

MAINE STATE LEGISLATURE

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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.

CHAP. 34.

CHAPTER 34.

AUCTIONS AND AUCTIONEERS.

- SEC. 1. Municipal officers to license auctioneers and keep a record thereof.
- 2. Appeal to county commissioners in case of refusal.
- 3. Auctioneers to keep particular account of all goods sold, and pay to town a per cent. on goods voluntarily sold for benefit of non-residents, under penalty.
- 4. Penalty for allowing any one, not a legal voter in the town, to act under him in sales.
- 5. Penalty for knowingly receiving goods of minors or servants, and for selling his own before sunrise and after sunset.
- 6. Real estate lying in two towns may be sold by auctioneer of either. Penalty for selling beyond or without a license.
- 7. Penalty for knowingly permitting any person to sell goods, contrary to law, in any building or appurtenances.
- 8. Exceptions as to sales by sheriffs and other officers.
- 9. Fines, how recovered and appropriated, and duty of sheriffs and other officers to prosecute therefor.

Municipal officers to license auctioneers and keep a record thereof.
 R. S., c. 46, § 1, 2.
 1843, c. 24.

SEC. 1. The municipal officers of any town may license any suitable inhabitants of their county, by a writing under their hands, to be auctioneers for one year in such town and in any other town in said county, where there is no licensed auctioneer; and shall record every such license in a book kept by them for that purpose.

Appeal to county commissioners, in case of refusal.
 R. S., c. 46, § 3.

SEC. 2. If such officers, after written application to them for a license, unreasonably refuse or neglect to grant it, the applicant, by giving them ten days notice and a bond to pay all costs arising thereafter, may appeal to the county commissioners, who, after a hearing of the parties, may grant the license if they judge it reasonable.

Auctioneers to keep account of goods sold, &c.
 R. S., c. 46, § 5.
 1853, c. 23, § 3.

SEC. 3. Every person licensed shall keep a fair and particular account of all goods and chattels by him sold, stating of whom received, and to whom sold; and if said goods are sold voluntarily for the benefit of parties residing out of the state, he shall deduct two and a half per cent. from the gross amount of the sales for the use of the town, where the sale is made, and pay the same to the treasurer thereof within ten days after the sale; and in default thereof, he shall be liable to a fine of not less than fifty, nor more than three hundred dollars, and forfeit his license.

Penalty for allowing any one not a voter in the town, to act under him.
 1853, c. 23, § 1, 2.

SEC. 4. No auctioneer shall allow any person, not a legal voter in the town, from which he received his license, to act for or under him in any sales by public auction, under penalty of fifty dollars for each offence; and any person so acting shall be subject to the same penalty.

Penalty for receiving goods of minors or servants, &c.
 R. S., c. 46, § 4.

SEC. 5. If any auctioneer receives any goods for sale, at public auction, of any servant or minor, knowing him to be such, or sells any of his own goods, before sunrise or after sunset, at public auction, he shall forfeit a sum not less than fifty nor more than one hundred and seventy dollars for each offence.

Real estate

SEC. 6. A parcel of real estate lying partly in one town and

partly in another, may be sold by an auctioneer of either; but if any auctioneer sells or offers to sell any real or personal property at public auction in any other towns, than those authorized by his license, or if any person sells without a license, he shall forfeit not exceeding six hundred dollars.

SEC. 7. If the tenant or occupant of any building, having actual possession and control thereof, knowingly permits any person to sell any goods or chattels at public auction contrary to the provisions of this chapter, in such building, or in any apartment, or yard appurtenant thereto, he shall forfeit not more than six hundred, nor less than one hundred dollars.

SEC. 8. Nothing in the preceding sections shall extend to sales made by sheriffs, deputy sheriffs, coroners, constables or collectors of taxes, executors or administrators, or any other person authorized to sell goods, chattels, or lands, by order of any court or judge of probate.

SEC. 9. All fines imposed by this chapter may be recovered by indictment in any court proper to try the same; and it shall be the especial duty of city marshals and their deputies, sheriffs, constables and police officers, to make immediate complaint for every offence against the provisions hereof; and one-half of all fines shall be for the use of the prosecutor, and the other for the use of the town where the offence is committed.

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lying in two towns, how sold. Penalty. R. S., c. 46, § 8, 9.

Penalty for permitting any person to sell, contrary to law, &c. R. S., c. 46, § 10.

Exceptions as to sales by officers. R. S., c. 46, § 6.

Fines, how recovered and appropriated. 1853, c. 23, § 4.

CHAPTER 35.

PAWNBROKERS AND INTELLIGENCE OFFICES.

PAWNBROKERS.

- SEC. 1. License and removal of pawnbrokers, and penalty for acting without license.
2. To keep an accurate and particular account of all business done, under a penalty.
3. Rate of interest fixed at twenty-five per cent. on loan of twenty-five dollars, and six on larger.
4. Time and mode of selling pawned property, and notice thereof, fixed under a penalty.
5. Penalty for not paying over proceeds of sale, after deducting amount due on loan.

INTELLIGENCE OFFICES.

6. Municipal officers may license intelligence offices. Penalty for keeping such office without license.
7. Penalties, how recovered and appropriated.

PAWNBROKERS.

SEC. 1. The municipal officers of any town may grant licenses to persons of good moral character to be pawnbrokers therein for one year, unless sooner removed by said officers for a violation of law regulating their business; and any person carrying on said business without a license, shall be liable to a penalty not exceeding one hundred dollars.

License and removal of pawnbrokers, &c. 1855, c. 152, § 1, 2.