

An. Code, sec. 45. 1904, sec. 43. 1888, sec. 43. 1729, ch. 8, sec. 5. 1856, ch. 154, sec. 129. 1878, ch. 139. 1892, ch. 663.

**46.** A bill of sale or chattel mortgage, if acknowledged within this State, may be acknowledged before any officer authorized to take acknowledgments of deeds within this State in the same manner as deeds are acknowledged, or acknowledged as certified.

This section referred to and construed in connection with sec. 3—see notes to sec. 3. *Fersner v. Bradley*, 87 Md. 492.

This section cited in construing sec. 48. *Fouke v. Fleming*, 13 Md. 407.  
See notes to sec. 44.

An. Code, sec. 46. 1904, sec. 44. 1888, sec. 43. 1856, ch. 154, sec. 130.

**47.** If acknowledged out of the State, before any officer authorized to take acknowledgment of deeds.

An acknowledgment held invalid under the act of 1856, ch. 154, see *Berry v. Matthews*, 13 Md. 560.

This section cited in construing sec. 48. *Fouke v. Fleming*, 13 Md. 407.  
Cited but not construed in *Stiefel v. Barton*, 73 Md. 411.

An. Code, sec. 47. 1904, sec. 45. 1888, sec. 44. 1729, ch. 8, sec. 5. 1856, ch. 154, sec. 131. 1888, ch. 464.

**48.** 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 sec. 44. *Ober and Sons Co. v. Keating*, 77 Md. 103.

This section referred to in construing sec. 53. *Pleasanton v. Johnson*, 91 Md. 676.  
As to railroad equipment and rolling stock, see sec. 93.

See also secs. 1, 13 and 44, and notes.

An. Code, sec. 48. 1904, sec. 46. 1888, sec. 45. 1856, ch. 154, sec. 142.

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