

CHAPTER 227

UNIFORM WAREHOUSE RECEIPTS

227.01 WAREHOUSE RECEIPTS; ISSUANCE.

HISTORY. 1913 c. 161 s. 1; G.S. 1913 s. 4514; G.S. 1923 s. 5110; M.S. 1927 s. 5110.

This uniform act has been adopted in all states and territories except Hawaii and South Carolina.

Negotiability of a bill of lading under the federal bills of lading act. 1 MLR 69.

Desirability of adoption of the uniform bills of lading act. 1 MLR 285.

Uniform fraudulent conveyance act. 7 MLR 453.

Factors' acts; right to pledge; negotiable documents of title, 12 MLR 640.

Protection of a holder of a warehouse receipt. 15 MLR 292.

227.02 FORM; ESSENTIAL TERMS; LIABILITY.

HISTORY. 1913 c. 161 s. 2; G.S. 1913 s. 4515; G.S. 1923 s. 5111; M.S. 1927 s. 5111.

A scrap of paper giving the gross and net weight of a load of grain delivered at a public grain warehouse handed to the person delivering the load by the warehouseman, and not intended to evidence a storage contract but merely as a temporary check until proper storage tickets were made out, does not come within the provision of General Statutes 1913, Section 4481, prohibiting the reception in evidence in a civil action of any slips, memoranda, or other form of receipts embracing a storage contract different from that prescribed by the statute. *Piper v Monarch Elevator Co.* 150 M 468, 185 NW 511.

227.03 FORM OF RECEIPT; WHAT TERMS MAY BE INSERTED.

HISTORY. 1913 c. 161 s. 3; G.S. 1913 s. 4516; G.S. 1923 s. 5112; M.S. 1927 s. 5112.

227.04 NON-NEGOTIABLE RECEIPT.

HISTORY. 1913 c. 161 s. 4; G.S. 1913 s. 4517; G.S. 1923 s. 5113; M.S. 1927 s. 5113.

227.05 NEGOTIABLE RECEIPT.

HISTORY. 1913 c. 161 s. 5; G.S. 1913 s. 4518; G.S. 1923 s. 5114; M.S. 1927 s. 5114.

Where the circumstances of a public warehouseman's misappropriation of storage grain are such as to indicate to the commission merchant to whom it is shipped and through whom it is sold that the misappropriation is not an isolated transaction but one of a series or in accordance with the shipper's general practice, the commission merchant is put upon inquiry as to the character of grain in subsequent shipments; and if such inquiry would disclose misappropriation to a man of reasonable business prudence, the commission merchant who sells the subsequent shipments is liable to the owners of the grain for its value. *Christensen v St. James Farmers Grain Co.* 190 M 299, 251 NW 686.

Storage tickets are in the usual form of negotiable warehouse receipts prescribed by this section. The law permits the mingling of store grain with other grain of like grade but does not authorize the sale of the grain by the warehouseman. *Christensen v St. James Farmers Grain Co.* 190 M 299, 251 NW 686.

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Since it cannot be said of warehouse receipts that they mature at a given time, the reference to maturity indicates plainly that the legislature intended the term "commercial paper" to mean instruments evidencing a monetary indebtedness. 1934 OAG 685, March 16, 1934 (616a).

227.06 DUPLICATES MUST BE SO MARKED.

HISTORY. 1913 c. 161 s. 6; G.S. 1913 s. 4519; G.S. 1923 s. 5115; M.S. 1927 s. 5115.

227.07 NON-NEGOTIABLE RECEIPT MUST BE SO MARKED; RIGHTS OF HOLDER.

HISTORY. 1913 c. 161 s. 7; G.S. 1913 s. 4520; G.S. 1923 s. 5116; M.S. 1927 s. 5116.

227.08 DELIVERY OF GOODS; DUTY OF WAREHOUSEMAN; LIABILITY.

HISTORY. 1913 c. 161 s. 8; G.S. 1913 s. 4521; G.S. 1923 s. 5117; M.S. 1927 s. 5117.

227.09 JUSTIFICATION FOR DELIVERY.

HISTORY. 1913 c. 161 s. 9; G.S. 1913 s. 4522; G.S. 1923 s. 5118; M.S. 1927 s. 5118.

227.10 MISDELIVERY; WAREHOUSEMAN'S LIABILITY.

HISTORY. 1913 c. 161 s. 10; G.S. 1913 s. 4523; G.S. 1923 s. 5119; M.S. 1927 s. 5119.

227.11 NEGOTIABLE RECEIPTS MUST BE CANCELED WHEN GOODS DELIVERED.

HISTORY. 1913 c. 161 s. 11; G.S. 1913 s. 4524; G.S. 1923 s. 5120; M.S. 1927 s. 5120.

227.12 CANCELATION, WHEN PART OF GOODS DELIVERED.

HISTORY. 1913 c. 161 s. 12; G.S. 1913 s. 4525; G.S. 1923 s. 5121; M.S. 1927 s. 5121.

227.13 ALTERED RECEIPTS.

HISTORY. 1913 c. 161 s. 13; G.S. 1913 s. 4526; G.S. 1923 s. 5122; M.S. 1927 s. 5122.

227.14 LOST OR DESTROYED RECEIPTS.

HISTORY. 1913 c. 161 s. 14; G.S. 1913 s. 4527; G.S. 1923 s. 5123; M.S. 1927 s. 5123.

Where grain has been stored by owner on his own premises and under seal the warehouse certificates have been issued by state grain inspection department and lost, bond may be given to protect all concerned in connection with application for loan from the federal government. 1934 OAG 730, June 2, 1934 (215c-9).

227.15 DUPLICATE RECEIPTS; EFFECT OF.

HISTORY. 1913 c. 161 s. 15; G.S. 1913 s. 4528; G.S. 1923 s. 5124; M.S. 1927 s. 5124.

227.16 WAREHOUSEMAN CANNOT SET UP TITLE IN HIMSELF.

HISTORY. 1913 c. 161 s. 16; G.S. 1913 s. 4529; G.S. 1923 s. 5125; M.S. 1927 s. 5125.

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227.17 INTERPLEADER OF ADVERSE CLAIMANTS.

HISTORY. 1913 c. 161 s. 17; G.S. 1913 c. 4530; G.S. 1923 s. 5126; M.S. 1927 s. 5126.

Interpleader; requirement of privity. 19 MLR 812.

227.18 WAREHOUSEMAN HAS REASONABLE TIME TO DETERMINE VALIDITY OF CLAIMS.

HISTORY. 1913 c. 161 s. 18; G.S. 1913 s. 4531; G.S. 1923 s. 5127; M.S. 1927 s. 5127.

227.19 ADVERSE TITLE NO DEFENSE; EXCEPTION.

HISTORY. 1913 c. 161 s. 19; G.S. 1913 s. 4532; G.S. 1923 s. 5128; M.S. 1927 s. 5128.

227.20 NON-EXISTENCE OR MISDESCRIPTION OF GOODS; LIABILITY.

HISTORY. 1913 c. 161 s. 20; G.S. 1913 s. 4533; G.S. 1923 s. 5129; M.S. 1927 s. 5129.

The protection of a holder of a warehouse receipt. 15 MLR 292.

Law of misrepresentation. 22 MLR 971.

227.21 LIABILITY FOR CARE OF GOODS.

HISTORY. 1913 c. 161 s. 21; G.S. 1913 s. 4534; G.S. 1923 s. 5130; M.S. 1927 s. 5130.

227.22 GOODS KEPT SEPARATE; EXCEPTION.

HISTORY. 1913 c. 161 s. 22; G.S. 1913 s. 4535; G.S. 1923 s. 5131; M.S. 1927 s. 5131.

227.23 FUNGIBLE GOODS; COMMINGLING; AUTHORIZATION.

HISTORY. 1913 c. 161 s. 23; G.S. 1913 s. 4536; G.S. 1923 s. 5132; M.S. 1927 s. 5132.

227.24 LIABILITY OF WAREHOUSEMAN TO DEPOSITORS OF COMMINGLED GOODS.

HISTORY. 1913 c. 161 s. 24; G.S. 1913 s. 4537; G.S. 1923 s. 5133; M.S. 1927 s. 5133.

227.25 NO ATTACHMENT UPON GOODS EXCEPT UPON SURRENDER OF RECEIPT.

HISTORY. 1913 c. 161 s. 25; G.S. 1913 s. 4538; G.S. 1923 s. 5134; M.S. 1927 s. 5134.

227.26 CREDITOR'S REMEDIES TO REACH NEGOTIABLE RECEIPTS.

HISTORY. 1913 c. 161 s. 26; G.S. 1913 s. 4539; G.S. 1923 s. 5135; M.S. 1927 s. 5135.

227.27 WAREHOUSEMAN'S LIEN; CLAIMS INCLUDED.

HISTORY. 1913 c. 161 s. 27; G.S. 1913 s. 4540; G.S. 1923 s. 5136; M.S. 1927 s. 5136.

227.28 AGAINST WHAT PROPERTY THE LIEN MAY BE ENFORCED.

HISTORY. 1913 c. 161 s. 28; G.S. 1913 s. 4541; G.S. 1923 s. 5137; M.S. 1927 s. 5137.

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227.29 LIEN; HOW LOST.

HISTORY. 1913 c. 161 s. 29; G.S. 1913 s. 4542; G.S. 1923 s. 5138; M.S. 1927 s. 5138.

227.30 NEGOTIABLE RECEIPT MUST STATE CHARGE FOR WHICH LIEN IS CLAIMED.

HISTORY. 1913 c. 161 s. 30; G.S. 1913 s. 4543; G.S. 1923 s. 5139; M.S. 1927 s. 5139.

227.31 LIEN; SATISFACTION; DELIVERY OF GOODS.

HISTORY. 1913 c. 161 s. 31; G.S. 1913 s. 4544; G.S. 1923 s. 5140; M.S. 1927 s. 5140.

227.32 WAREHOUSEMAN'S LIEN DOES NOT PRECLUDE OTHER REMEDIES.

HISTORY. 1913 c. 161 s. 32; G.S. 1913 s. 4545; G.S. 1923 s. 5141; M.S. 1927 s. 5141.

227.33 LIEN; SATISFACTION; SALE; NOTICE; PUBLICATION.

HISTORY. 1913 c. 161 s. 33; G.S. 1913 s. 4546; G.S. 1923 s. 5142; M.S. 1927 s. 5142.

227.34 PERISHABLE AND HAZARDOUS GOODS; SALE; NOTICE.

HISTORY. 1913 c. 161 s. 34; G.S. 1913 s. 4547; G.S. 1923 s. 5143; M.S. 1927 s. 5143.

227.35 OTHER REMEDIES.

HISTORY. 1913 c. 161 s. 35; G.S. 1913 s. 4548; G.S. 1923 s. 5144; M.S. 1927 s. 5144.

227.36 SALE; EFFECTS.

HISTORY. 1913 c. 161 s. 36; G.S. 1913 s. 4549; G.S. 1923 s. 5145; M.S. 1927 s. 5145.

227.37 NEGOTIABLE RECEIPTS; NEGOTIATION BY DELIVERY.

HISTORY. 1913 c. 161 s. 37; G.S. 1913 s. 4550; G.S. 1923 s. 5146; M.S. 1927 s. 5146.

227.38 NEGOTIABLE RECEIPTS; NEGOTIATION BY ENDORSEMENT.

HISTORY. 1913 c. 161 s. 38; G.S. 1913 s. 4551; G.S. 1923 s. 5147; M.S. 1927 s. 5147.

227.39 TRANSFER OF RECEIPTS.

HISTORY. 1913 c. 161 s. 39; G.S. 1913 s. 4552; G.S. 1923 s. 5148; M.S. 1927 s. 5148.

227.40 RECEIPT; WHO MAY NEGOTIATE.

HISTORY. 1913 c. 161 s. 40; G.S. 1913 s. 4553; G.S. 1923 s. 5149; M.S. 1927 s. 5149.

Negotiability of a bill of lading under the federal bills of lading act. 1 MLR 68.
Purchase for value and estoppel. 6 MLR 89.

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Trust receipt. 8 MLR 150.

Non-negotiable instruments; estoppel. 8 MLR 528.

Negotiable documents of title; factors' acts. 12 MLR 641.

227.41 RECEIPTS; RIGHTS OF PERSON TO WHOM NEGOTIATED.

HISTORY. 1913 c. 161 s. 41; G.S. 1913 s. 4554; G.S. 1923 s. 5150; M.S. 1927 s. 5150.

Bipartite trust receipt. 17 MLR 799.

227.42 RECEIPTS; RIGHTS OF TRANSFEREE.

HISTORY. 1913 c. 161 s. 42; G.S. 1913 s. 4555; G.S. 1923 s. 5151; M.S. 1927 s. 5151.

227.43 RECEIPT; NEGOTIABLE; TRANSFERRED WITHOUT ENDORSEMENT.

HISTORY. 1913 c. 161 s. 43; G.S. 1913 s. 4556; G.S. 1923 s. 5152; M.S. 1927 s. 5152.

227.44 RECEIPT; SALE; WARRANTIES.

HISTORY. 1913 c. 161 s. 44; G.S. 1913 s. 4557; G.S. 1923 s. 5153; M.S. 1927 s. 5153.

The question whether the original owners after the sale to plaintiff were permitted to retain the possession and control of lumber, thus rendering applicable section 25 of the uniform sales act, was not litigated on the trial nor then urged upon the attention of the court and cannot therefore be raised on appeal. Superior Box v Jakimaki, 146 M 109, 177 NW 1021.

227.45 ENDORSER NOT A GUARANTOR.

HISTORY. 1913 c. 161 s. 45; G.S. 1913 s. 4558; G.S. 1923 s. 5154; M.S. 1927 s. 5154.

227.46 WARRANTY NOT IMPLIED FROM ACCEPTING PAYMENT OF DEBT.

HISTORY. 1913 c. 161 s. 46; G.S. 1913 s. 4559; G.S. 1923 s. 5155; M.S. 1927 s. 5155.

227.47 WHEN NEGOTIATION NOT IMPAIRED BY FRAUD, MISTAKE, OR DURESS.

HISTORY. 1913 c. 161 s. 47; G.S. 1913 s. 4560; G.S. 1923 s. 5156; M.S. 1927 s. 5156.

Right to pledge. 12 MLR 641.

227.48 SUBSEQUENT NEGOTIATION.

HISTORY. 1913 c. 161 s. 48; G.S. 1913 s. 4561; G.S. 1923 s. 5157; M.S. 1927 s. 5157.

227.49 NEGOTIATION DEFEATS VENDOR'S LIEN.

HISTORY. 1913 c. 161 s. 49; G.S. 1913 s. 4562; G.S. 1923 s. 5158; M.S. 1927 s. 5158.

227.50 RECEIPT; ISSUE; GOODS NOT RECEIVED; PENALTY.

HISTORY. 1913 c. 161 s. 50; G.S. 1913 s. 4563; G.S. 1923 s. 5159; M.S. 1927 s. 5159.

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227.51 UNIFORM WAREHOUSE RECEIPTS ACT

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227.51 RECEIPT; ISSUE; CONTAINING FALSE STATEMENT; PENALTY.

HISTORY. 1913 c. 161 s. 51; G.S. 1913 s. 4564; G.S. 1923 s. 5160; M.S. 1927 s. 5160.

227.52 RECEIPT; DUPLICATE; NOT SO MARKED; ISSUE.

HISTORY. 1913 c. 161 s. 52; G.S. 1913 s. 4565; G.S. 1923 s. 5161; M.S. 1927 s. 5161.

227.53 RECEIPTS ISSUED FOR WAREHOUSEMAN'S GOODS WHICH DO NOT STATE THAT FACT.

HISTORY. 1913 c. 161 s. 53; G.S. 1913 s. 4566; G.S. 1923 s. 5162; M.S. 1927 s. 5162.

227.54 DELIVERY OF GOODS WITHOUT OBTAINING NEGOTIABLE RECEIPT.

HISTORY. 1913 c. 161 s. 54; G.S. 1913 s. 4567; G.S. 1923 s. 5163; M.S. 1927 s. 5163.

Where the circumstances of a public warehouseman's misappropriation of storage grain are such as to indicate to the commission merchant to whom it is shipped and through whom it is sold that the misappropriation is not an isolated transaction, the commission merchant is put upon inquiry as to the character of grain in subsequent shipments; and if such inquiry would lead a man of reasonable business prudence to suspect misappropriation, the commission merchant who sells subsequent shipments is liable to the owners of the grain or the assignee. *Christensen v St. James Farmers Grain Co.* 190 M 299, 251 NW 686.

227.55 NEGOTIATION OF RECEIPT FOR MORTGAGED GOODS.

HISTORY. 1913 c. 161 s. 55; G.S. 1913 s. 4568; G.S. 1923 s. 5164; M.S. 1927 s. 5164.

227.56 CASES NOT PROVIDED FOR.

HISTORY. 1913 c. 161 s. 56; G.S. 1913 s. 4569; G.S. 1923 s. 5165; M.S. 1927 s. 5165.

227.58 DEFINITIONS.

HISTORY. 1913 c. 161 s. 58; G.S. 1913 s. 4571; G.S. 1923 s. 5167; M.S. 1927 s. 5167.

Warehouseman, defined. *Case v Jansa*, 190 M 521, 252 NW 436.

227.59 CITATION.

HISTORY. 1913 c. 161 s. 62; G.S. 1913 s. 4575; G.S. 1923 s. 5171; M.S. 1927 s. 5171.