

ARTICLE 2.

AGENTS AND FACTORS.

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. Who to be treated as true owner of consigned goods. Extent of consignee's right. 2. Limitations upon consignee's rights. 3. When and how far holder of bill of lading or possessory document is to be deemed true owner. 4. Contracts between factor and third parties, and payments to factor when good against consignor. 5. Deposit or pledge by factor or holder of bill of lading or possessory document to third parties, for pre-existing debt without notice. 6. Deposit or pledge by factor to third parties with notice. 7. Upon insolvency of factor, principal may collect unpaid purchase money. Set-off. 8. When set-off allowed. 9. Upon insolvency of factor, principal may recover unsold and unpledged goods. 10. Where third party entitled to set-off, principal may recover surplus of un- | <ol style="list-style-type: none"> paid purchase money or surplus over advances made to factor. 11. Owner redeeming goods pledged by insolvent factor to be held to have paid <i>pro tanto</i> any debt due by him to such factor. 12. Title and right of consignees of agricultural products. 13. Mortgage and pledge of agricultural products by consignee to be void. 14. Agricultural products unsold in hands of insolvent factor, not to pass to his trustee in insolvency. 15. Lien of consignee for advances to owner of agricultural products. 16. This article not to affect legal and equitable rights of owner against factor. 17. When real estate broker is entitled to commission. 18. Agent to file certificate giving name of principal. 19. "Agency Record" to be kept by clerk of court. 20. Rights of creditor against agent. Penalty for filing false certificate. |
|---|--|

An. Code, 1924, sec. 1. 1912, sec. 1. 1904, sec. 1. 1888, sec. 1. 1825, ch. 182, sec. 1. 1849, ch. 293, sec. 1.

1. Any person intrusted for the purpose of consignment or sale with any goods, wares or merchandise, except agricultural productions, and who shall have shipped or consigned the same in his own name, and any person in whose name any goods, wares and merchandise shall be shipped or consigned by any other person, shall be taken to be the true owner thereof, so far as to entitle the consignee to a lien thereon for any money or negotiable security advanced or given to or for the use of the person in whose name such goods, wares or merchandise shall be shipped or consigned, or for any money or negotiable security received by him to the use of such consignee, in the same manner as if such person were the true owner.

The term "factor" defined. This section held to have no application where goods were in a party's possession for the sole purpose of delivering them to the purchaser; hence such party has no lien. When a factor has a lien. *Rowland v. Dolby*, 100 Md. 274. This section not applicable to agricultural productions. *Dudley v. Roberts*. 144 Md. 161.

An. Code, 1924, sec. 2. 1912, sec. 2. 1904, sec. 2. 1888, sec. 2. 1825, ch. 182, sec. 1. 1829, ch. 198.

2. The provisions of the preceding section shall not apply to any case where the consignee shall have notice by the bill of lading or otherwise,

As to fraud and conversion by factors of consigned goods, see art. 27, sec. 175, *et seq.*