

## 2012 Kansas Statutes

**34-223. Definitions.** As used in chapter 34 of Kansas Statutes Annotated, and amendments thereto:

- (a) "Action" includes counterclaim, setoff and suit in equity.
- (b) "Delivery" means voluntary transfer of possessions from one person to another.
- (c) "Fungible grain" means grain of which any unit is, from its nature or by mercantile custom, treated as the equivalent of any other unit.
- (d) "Grain" means wheat, corn, oats, barley, rye, soybeans, grain sorghums and any grains upon which federal grain standards are established, also seeds generally stored by warehouses, if special permission is granted by the secretary.
- (e) "Holder of a receipt" means a person who has both actual possession of such receipt and a right of property therein.
- (f) "Order" means an order by endorsement of the receipt.
- (g) "Owner" does not include mortgagee or pledgee.
- (h) "Person" includes individuals, corporations, partnerships and all associations of two or more persons having a joint or common interest.
- (i) "To purchase" includes to take as mortgagee or pledgee.
- (j) "Receipt" means a warehouse receipt or receipts.
- (k) "Value" means any consideration sufficient to support a simple contract and includes an antecedent or preexisting obligation, whether for money or not, where a receipt is taken either in satisfaction thereof or as security therefor.
- (l) "Public warehouseman" means a person lawfully engaged in the business of storing grain for the public.
- (m) "Public warehouse" or "public grain warehouse" means every elevator or other building in which grain is received for storage or transfer for the public.
- (n) "Secretary" means the secretary of agriculture.
- (o) "Department" means the Kansas department of agriculture.
- (p) "Grain bank grain" means any grain that has been received into any public warehouse to be held for the account of the depositor and returned to the depositor at a later date either as whole or processed grain.
- (q) "Storage grain" or "stored grain" means grain that has been received in any public warehouse located in this state, and such grain is not purchased by the lessee, owner or manager of such warehouse.

**History:** L. 1931, ch. 194, § 1; L. 1945, ch. 210, § 1; L. 1984, ch. 150, § 7; L. 1997, ch. 160, § 16; L. 2004, ch. 101, § 193; July 1.