

HOUSE No. 123.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, Feb. 18, 1880.

The Committee on the Judiciary, to whom was referred the Order relative to the sale of unclaimed goods in possession of police departments of cities and towns, report the accompanying Bill.

For the Committee,

S. W. BOWERMAN.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Eighty.

AN ACT

Relating to Unclaimed Property in Possession of
Police Departments of Cities and Towns.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows :

1 SECTION 1. Whenever any money, goods, or other
2 property shall come into the possession of any mem-
3 ber of any police department of any city or town by
4 virtue of his office, as lost, abandoned, or stolen, or
5 as the proceeds of crime, having been taken from
6 any person under arrest, he shall deliver the same to
7 such person as said department shall by rules or
8 regulations direct, and shall then be relieved from
9 further responsibility therefor; said person to whom
10 they may be so delivered shall be held to comply
11 with all the requirements of any statutes relating
12 thereto.

1 SECT. 2. Whenever any of such money, goods,
2 or other property shall have remained in the pos-
3 session of any of said police departments, or any
4 member thereof, for the term of six months, the
5 same having been unclaimed, and the owner thereof
6 being unknown, the said departments may sell the
7 same at public auction in the manner provided for
8 herein: *provided, however*, that the statutes, in rela-
9 tion to lost property, and to notification, &c., shall
10 have been complied with.

1 SECT. 3. Notice of such sale shall be published
2 at least once a week, for three successive weeks pre-
3 ceding such sale, in some newspaper in the city or
4 town where said police department may be; or, if
5 there be no newspaper published in said city or
6 town, notice of such sale shall be posted in two
7 public places, for at least three weeks preceding
8 such sale, such notice to give the time and place of
9 sale, together with a description of the property to
10 be sold.

1 SECT. 4. Whenever any of such property shall
2 be of a perishable nature, or such as will deteriorate
3 greatly in value by keeping, or of which the ex-
4 pense of keeping will be likely to exceed the value
5 thereof, the same may be forthwith sold at public
6 auction by order of said police departments, notice
7 of the time and place of sale being first given by
8 advertising the same in some newspaper.

1 SECT. 5. The proceeds of such sales, after deduct-
2 ing all reasonable charges and expenses incurred on

3 such property, shall be paid into any fund for the
4 relief of the members of said departments, in the
5 several cities and towns wherein said relief fund
6 shall have been established by statutes or by ordi-
7 nances; otherwise, into the treasury of said cities
8 and towns.

1 SECT. 6. If within two years after any such sale,
2 the owner of any property so sold shall make claim
3 to, and prove his ownership of said property, the
4 said proceeds, all reasonable charges and expenses
5 for storage, advertising, selling, &c., being first de-
6 ducted, shall be paid over to him, upon the order of
7 the head of such department.

1 SECT. 7. All acts, and parts of acts, inconsistent
2 herewith are hereby repealed.

1 SECT. 8. This act shall take effect upon its pas-
2 sage.