

MAINE STATE LEGISLATURE

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THE
REVISED STATUTES

OF THE
STATE OF MAINE,

PASSED JANUARY 25, 1871;

TO WHICH ARE PREFIXED
THE CONSTITUTIONS

OF THE
UNITED STATES AND OF THE STATE OF MAINE:

WITH AN APPENDIX.

BY AUTHORITY OF THE LEGISLATURE.



PORTLAND:
PUBLISHED BY BAILEY & NOYES.

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.

CHAP. 32.

Rights of the
 true owner in
 such cases.
 R. S. c. 31, § 3.

CHAPTER 32.

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

NOTARIES PUBLIC AND PROTESTS.

- SEC. 1. Notary's seal. He may administer oath.
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.

- SEC. 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, &c.

DEMAND.

- SEC. 10. Demand on note payable at time and place certain. Acceptance of bills of exchange, drafts or orders and waiver of demand and notice to be in writing.

NOTARIES PUBLIC AND PROTESTS.

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. When authorized by the laws of this state or of the United States, or by the laws of any other state or country, to do any official act, he may administer any oath necessary to the completion or validity of such act.

Notary's seal.

May administer
 oaths.
 R. S. c. 32, § 1.
 1859, c. 60.

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

His duty as to
 protests of
 losses, and
 record and
 copies thereof.
 R. S. c. 32, § 2.

CHAP. 32. 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.

R. S. c. 32, § 3.
15 Me. 452.
16 Me. 41, 246, 259.
17 Me. 360.
18 Me. 292.
21 Me. 217.

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 contracts usually recorded or certified by such notaries; take depositions the same as any justice of the peace and quorum may legally do; certify country products, and, in general, do all acts to be done by notaries public by the usages of merchants, and authorized by the laws of the state; and shall record at length, in a book of records, all acts, protests, depositions, and other things, by him noted or done in his official capacity.

Copies, evidence.

R. S. c. 32, § 4.
1858, c. 44, § 1.

SEC. 4. The protest of any foreign or inland bill of exchange, or promissory note or order, or all copies or certificates by him granted shall be under his hand and notarial seal, and shall be received as legal evidence of such transaction, and as to the notice given to the drawer or endorser, and of all facts therein contained, in all courts in this state. (a)

When office vacated, records to be deposited with clerk of courts.
R. S. c. 32, § 5.

SEC. 5. On the resignation or removal from office of any notary public, his records shall be deposited with the clerk of the judicial courts in the county for which he was appointed; and by a neglect for three months to comply with the above requisition on his part, or if he is deceased, on the part of his executor or administrator, for three months after the acceptance of his trust, either shall forfeit not less than fifty nor more than five hundred dollars.

Penalty for destroying, defacing or concealing such records.
R. S. c. 32, § 6.

SEC. 6. If any person knowingly destroys, defaces, or conceals, any such records, he shall forfeit and pay not less than two hundred nor more than one thousand dollars; and be liable for damages to any person injured, in an action on the case.

Duties of clerks relating thereto, and their fees.
R. S. c. 32, § 7.
16 Me. 181.

SEC. 7. All clerks shall receive and safely keep all such records and papers lodged in their offices and give attested copies thereof; for which they shall be allowed the same fees, as are allowed to a notary; and such copies shall be as valid, as if they were certified by said notaries.

Fees for protest, and appropriation of penalties.
R. S. c. 32, § 8.

SEC. 8. For each protest of a bill or note, notifying parties, making his certificate thereof in due form, and recording his proceedings, a notary public shall be entitled to one dollar and fifty cents and no

(a) 15 Me. 136; 16 Me. 41, 181, 259; 23 Me. 284, 553; 26 Me. 45; 41 Me. 302, 321; 43 Me. 144, 203; 49 Me. 26; 50 Me. 595; 53 Me. 410.

more; and all penalties herein provided shall accrue half to the state and half to the person suing therefor. CHAP. 33.

DAYS OF GRACE.

SEC. 9. On any promissory note, inland bill of exchange, draft, or order for the payment of money, payable in this state at a future day, or at sight, and not on demand, a grace of three days shall be allowed. If the third day is Sunday, a day of public fast or thanksgiving appointed by the governor and council, the fourth day of July, the twenty-second of February, or Christmas, or the first day of January, two days shall be allowed. If the fourth day of July, twenty-second of February, Christmas or the first day of January is Monday, and it is the third day of grace, or is Saturday and the following Sunday is the third day of grace, four days shall be allowed.

Days of grace on notes and bills, and changes on account of Sunday, fast, thanksgiving, fourth of July, twenty-second day of February, Christmas, and first day of January.
R. S. c. 32, § 9.
1863 c. 189.
13 Me. 412.
14 Me. 99, 284.

DEMAND.

SEC. 10. In an action on a promissory note payable at a place certain, either on demand, or on demand at or after a time specified therein, the plaintiff shall not recover, unless he proves a demand made at the place of payment prior to the commencement of the suit. No person shall be charged as an acceptor of a bill of exchange, draft or written order, unless his acceptance shall be in writing, signed by him or his lawful agent; and no waiver of demand and notice, by an endorser of any promissory note or bill of exchange, shall be valid unless it is in writing and signed in like manner.

Demand on note payable at time and place certain.
R. S. c. 32, § 10.
No person to be charged as acceptor &c.
1867 c. 80.
Waiver of demand, &c., by indorser not valid unless in writing.
1868 c. 152, § 1.

CHAPTER 33.

LIMITED PARTNERSHIPS.

- SEC. 1. To what kinds of business applicable and of what persons to be composed.
2. Certificate to be signed, and the particulars to be therein stated.
3. Certificate to be acknowledged and recorded, and where.
4. Liability for any misstatement therein.
5. Publication of such partnership, and mode of renewing it.
6. Special partners not to be named, or to act.
7. Capital not to be reduced below the amount stated in the certificate, and liability of partners to refund moneys withdrawn or divided.
8. In whose names suits, by and against such partnership may be brought.
9. Voluntary dissolution within the time specified and notice thereof.
10. In cases not otherwise provided for herein, limited partners to be same as general. Equity jurisdiction of the court under this chapter.

SEC. 1. Limited partnerships for the transaction of mercantile, mechanical, or manufacturing business, but not for banking or insurance, may be formed upon the following conditions and liabilities, to

To what kinds of business applicable, and of what