

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

THE
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED APRIL 17, 1857;

TO WHICH ARE PREFIXED

THE CONSTITUTIONS

OF THE

UNITED STATES AND OF THE STATE OF MAINE:

WITH AN

APPENDIX.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE.

BANGOR:
WHEELER & LYNDE.

1857.

TITLE THREE.

Regulations connected with trade.

- CHAP. 31. Principal, factors and agents.
32. Notaries public, protests, days of grace, and demand on notes and bills.
 33. Limited partnerships.
 34. Auctions and auctioneers.
 35. Pawn brokers and intelligence offices.
 36. Pilots and ship owners, wrecks and shipwrecked goods, lighters and harbors.
 37. Assayers of ores and metals.
 38. Inspection and sale of agricultural productions.
 39. Inspection and sale of manufactured articles.
 40. Fish and the fisheries.
 41. Survey and sale of wood, bark, coal, hoops, staves, and lumber.
 42. Timber upon rivers, streams, and adjacent lands.
 43. Weights and measures.
 44. Hawkers and pedlers.
 45. Usury.

CHAPTER 31.

PRINCIPAL, FACTORS AND AGENTS.

- SEC. 1. How far shipper, factor, or agent shall be considered the owner of goods under their control.
2. Not to extend to antecedent demands against the agent.
 3. Rights of the true owner in such cases.

SEC. 1. Every person, in whose name any merchandise is shipped, every factor or agent entrusted with the possession of any bill of lading, custom house permit, or ware house keeper's receipt for the delivery of any such merchandise, and every such factor or agent not having the documentary evidence of title, who is entrusted with the possession of any merchandise for the purpose of sale, or as security for any advances to be made thereon, shall be deemed the true owner thereof, so far as to give validity to any lien or contract made by such shipper or agent with any other person for the sale or disposition of the whole, or any part of such merchandise, any money advanced, or negotiable instrument, or other obligation in writing, given by such person upon the faith thereof.

How far shipper, factor or agent shall be considered the owner of goods under their control.
R. S., c. 43,
§ 1, 2.

SEC. 2. No person, taking such merchandise in deposit from such agent as security for an antecedent demand, shall thereby

Not to extend to antecedent demands

CHAP. 31.

against the agent.
R. S., c. 43, § 3.
Rights of the true owner in such cases.
R. S., c. 43, § 4.

acquire or enforce any right or interest therein other than such agent could then enforce.

SEC. 3. But the true owner of any such merchandise, upon re-payment of the money so advanced, restoration of the security so given, or satisfaction of all legal liens, may demand and receive his property, or recover the balance remaining as the produce of the legal sale thereof, after deducting all proper claims and expenses thereon.

CHAPTER 32.

NOTARIES PUBLIC, PROTESTS, DAYS OF GRACE, AND DEMAND ON NOTES AND BILLS.

NOTARIES PUBLIC AND PROTESTS.

- SEC. 1. Notary's seal.
2. His duty as to protests of losses by sea or land, and record and copies thereof.
 3. Also, as to demand and notice on negotiable notes and bills, and in other respects, and record thereof.
 4. Copies and certificates under his seal shall be legal evidence of all facts therein stated.
 5. When his office is vacated, his records to be deposited with the clerk of the courts.
 6. Penalty for destroying, defacing or concealing such records.
 7. Duties of clerks relating thereto, and their fees.
 8. Fees for protest of notes or bills, and appropriation of penalties.

DAYS OF GRACE.

9. Days of grace on notes and bills, and changes thereof on account of Sunday, fast, thanksgiving, fourth of July, twenty-second of February, and Christmas.

DEMAND.

10. Demand on note payable at time and place certain.

NOTARIES PUBLIC AND PROTESTS.

Notary's seal.
R. S., c. 44, § 3.

SEC. 1. Every notary public shall constantly keep a seal of office, whereon is engraven his name, and the words "notary public" and "Maine," with the arms of the state, or such other device as he chooses.

His duty as to protests of losses, and record and copies thereof.
R. S., c. 44, § 4, 5.

SEC. 2. When requested, he shall enter on record all losses or damages sustained or apprehended by sea or land, and all averages, and such other matters, as, by mercantile usage, appertain to his office; grant warrants of survey on vessels; and all facts, extracts from documents, and circumstances, so noted, shall be signed and sworn to by all the persons appearing to protest; he shall note, extend, and record the protest so made; and grant authenticated copies thereof, under his signature and notarial seal, to those who request and pay for the same.

Also, as to demand and notice on notes and bills, &c.

SEC. 3. He may, in behalf of any person interested, present any bill of exchange or other negotiable paper for acceptance or payment to any party liable therefor; notify endorsers or other parties to such bill or paper; record and certify all con-