only in the new court of record. However, judgments antedating 1954, recorded in the Superior Court dockets, contain entries of renewal or satisfaction subsequent to 1954, and renewals for judgments recorded prior to 1954 still issue from the Legal Division of the Superior Court.

The recommendation below applies only to the papers filed in the office of the Clerk of the Superior Court of Baltimore City.

RECOMMENDATION: RETAIN PERMANENTLY.