

TITLE 55  
PROPERTY IN GENERAL

CHAPTER 14  
UNCLAIMED PROPERTY

55-1401. PROPERTY HELD FOR CHARGES. When any goods, merchandise or other property has been received by any railroad or express company, or other common carrier, commission merchant, innkeeper or warehouseman for transportation or safekeeping, and is not delivered to the owner, consignee or other authorized person, the carrier, commission merchant, innkeeper or warehouseman may hold or store the same with some responsible person, until the freight and all just and reasonable charges are paid.

[(55-1401) R.S., sec. 1160; reen. R.C. & C.L., sec. 1546; C.S., sec. 2582; I.C.A., sec. 54-1401.]

55-1402. SALE OF UNCLAIMED PROPERTY. If no person calls for the property within four (4) months from the receipt thereof and pays freight and charges thereon, the carrier, commission merchant, innkeeper or warehouseman may sell such property, or so much thereof as will pay freight and charges, at auction to the highest bidder, first having given twenty (20) days' notice of the time and place of sale, to the owner, consignee or consignor, when known, and by advertisement in a daily paper ten (10) days (or if in a weekly paper, four (4) weeks), published where such sale is to take place; and if any surplus is left, after paying freight, storage, cost of advertising and other reasonable charges, the same must be paid over to the owner of such property at any time thereafter, upon demand being made therefor within sixty (60) days after the sale.

[(55-1402) R.S., sec. 1161; compiled and reen. R.C. & C.L., sec. 1547; C.S., sec. 2583; I.C.A., sec. 54-1402.]

55-1403. DISPOSITION OF PROCEEDS. If the owner or his agent fails to demand such surplus within sixty (60) days of the time of such sale, then it must be paid into the county treasury, subject to the order of the owner.

[(55-1403) R.S., sec. 1162; reen. R.C. & C.L., sec. 1548; C.S., sec. 2584; I.C.A., sec. 54-1403.]

55-1404. RECOVERY OF CHARGES ADVANCED. When any commission merchant or warehouseman receives, on consignment, produce, merchandise or other property, and makes advances thereon for freight and charges, he may, if the same is not paid to him within four (4) months from the date of such advances, cause the produce, merchandise or property on which the advances were made, to be advertised and sold as provided herein.

[(55-1404) R.S., sec. 1163; reen. R.C. & C.L., sec. 1549; C.S., sec. 2585; I.C.A., sec. 54-1404.]