

CHAPTER 345

UNCLAIMED PROPERTY

345.01 DUTY OF CONSIGNEE OR BAILEE.

HISTORY. R.S. 1851 c. 26 ss. 1, 2; P.S. 1858 c. 13 ss. 48, 49; G.S. 1866 c. 19 ss. 15, 16; G.S. 1878 c. 19 ss. 11, 12; G.S. 1894 ss. 2090, 2091; R.L. 1905 s. 2797; G.S. 1913 s. 6066; G.S. 1923 s. 7298; M.S. 1927 s. 7298.

Where a motor car was abandoned and the owner is a fugitive, and the automobile is worthless and would not bring costs under the unclaimed property statute, the authorities may not sell it for junk. There is no other statute by which the property can be sold except under the unclaimed property and storage lien statute. 1936 OAG 310, Sept. 11, 1934 (632a).

Automobiles abandoned on a city street, the owners being unknown, may be removed to a garage and later sold for storage charges under the unclaimed property statute or motor vehicle storage lien statute. OAG Dec. 2, 1937 (632a).

Rights of finders and owners of locus in quo in lost personal property. 21 MLR 191.

345.02 UNCLAIMED PROPERTY MAY BE SOLD UPON NOTICE; SUMMARY SALE.

HISTORY. R.S. 1851 c. 26 ss. 3, 4, 13; P.S. 1858 c. 13 ss. 50, 56, 60; G.S. 1866 c. 19 ss. 17, 18, 27; G.S. 1878 c. 19 ss. 13, 14, 23; G.S. 1894 ss. 2092, 2093, 2102; R.L. 1905 s. 2798; G.S. 1913 s. 6067; G.S. 1923 s. 7299; M.S. 1927 s. 7299.

345.03 PROCEEDINGS IF PROPERTY NOT CLAIMED.

HISTORY. R.S. 1851 c. 26 s. 5; P.S. 1858 c. 13 s. 52; G.S. 1866 c. 19 s. 19; G.S. 1878 c. 19 s. 15; G.S. 1894 s. 2094; R.L. 1905 s. 2799; G.S. 1913 s. 6068; G.S. 1923 s. 7300; M.S. 1927 s. 7300.

345.04 INVENTORY; ORDER OF SALE.

HISTORY. R.S. 1851 c. 26 s. 6; P.S. 1858 c. 13 s. 53; G.S. 1866 c. 19 s. 20; G.S. 1878 c. 19 s. 16; G.S. 1894 s. 2095; R.L. 1905 s. 2800; G.S. 1913 s. 6069; G.S. 1923 s. 7301; M.S. 1927 s. 7301.

345.05 NOTICE AND RETURN OF SALE.

HISTORY. R.S. 1851 c. 26 ss. 7, 8; P.S. 1858 c. 13 ss. 54, 55; G.S. 1866 c. 19 ss. 21, 22; G.S. 1878 c. 19 ss. 17, 18; G.S. 1894 ss. 2096, 2097; R.L. 1905 s. 2801; G.S. 1913 s. 6070; G.S. 1923 s. 7302; M.S. 1927 s. 7302.

345.06 DISPOSITION OF PROCEEDS.

HISTORY. R.S. 1851 c. 26 ss. 9, 10; P.S. 1858 c. 13 ss. 56, 57; G.S. 1866 c. 19 ss. 23, 24; G.S. 1878 c. 19 ss. 19, 20; G.S. 1894 ss. 2098, 2099; R.L. 1905 s. 2802; G.S. 1913 s. 6071; G.S. 1923 s. 7303; M.S. 1927 s. 7303.

345.07 MONEY DEPOSITED, HOW DISPOSED OF.

HISTORY. R.S. 1851 c. 26 ss. 11, 12; P.S. 1858 c. 13 ss. 58, 59; G.S. 1866 c. 19 ss. 25, 26; G.S. 1878 c. 19 ss. 21, 22; G.S. 1894 ss. 2100, 2101; R.L. 1905 s. 2803; G.S. 1913 s. 6072; G.S. 1923 s. 7304; M.S. 1927 s. 7304.

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345.08 UNCLAIMED MONEY IN COURT, HOW DISPOSED OF; PAYMENT TO STATE TREASURER; ESCHEAT.

HISTORY. 1909 c. 420 s. 1; G.S. 1913 s. 6074; G.S. 1923 s. 7306; M.S. 1927 s. 7306.

Supplementing the reorganization of a bank, questionable securities were removed from the assets and transferred to a trustee. The commissioner of banks has no official duty to perform regarding those unclaimed dividends not being abandoned within the meaning of the statute. Such funds are in the custody of the trustee under the power of appointment and he is subject to the supervision of the district court. OAG Aug. 21, 1939 (29B-14).

Rights of persons disappearing. 9 MLR 96.

345.09 UNCLAIMED BAGGAGE; DELIVERY TO WAREHOUSEMAN.

HISTORY. 1885 c. 202 s. 1; G.S. 1878 Vol. 2 (1888 supp.) c. 19 s. 27a; G.S. 1894 s. 2107; R.L. 1905 s. 2805; G.S. 1913 s. 6075; G.S. 1923 s. 7307; M.S. 1927 s. 7307.

It is within the corporate powers of a common carrier to agree as an inducement in securing business that merchandise shipped over its roads shall be stored at terminal point in this state free of charge for the period of 90 days, subject to stipulated charges, thereafter, until removed. State v M. & St.L. Ry. Co. 115 M 116, 131 NW 1075.

Defendant came into possession of plaintiff's goods rightfully but his method of sale of the property was unlawful. The defendant did not wait the one-year period before selling. The defendant's affidavit asking to reopen the judgment does not show frankness or merit and his proposed answer is a general denial, and the defendant is not entitled to relief. Klein v W. & D. Ry. Co. 124 M 530, 144 NW 1134.

345.10 STORAGE LIENS.

HISTORY. 1885 c. 202 s. 2; G.S. 1878 Vol. 2 (1888 supp.) c. 19 s. 27b; G.S. 1894 s. 2108; R.L. 1905 s. 2806; G.S. 1913 s. 6076; G.S. 1923 s. 7308; M.S. 1927 s. 7308.

345.11 SALE; NOTICE.

HISTORY. 1885 c. 202 s. 3; G.S. 1878 Vol. 2 (1888 supp.) c. 19 s. 27c; G.S. 1894 s. 2109; R.L. 1905 s. 2807; G.S. 1913 s. 6077; G.S. 1923 s. 7309; M.S. 1927 s. 7309.

345.12 SALE; PROCEEDS.

HISTORY. 1885 c. 202 s. 4; G.S. 1878 Vol. 2 (1888 supp.) c. 19 s. 27d; G.S. 1894 s. 2110; R.L. 1905 s. 2808; G.S. 1913 s. 6078; G.S. 1923 s. 7310; M.S. 1927 s. 7310.

345.13 WAREHOUSEMAN'S BOND.

HISTORY. 1885 c. 202 s. 5; G.S. 1878 Vol. 2 (1888 supp.) c. 19 s. 27e; G.S. 1894 s. 2111; R.L. 1905 s. 2809; G.S. 1913 s. 6079; G.S. 1923 s. 7311; M.S. 1927 s. 7311.

345.14 FEES OF JUSTICES AND CONSTABLES.

HISTORY. R.S. 1851 c. 26 s. 14; P.S. 1858 c. 13 s. 61; G.S. 1866 c. 19 s. 28; G.S. 1878 c. 19 s. 24; G.S. 1894 s. 2103; R.L. 1905 s. 2804; G.S. 1913 s. 6073; G.S. 1923 s. 7305; M.S. 1927 s. 7305.