

Removing
mortgaged
personal
property.

111. Any mortgagor of personal property in possession of the same, or any purchaser of personal property under an unrecorded, conditional, written contract, in possession of the said property, or any execution debtor in possession of personal property levied on and taken in execution, who, in the case of mortgaged personal property, without the consent of the mortgagee or his assigns, first had and obtained in writing, or who, in the case of the purchaser of personal property under an unrecorded, conditional, written contract, without the consent first had and obtained in writing of the conditional vendor in said contract, or his assigns, or who, in the case of personal property levied on and taken into execution, without the consent of the execution creditor, his assigns, or lawfully authorized agents, first had and obtained in writing, and with intent to defraud the mortgagee or his assigns, and to defeat his or their lien under said mortgage, or with intent to defraud the said conditional vendor of personal property in an unrecorded, conditional, written contract, or his assigns, or with intent to defraud the execution creditor or his assigns, and defeat his or their lien under said execution, shall remove any of the personal property so mortgaged or purchased under said unrecorded, conditional, written contract, or levied on and taken in execution as aforesaid, as the case may be, beyond the limits of the city or county where it was located when so mortgaged or purchased under said unrecorded, conditional, written contract, or levied on and taken in execution, or who, with intent as aforesaid, removes, secretes, hypothecates, destroys or sells the same, shall be deemed guilty of a misdemeanor, and on indictment therefor and conviction thereof shall be imprisoned in the city or county jail not more than six months, or shall be fined not more than five hundred dollars, or both, in the discretion of the court; but nothing herein contained shall be construed to relieve the sheriff or other officer holding said execution from his responsibility to the execution creditor for the safe keeping of any personal property by him levied on and taken in execution as aforesaid.

Penalty.

Approved April 6th, 1894.