

## Chapter 98

### Lost, Abandoned and Unclaimed Property; Unordered Goods

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ATTY. GEN. OPINIONS: Availability of abandoned property files for public inspection, (1970) Vol 34, p 1039; application to unbranded horses running at large on unenclosed public lands, (1971) Vol 35, p 720.

LAW REVIEW CITATIONS: 5 WLJ 519.

#### 98.010

##### NOTES OF DECISIONS

A finder is not guilty of conversion if he is in good faith and follows the procedure outlined in this section. *Sovern v. Yoran*, (1888) 16 Or 269, 20 P 100, 8 Am St Rep 293.

Treasure trove does not come within the purview of this section. *Id.*

This section only applies when the identity as well as the whereabouts of the owner is unknown. *MacFarlane v. Block*, (1911) 59 Or 1, 115 P 1056, Ann Cas 1013B, 1275.

LAW REVIEW CITATIONS: 2 WLJ 349-351.

#### 98.180

CASE CITATIONS: *Bechtel v. State Tax Comm.*, (1961) 228 Or 123, 363 P2d 1102.

#### 98.302 to 98.436

ATTY. GEN. OPINIONS: Applicability to Public Employees' Retirement System accounts, 1964-66, p 260; disposition of unclaimed telegraphic money order principal, 1964-66, p 242; application to fraternal benefit societies, 1966-68, p 302; availability of abandoned property files for public inspection, (1970) Vol 34, p 1039.

#### 98.302

CASE CITATIONS: *Oregon Racing Comm. v. Multnomah Kennel Club*, (1966) 242 Or 572, 411 P2d 63; *State ex rel. Mallicoat v. Coe*, (1969) 254 Or 365, 460 P2d 357.

ATTY. GEN. OPINIONS: Status of trust companies under prior similar legislation, 1922-24, p 437; applicability of escheat law to national banks, 1922-24, p 339, 1928-30, p 296, 1936-38, p 381; applicability to federal reserve banks, 1948-50, p 17; duty to sell common stocks received in the Common School Fund by escheat or as abandoned property, 1964-66, p 206.

LAW REVIEW CITATIONS: 37 OLR 73.

#### 98.306

CASE CITATIONS: *Oregon Racing Comm. v. Multnomah Kennel Club*, (1966) 242 Or 572, 411 P2d 63.

ATTY. GEN. OPINIONS: Applicability of section to certificate of deposit, 1920-22, p 399; when period commences, 1922-24, p 692.

#### 98.312

ATTY. GEN. OPINIONS: Application to fraternal benefit societies, 1966-68, p 302.

#### 98.316

ATTY. GEN. OPINIONS: Disposition of unclaimed funds held by foreign corporation maintaining its principal business place in this state, (1971) Vol 35, p 550.

#### 98.322

ATTY. GEN. OPINIONS: Application to unclaimed interest checks of cooperatives, 1966-68, p 297; disposition of unclaimed funds held by foreign corporation maintaining its principal business place in this state, (1971) Vol 35, p 550.

#### 98.326

##### NOTES OF DECISIONS

In court procedure for voluntary dissolution of a corporation, a fund held for stockholders and unclaimed is presumed abandoned. *Realty Associates v. Women's Club*, (1962) 230 Or 481, 369 P2d 747.

ATTY. GEN. OPINIONS: Authority regarding investment of proceeds from abandoned property sales, 1964-66, p 232.

LAW REVIEW CITATIONS: 37 OLR 73.

#### 98.336

##### NOTES OF DECISIONS

The bond sinking fund could have been claimed by the bondholder at maturity of the bond, on which date the seven year period began to run. *State ex rel. Mallicoat v. Coe*, (1969) 254 Or 365, 460 P2d 357.

ATTY. GEN. OPINIONS: Disposition of unclaimed money held for refund by state agencies, 1958-60, p 50; unclaimed motor boat fuel tax refund, 1962-64, p 67; applicability to Public Employees' Retirement System accounts, 1964-66, p 260.

#### 98.342

##### NOTES OF DECISIONS

Money received by a licensee of the Oregon Racing Commission on account of outstanding winning tickets is payable or distributable upon demand accompanied by presentation of the ticket. *Oregon Racing Comm. v. Multnomah Kennel Club*, (1966) 242 Or 572, 411 P2d 63.

This section does not apply to a bond reserve fund held

by a public officer. State ex rel Mallicoat v. Coe, (1969) 254 Or 365, 460 P2d 357.

ATTY. GEN. OPINIONS: Unclaimed wages and salaries under the Act, 1958-60, p 36; board's right to unclaimed wages or uncashed checks held by foreign corporation, 1964-66, p 208; disposition of unclaimed funds held by foreign corporation maintaining its principal business place in this state, (1971) Vol 35, p 550.

**98.346**

ATTY. GEN. OPINIONS: Disposition of unclaimed funds held by foreign corporation maintaining its principal business place in this state, (1971) Vol 35, p 550.

**98.352**

CASE CITATIONS: Realty Associates v. Women's Club, (1962) 230 Or 481, 369 P2d 747.

ATTY. GEN. OPINIONS: Procedure when bank is insolvent, 1922-24, p 320; duty to publish when deposit small, 1924-26, p 373; effect of provisions involving time, 1940-42, p 369; utility companies reporting unclaimed or abandoned property for years before 1949, 1958-60, p 55; authority regarding investment of proceeds from abandoned property sales, 1964-66, p 232; application to unclaimed interest checks of cooperatives, 1966-68, p 297.

LAW REVIEW CITATIONS: 37 OLR 73.

**98.356**

ATTY. GEN. OPINIONS: Disposition of unclaimed telegraphic money order principal, 1964-66, p 242; application to unclaimed interest checks of cooperatives, 1966-68, p 297.

LAW REVIEW CITATIONS: 37 OLR 73.

**98.362**

CASE CITATIONS: Realty Associates v. Women's Club, (1962) 230 Or 481, 369 P2d 747.

ATTY. GEN. OPINIONS: Authority regarding investment of proceeds from abandoned property sales, 1964-66, p 232; application to unclaimed interest checks of cooperatives, 1966-68, p 297.

LAW REVIEW CITATIONS: 37 OLR 73.

**98.366**

**NOTES OF DECISIONS**

Under former law, the judgment of escheat was held to

discharge the bank from liability to the depositors. State v. First Nat. Bank, (1912) 61 Or 551, 123 P 712, Ann Cas 1914B, 153.

FURTHER CITATIONS: State ex rel. Mallicoat v. Coe, (1969) 254 Or 365, 460 P2d 357.

LAW REVIEW CITATIONS: 37 OLR 73.

**98.376**

ATTY. GEN. OPINIONS: Unclaimed wages and salaries under the Act, 1958-60, p 36; board's right to unclaimed wages or uncashed checks held by foreign corporation, 1964-66, p 208.

**98.382**

ATTY. GEN. OPINIONS: Indorsement of stock certificate to pass title, 1958-60, p 239; duty to sell common stocks received in the Common School Fund by escheat or as abandoned property, 1964-66, p 206; authority regarding investment of proceeds from abandoned property sales, 1964-66, p 232.

**98.386**

ATTY. GEN. OPINIONS: Authority regarding investment of proceeds from abandoned property sales, 1964-66, p 232.

**98.392**

CASE CITATIONS: Realty Associates v. Women's Club, (1962) 230 Or 481, 369 P2d 747.

ATTY. GEN. OPINIONS: Recovery of escheated money by the custodian, 1922-24, p 339; recovery by an administrator, 1940-42, p 559.

**98.396**

CASE CITATIONS: Realty Associates v. Women's Club, (1962) 230 Or 481, 369 P2d 747.

ATTY. GEN. OPINIONS: Deductions from amount recovered for administration expenses, 1920-22, p 384, 1922-24, p 481; procedure for refunding escheated money, 1930-32, p 451, 1934-36, pp 420, 655.

**98.436**

LAW REVIEW CITATIONS: 37 OLR 73.