

Storage Warehouse Keepers Act, R.S.N.S. 1989, c. 447

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Storage Warehouse Keepers Act

CHAPTER 447

OF THE

REVISED STATUTES, 1989

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An Act Respecting Keepers of Storage Warehouses

Short title

1 This Act may be cited as the *Storage Warehouse Keepers Act*. R.S., c. 447, s. 1.

Interpretation

2 In this Act,

(a) "goods and chattels" includes, in addition to the things usually understood thereby, any movable property of any kind whatsoever which may be left with a keeper of a storage warehouse for storage;

(b) "keeper of a storage warehouse" includes the proprietor, keeper or manager of a warehouse, building shed, storehouse, yard, wharf or other place for the storage of goods, chattels, wares or merchandise delivered to him as bailee for hire, whether the person is engaged in other business or not. R.S., c. 447, s. 2.

Right of sale

3 A keeper of a storage warehouse shall have, in addition to his ordinary lien, the right absolutely to sell and dispose by public auction of any goods, chattels, wares or merchandise which may have been deposited or stored with him or in or upon the tenements or premises kept by him for the storage of goods and chattels, where the payment of storage charges in respect of such goods, or rent or hire of the premises in which such goods are stored, are or is in arrears. R.S., c. 447, s. 3.

Time period before sale

4 No such sale as aforesaid shall be made until after the said goods, chattels, wares or merchandise have been for the space of three months in such charge or custody or in or upon such premises without the storage charges or rent or hire having been paid or satisfied. R.S., c. 447, s. 4.

Advertisement of notice of intended sale

5 At least one month before any such sale is made, the keeper of the storage warehouse shall cause to be inserted at least three times in at least one newspaper circulating in the district where the goods, chattels, wares or merchandise are stored, an advertisement containing notice of the intended sale and giving shortly a description of the goods intended to be sold, together with the name of the owner or person who deposited or left the same, where known. R.S., c. 447, s. 5.

Notice to owner

6 In addition to the advertisement required by Section 5, the keeper of the storage warehouse shall, at least one month before any such sale, cause to be sent by post in a prepaid registered letter, addressed to the last known address of the owner or person depositing or leaving such goods, chattels, wares or merchandise for storage, a notice of such intended sale. R.S., c. 447, s. 6.

Proceeds of sale and surplus

7 Upon the sale being made as aforesaid the keeper of the storage warehouse may out of the proceeds of the sale pay to himself the amount of the storage charges, rent or hire due him in respect of storage of the goods, chattels, wares or merchandise, together with the costs and expenses, including cost of advertising, of the sale, and shall within ten days after the sale pay to the Accountant General of Nova Scotia, the surplus, if any, remaining after the sale and payment to himself. R.S., c. 447, s. 7.

Affidavit of verification

8 Upon such payment to the Accountant General the amount of the surplus shall be verified by the keeper of the storage warehouse by an affidavit setting out the name and last known address of the owner or person who deposited the goods for storage, the date on which the goods were left for storage, the date of the sale, the publication of advertisement, the mailing of notice, the amount received at the sale of the goods, the amount of the charges and the amount of the expenses incurred for the sale and advertising. R.S., c. 447, s. 8.

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