

not affect the validity of the remaining portions of this act, which shall remain in force as though such declaration had not been made.

Conflicting
acts
repealed.

SEC. 22. *Repeal.* Chapter 102, Laws of 1933, and chapter 106, Laws of 1935, and all acts or parts of acts in conflict herewith, are hereby repealed.

Effective
April 1, 1937.

SEC. 23. *Effective Date.* This act is necessary for the immediate preservation of public peace, health and safety and shall take effect April 1, 1937.

Passed the Senate March 1, 1937.

Passed the House March 9, 1937.

Approved by the Governor March 15, 1937.

CHAPTER 133.

[S. B. 154.]

CHATTEL MORTGAGES AND CONDITIONAL SALES CONTRACTS.

AN ACT relating to chattel mortgages and contracts of conditional sales of personal property or leases thereof; prescribing the mode of satisfaction or release thereof; imposing a penalty and amending section 8 of chapter XCVIII of the Session Laws of 1899 (Remington's Revised Statutes, section 3787) and adding thereto three new sections to be known as sections 9, 10 and 11 (Remington's Revised Statutes, sections 3787-1, 3787-2 and 3787-3).

Be it enacted by the Legislature of the State of Washington:

Amends
§ 3787 Rem.
Rev. Stat.
(§ 9766 P. C.)

SECTION 1. Section 8 of chapter XCVIII of the Session Laws of 1899 (Remington's Revised Statutes, section 3787) is hereby amended to read as follows:

Certificate of
satisfaction.

Section 8. Whenever any mortgage or contract of conditional sale of personal property or lease thereof, which has been filed or recorded with the county auditor, has been paid, or the conditions thereof satisfied, the mortgagee, or vendor, or his

assignee or personal representatives, shall make to the mortgagor, or vendee, his assignee or personal representatives a certificate in writing, under his hand and acknowledged by him, stating the date of the mortgage or contract, the names of the parties thereto, the auditor's file number thereof, and that the same has been discharged in full; and shall file or record such certificate in writing with the officer with whom such mortgage or contract is filed, the said officer shall deliver said mortgage or contract to the person producing such certificate on payment of the proper fee for filing or recording said certificate, and shall file said certificate in his office, endorsing thereon the true date of filing the same, and shall keep and preserve said certificate among the records in his office, and shall write the word "satisfied" with the date opposite to such mortgage or conditional sale contract, in the index in which such mortgage or contract is entered under the heading "release."

SEC. 2. That three new sections be added to chapter XCVIII of the Session Laws of 1899 (Remington's Revised Statutes, sections 3781 to 3787, both inclusive) to be known as sections 9, 10, and 11 (Remington's Revised Statutes, sections 3787-1, 3787-2 and 3787-3), reading as follows:

Adds §§ 3787-1, 2, 3, Rem. Rev. Stat. (§§ 9745-21, 22, 23, P. C.)

Section 9. When a chattel mortgage or contract of conditional sale of personal property or lease thereof, shall have been satisfied or the conditions thereof performed, and the mortgagee, or vendor, his representative or assignee shall fail or refuse to satisfy or release such instrument in the mode prescribed by law within sixty days after date of demand for such satisfaction or release by the party entitled thereto, such party shall be entitled to recover, in a court of competent jurisdiction, from such mortgagee, vendor, personal representative or assignee, a penalty of twenty-five dollars (\$25.00) and costs,

Failure of mortgagee or vendor to release instrument.

Penalty.

and to an order authorizing and directing the auditor in whose office the instrument is filed to satisfy and release the mortgage or contract in the mode prescribed by law.

Agent.

Section 10. A mortgagee, vendor, or assignee or his personal representative of record may, by written instrument duly acknowledged, designate an agent to satisfy or release any mortgage or contract of conditional sale; and upon the filing of such instrument with the county auditor, such auditor shall be authorized to treat a satisfaction or release by such named agent as valid. Revocation of the power of an agent to satisfy or release may be accomplished by written instrument in a like manner.

Satisfaction
to be ac-
knowledged
or attested.

Section 11. All satisfaction of chattel mortgages or contracts of conditional sale of personal property shall be acknowledged by an officer authorized to take acknowledgments or attested to by the county auditor or his deputy.

Passed the Senate February 23, 1937.

Passed the House March 9, 1937.

Approved by the Governor March 15, 1937.