

MAINE STATE LEGISLATURE

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FOURTH REVISION.

THE
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED AUGUST 29, 1883, AND TAKING EFFECT JANUARY 1, 1884.

BY THE AUTHORITY OF THE LEGISLATURE.



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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 to pay to town two and a half per cent. on goods voluntarily sold for benefit of non-residents, under penalty.
4. Penalty, if auctioneer allows any one, not a voter in the town, to act under him in sales.
5. Penalty, for knowingly receiving goods of minors or servants, and for selling 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.
10. Municipal officers may grant special license to sell on invoice.

SEC. 1. The municipal officers of any town may license any legal voter thereof, by a writing under their hands, to be auctioneer for one year, in every town in their county; and shall record every such license in a book kept by them for that purpose. Upon receipt of such license, such auctioneer shall pay two dollars to the treasurer of said licensing town for said town, and may be exempted from the deduction of two and one half per cent. from the gross amount of sales provided in section three.

License.
1878, c. 23,
§§ 1, 2.
—fee to be
paid to town.
—exemption
from 2½ p. c.
tax.
4 Me., 263, 335.
25 Me., 142.
38 Me., 311.
43 Me., 160.
53 Me., 394.
Appeal to
county com-
missioners,
in case of
refusal.
R.S., c. 34, § 2.

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.

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 the price for which the same were sold; and unless otherwise authorized, 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 fined not less than fifty, nor more than three hundred dollars, and shall forfeit his license.

Auctioneers
to keep
account of
goods sold.
R.S., c. 34, § 3.
53 Me., 394.
—tax on
goods of non-
residents.
—penalty.

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 at public auction, under penalty of fifty dollars for each offence; and any person so acting is subject to the same penalty.

Penalty for
allowing any
one not a
voter in
town, to act
under him.
R.S., c. 34, § 4.
Penalty for
receiving
goods of
minors or
servants.

SEC. 5. If an auctioneer receives goods for sale at public auction, of any servant or minor, knowing him to be such, or sells goods, before sunrise or after sunset, at public auction, he forfeits not less than fifty

CHAP. 34.

R.S., c. 34, § 5.
—town officers may license to sell after sunset.

Real estate lying in two towns, how sold.
R.S., c. 34, § 6.
43 Me., 160.

—penalty.

Penalty if occupant of building permits any person to sell contrary to law therein.
R.S., c. 34, § 7.

Exceptions as to sales by officers.
R.S., c. 34, § 8.

Fines how recovered and appropriated.
R.S., c. 34, § 9.

Town officers may grant special license to auctioneers to sell on invoice.
1880, c. 182.

—fee.

nor more than one hundred and seventy dollars for each offence; but the municipal officers of any town may license any duly licensed auctioneer specially, to sell after sunset upon payment of a sum not exceeding twenty dollars.

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 an auctioneer sells or offers to sell 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 forfeits 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 this chapter, in such building, or in any apartment, or yard appurtenant thereto, he forfeits not more than six hundred, nor less than one hundred dollars.

SEC. 8. Nothing in the preceding sections extends to sales made by sheriffs, deputy sheriffs, coroners, constables, tax collectors, 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; and it is the special duty of city marshals and their deputies, sheriffs, constables and police officers, to make immediate complaint for every offence against the provisions hereof; half of all fines shall be for the prosecutor, and half for the town where the offence is committed.

SEC. 10. The municipal officers of any city or town, may, upon presentation of an invoice or inventory of the property to be sold, which shall be produced unless said municipal officers decide that the same is unnecessary, grant a special license to any auctioneer, a voter in the state, to sell at public auction, between the hours of seven in the forenoon and six in the afternoon, upon payment to such city or town of five dollars for each invoice or inventory.

CHAPTER 35.

PAWNBROKERS AND INTELLIGENCE OFFICES.

PAWNBROKERS.

- SEC. 1. License and removal of pawnbrokers, and penalty for acting without license.
2. To keep particular account of all business done. Penalty.
3. Twenty-five per cent. interest allowed on a loan of twenty-five dollars, and six per cent. on larger loans.
4. Time and mode of selling pawned goods; notice thereof. Penalty.
5. Penalty for not paying over net proceeds of sale.

INTELLIGENCE OFFICES.

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