ARE FINDERS KEEPINGS?

THE LEGAL SIDE OF THE QUESTION OF OWNERSHIP OF LOST ARTICLES WHEN FOUND.

[Law's Gazette.]

The finding of misplaced wealth is now an event of rare occurrence, except in lake of romance and adventure. It was a great opportunity. For when Midas was comparatively young, and the ways of keeping his wealth unknown, the Asian was [illegible] for adventure, especially in some of war of fortune. The time of this valuable work, as carried between [illegible] the secret [illegible] Money, gold, silver or jewels found hidden in the earth or in a secret place, is termed treasure-trove from the French trouver, to find. Treasure, according to the law of England, was the property of the kingdom in the country, strictly speaking, now belonged to the state, to which it was found; but the time of the state has been for a long time, it seems, been strongly asserted against a common finder.

Lost articles of value found upon the surface of the earth, or in the sea, are, so far as concerns every one but the owner, the property of the one who finds them. If they are afterwards taken from him by another, the finder can reclaim them as if he were the owner.

A chimney sweeper's boy, living in England more than fifty years ago, had the fortune to find a jewel of unusual value. He took it to a goldsmith, who, after looking at and weighing it, tried to buy it from the boy for a trifling sum. The lad refusing the offer, the goldsmith returned to him the setting, but would not give back the gem.

Upon the trial of an action brought by the boy against the goldsmith, the value of the jewel was conceded by the goldsmith, and he was directed by the court to pay the boy the price of the finest jewel which could be fitted to the setting. This incident resulted in setting forever the right of a finder to the possession of his findings.

In order to give the finder such a claim, however, the article must have been truly lost. If it has been simply mislaid or put in a particular place by the owner and left there through his carelessness, it is not legally lost.

A lady who leaves her purse on the counter of a shop wherein she has been trading cannot be said to have lost it, and if the purse is afterward picked up by another the proprietor of the shop is said to have a better right to hold it than the one who found it.

But if the purse had been accidentally dropped on the floor of the premises and afterward found there by a customer, that would have been a real case of losing, and the possessor—if the owner cannot be found—would have as much right to keep the purse as if he had found it in the street.

In order to be a finder one must be aware that he has the thing in his possession, and he must show an intention of keeping it.

The purchaser of an old secretary or bureau sometimes finds put away in a secret drawer money or jewels long forgotten. To whom do they belong? The seller did not know that they were there, and showed no intention of claiming them when the furniture was in his possession. They cannot, therefore, belong to him, but are rightly claimed by the person who first discovers them, whether he be the purchaser, a servant, or any one else who is not a trespasser.

To keep what one has found is not an absolute but a special right which the true owner may dispose by demanding his property and proving his claim to it to the reasonable satisfaction of the person who holds it.

When the owner has offered a definite reward the finder may keep the article until the reward is paid to him. But he cannot demand a reward where none is offered, nor can he hold the lost property as security for any expenses incurred in keeping it, though he would be entitled to be paid by the owner for such outlay.

One who is so fortunate as to find what belongs to another should always act honestly and with what the law calls good faith toward the owner.

If, at the time of finding, he knows, or has the means of knowing, or believes he can find out who the owner is, and makes no effort to discover him, but intentionally keeps or disposes of the lost property, the law regards him as no better than a thief.

On the other hand, if the owner does not appear, the finder acquires at common law, an absolute title to the thing found, though by statute some of the states have in various ways limited and regulated the gaining of such a title.

HIS FINGER FOR A NEW NOSE.

The Remarkable Operation of a London Surgeon on a Noseless Man.

The achievements of American surgeons in bold and extraordinary surgeries have long been the wonder of the world, but now from the other side of the Atlantic comes a story which shows that the old country is waking up a bit in the art of engrafting living human flesh. A young man has put his finger to his nose, and it results thus graphically:

A few months ago Frank, who usual name was willing as the result of an accident, called at Charing Cross hospital, London, with the request that the surgeons would supply the deficiency, artificially or otherwise. The surgeon brought in willing to undergo any sort of treatment by which the young man might be made fairly presentable, and the young man was not slightly surprised to be told Monday morning girl. Mr. Hendon, the entire surgeon, took the unfortunate man to bed.

First the important force of an other patient was carved and laboured to the semblance of a nose and then severely grafted on the face. But it was found that the mutilated distal appendage had not survived in cutting so. It was "dead" and failed to take fresh root.

The surgeon was nothing daunted, however, and set to the surgeon's surprise that one of his own (the patient's) fingers could be cut off, to furnish a nasal organ, but in order that the finger might not be wasted in the event of this operation being successful, he was only half amputated. The patient's arm being bound to prevent the finger which is left, to grow into the hole in the face in lieu of its missing nose. This it did. The operation which was still attached to his hand was then cut through and now joined the end to adhering firmly to the face. Although minus a finger, the young man now has a new nose of his own flesh and blood.

The transplanted cartilage has been so manipulated by skilled Dr. Hodgkin that its original identity is entirely lost, and the further [illegible] is now [illegible] with. —New York [illegible]

The shoes that were formerly passed from hand to hand as being the gross found to be dead of the hand were [illegible]

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Temple Manifestations.

There have been many remarkable experiences of Latter-day Saints in our temples which have never been recorded. These incidents have a tendency to create and encourage faith and consequently the knowledge of them should be widely disseminated. A series of articles on this subject will be presented in Volume XVI of THE CONTRIBUTOR.

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