

Sale of Unclaimed Property.

CHAPTER 51.

AN ACT to provide for the Sale of Unclaimed Property by Common Carriers, Warehousemen and Inn-keepers.

Be it enacted by the Legislative Assembly of the Territory of Dakota:

§ 1. WHEN SALE OF UNCLAIMED PROPERTY MAY BE MADE.] That whenever any trunk, carpet bag, valise, bundle, package or article of property transported or coming into the possession of [any] railroad, or express company, or any other common carrier in the course of his or its business as common carrier, shall remain unclaimed and the legal charges thereon unpaid during the space of six months after its arrival at the point to which it shall have been directed, and the owner or person to whom the same is consigned cannot be found upon diligent inquiry, or being found and notified of the arrival of such article, shall refuse or neglect to receive the same and pay the legal charges thereon for the space of three months, it shall be lawful for such common carrier to sell such article at public auction, after giving the owner or consignee fifteen days' notice of time and place of sale, through the postoffice and by advertising in a newspaper published in the county where such sale is made, and out of the proceeds of such sale to pay all legal charges on such articles, and the [amount] over, if any, shall be paid to the owner or consignee upon demand.

§ 2. SALE OF PERISHABLE PROPERTY.] Perishable property which has been transported to destination, and the owner or consignee notified of its arrival, or being notified, refuses or neglects to receive the same, and pay the legal charges there-

on; or if upon diligent inquiry the consignee cannot be found, such carrier may, in the exercise of a reasonable discretion, sell the same at public or private sale without advertising, and the proceeds, after deducting the freight and charges and expenses of sale, shall be paid to the owner or consignee upon demand.

§ 3. TO APPLY TO HOTEL KEEPERS.] The provisions of this act shall apply to hotel keepers and warehousemen.

§ 4. This act shall take effect and be in force from and after its passage and approval.

Approved, January 22, 1879.

Stenographer.

CHAPTER 52.

AN ACT authorizing the Appointment of Short-hand Reporters for the District Courts of this Territory.

Be it enacted by the Legislative Assembly of the Territory of Dakota :

§ 1. JUDGE MAY APPOINT.] The judges of the district courts in each judicial district may appoint whenever in his judgment it will expedite public business, and tend to the more economical administration of justice, a short-hand reporter who shall be well skilled in the art and competent to perform the duties required of him.

§ 2. DUTY OF REPORTER.] It shall be the duty of such reporter under the direction of the court, to take down in short hand the oral testimony of witnesses, the rulings of the court, the oral instructions of the judge, if any such oral instructions are given, the objections made and exceptions taken during the trial in all criminal cases, and in civil cases when either of the parties or the judge direct it; and also such