

# 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.

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PUBLISHED BY AUTHORITY OF THE LEGISLATURE.

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BANGOR:  
WHEELER & LYNDE.

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1857.

dollars; one half to the use of the town, and the other to the sealer, or to him who prosecutes therefor. CHAP. 43.

SEC. 10. Such articles, as are sold or exchanged, in any market or town in this state by gross or avoirdupois weight, shall be sold or exchanged as follows; twenty-five avoirdupois pounds constitute one quarter; four quarters, one hundred; and twenty hundreds, one ton; and all other articles, usually sold by tale, shall be sold by decimal hundred.

Twenty-five pounds shall be a quarter, &c.  
R. S., c. 73, § 22.

## CHAPTER 44.

### HAWKERS AND PEDLERS.

- SEC. 1. Penalty for peddling without a license, and forfeiture of goods.
2. Description of persons to be licensed by county commissioners; licenses to expire in one year and not to be assigned without consent of board; amount to be paid therefor and certificate of good moral character to be attached.
  3. Persons licensed, not to carry property of those not five years residents of the state, jewelry, playing cards, or other prohibited property, under a penalty. Articles lawfully raised or manufactured in this state not included in this chapter.
  4. Every person licensed shall exhibit his license on request, or it shall not avail him in defence. Carriages and goods may be seized and held for payment of fines.
  5. Penalties and forfeitures how recovered and appropriated. Forfeited property how seized and disposed of.
  6. Name, and words, "Licensed by C. C.," painted on carriage.

SEC. 1. No person, except as hereinafter provided, shall travel from town to town, or place to place in any town in this state, on foot or by any kind of land or water, public or private conveyance whatever, carrying for sale, or offering for sale any goods, wares, or merchandise whatever, whole or by samples, under a penalty of not less than fifty, nor more than two hundred dollars, and the forfeiture of all property thus unlawfully carried.

Penalty for peddling without a license, and forfeiture of goods.  
1846, c. 200, § 1.  
1848, c. 63.  
1853, c. 10, § 1.

SEC. 2. The county commissioners in their counties may license, for the purposes aforesaid, any person applying, who proves to their satisfaction that he sustains a good moral character; has been five years a citizen of the United States and of this state, and has resided the year preceding in some town in the county where the application is made; and such licenses shall expire in one year from their date; shall not be transferred or assigned without the consent of the board granting the same, and the applicants shall pay therefor to the county they are to travel in, if on foot or in any boat or other water craft, ten dollars; with a carriage drawn by one animal, fifteen dollars; and drawn by two animals, twenty dollars; and shall present to the commissioners with their application, a certificate of good moral character, from the municipal officers of the town where they reside, which shall be attached to their license.

Description of persons to be licensed.  
1846, c. 200, § 3, 4, 8.  
1853, c. 10, § 2.

## CHAP. 44.

Persons licensed not to carry property of those not five years residents of the state, &c. 1846, c. 200, § 3, 9.

Person licensed shall exhibit license on request, &c. 1846, c. 200, § 6, 7.

Penalties how recovered and appropriated, &c. 1846, c. 200, § 1, 2, 5.

Name, and words "Licensed by C. C." painted on carriage. R. S., c. 75, § 5. 1856, c. 223.

SEC. 3. No person, licensed as aforesaid, shall sell, carry, or offer for sale any property belonging to persons not five years residents of this state, or any jewelry, playing cards or other property prohibited by law, under the penalty provided in section one; but nothing in this chapter shall prevent any citizen of this state from selling any fish, fruit, provisions, farming utensils, or other articles lawfully raised or manufactured in this state.

SEC. 4. Every person shall exhibit his license at all times when required by any justice of the peace, or any constable or other peace officer, and a refusal to do so shall be deemed evidence of not having any; and if afterwards prosecuted, the production of his license at the trial shall not avail him in defence, but he shall be dealt with as unlicensed; and the carriages, goods, wares, and merchandise of any person thus refusing, may be seized by a warrant from any justice of the peace, and detained until the payment of any fine, to which said person is liable.

SEC. 5. All penalties and forfeitures herein provided, may be recovered by indictment or action of debt, one half to the use of the town where the offence is committed, and the other to the use of the person prosecuting therefor; and any justice of the peace, on complaint, may cause the arrest of the accused, and seizure of the property alleged to be forfeited, and detain the same until trial in the proper court; and in case of conviction the property shall be decreed forfeited to the uses aforesaid; to be sold in like manner as goods taken on execution.

SEC. 6. Every person licensed shall have painted, in some conspicuous place on every carriage employed by him, in letters at least one inch wide, his name and the words "Licensed by C. C."

## CHAPTER 45.

## USURY.

- SEC. 1. Legal rate of interest fixed at six per cent., but not to apply to letting cattle or maritime contracts.
2. Excessive interest not recoverable; oath of debtor and creditor admissible, and costs for defendant, if damages are reduced.
3. Excessive interest may be recovered back within one year, but not of innocent holder of negotiable paper.

Legal rate of interest fixed. R. S., c. 69, § 1, 4.

SEC. 1. Legal interest upon the loan or forbearance of any money, goods, merchandise, or things in action, is hereby established at the rate of six dollars on a hundred dollars for one year; but this rule shall not apply to letting cattle, or other similar contracts in practice among farmers, or to maritime contracts, as bottomry, insurance, and course of exchange, in practice among merchants.

Excessive interest not

SEC. 2. In any action brought on any contract whatever, on which there is directly or indirectly taken or reserved a rate of