

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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1884.

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CHAP. 43. make a report of his doings, with an accurate description of such structure, its latitude and longitude and the declination of the needle at the time, and deposit a record thereof with the clerk of the courts, and shall receive such just compensation therefor as the governor and council allow.

meridians
and make
report.
1881, c. 25.
—his pay.

Meridian line
on state land
in Orono.
1871, c. 182.

SEC. 17. The commissioners of Penobscot county may maintain the true meridian line on state land in the town of Orono under the provisions of the five preceding sections.

CHAPTER 44.

HAWKERS AND PEDLARS.

- SEC. 1. Penalty for peddling without a license, with forfeiture of goods; but not applicable to resident merchants selling in their own town, or to a citizen selling articles raised or manufactured in the United States.
2. County commissioners may license, and whom, and amount paid therefor, but not to be paid by soldiers of the State disabled in the rebellion. Extra fees, if licensee is a non-resident, or agent of foreign corporation.
3. Blank licenses, signed by commissioners, to be furnished the clerk, and he to account therefor, once in three months.
4. All moneys paid to clerk, to be paid over to treasurer of state, once in three months, except his fees. What to be allowed to clerk by commissioners in payment.
5. License to be exhibited when required; penalty, with seizure and forfeiture of goods and carriages for refusal.
6. Penalties, how recovered, and proceedings at the trial.
7. Name of pedlar and words, "Licensed by C. C.," to be painted on carriage.

Penalty and
forfeiture for
peddling
without a
license;
exceptions.
R.S., c. 44, § 1.
65 Me., 136.
72 Me., 493.
See c. 27, § 30.

SEC. 1. Whoever, except as hereinafter provided, travels from town to town, or place to place in any town, on foot or by any kind of land or water conveyance, carrying or offering for sale, any goods, wares or merchandise, whole or by sample, forfeits not less than fifty nor more than two hundred dollars, and all property thus unlawfully carried; but this provision does not apply to commission merchants and commercial brokers travelling from place to place in the city or town where they reside, and selling or offering to sell goods by sample or otherwise; nor to any citizen of the state selling fish, fruit, provisions, farming utensils or other articles lawfully raised or manufactured in the United States.

1883, c. 249.

County com-
missioners
may license,
and whom;
what to be
paid there-
for; disabled
soldiers
licensed free.
R.S., c. 44, § 2.

SEC. 2. The county commissioners may license for the purposes aforesaid, any person who satisfies them that he sustains a good moral character, and has been for five years a citizen of the United States; such licenses expire in one year from their date, and are not transferable; and the licensee shall pay therefor, if he is to sell or offer to sell by retail, ten dollars; if by wholesale, twenty-five dollars; but soldiers of the State, disabled in the recent war of the rebellion, shall have their licenses free. If the licensee is not a resident of the state, or if he is acting as agent, clerk or servant of any non-resident person, or corporation not located therein, he shall pay for such license, if he is to sell or offer to sell by retail, twenty-five dollars; if by wholesale, fifty dollars.

—extra fees,
if licensee is
a non-resi-
dent, or
agent of non-
resident.
1879, c. 116.

SEC. 3. Said commissioners shall furnish the clerk of the court a sufficient number of blank licenses, signed by at least a majority of them, to meet all calls therefor; they shall be charged to him, and he shall account therefor once in three months to said commissioners.

SEC. 4. All moneys paid for such licenses, shall be paid to the clerk of the court, and be by him paid to the treasurer of state or deposited in the nearest bank where state funds are deposited, or in such other place as is agreed upon with the treasurer of state, once in three months, except fifty cents for each license, taking receipts therefor. Such receipts, licenses not issued, and fifty cents for each license issued and recorded, shall be allowed to such clerk by said commissioners on payment for signed licenses received by him.

SEC. 5. Every such licensee shall exhibit his license when required by a trial justice, constable, or other peace officer; and for refusal, he forfeits fifty dollars; and his carriages, goods, wares and merchandise, employed under such license, on complaint before a justice of a police or municipal court or trial justice in said county, may be seized on his warrant, and detained in the custody of the officer until payment of said penalty or the discharge of the accused; and if he is convicted, and said property is not redeemed within twenty days thereafter, it shall be forfeited, and sold as if taken on execution, and the net proceeds distributed as hereinafter provided.

SEC. 6. Such penalties and forfeitures may be recovered by indictment, or action of debt in the name of the prosecutor, half to the town where the offence is committed, and half to his own use; any trial justice, or police, or municipal judge, in the county may, on complaint for a violation of this chapter, issue his warrant for the arrest of the accused and the seizure of the property alleged to be forfeited; and if, on examination, he finds probable cause to believe that he is guilty, he shall order him to recognize, with sufficient sureties, to appear before the next supreme judicial court for said county, and in default thereof, shall commit him, and order the detention of said property by the officer in whose custody it is, until trial in said court; and on conviction, said property shall be decreed forfeited to the uses aforesaid, and be sold as if taken on execution.

SEC. 7. In some conspicuous place on every carriage employed by a licensee, shall be painted in letters at least one inch wide, his name, and the words, "Licensed by C. C."

CHAP. 44.

Signed blanks, to be furnished clerk, and accounted for quarterly.
R.S., c. 44, § 3.
Clerk to pay over to state treasurer quarterly.
R.S., c. 44, § 4.
—what fees to be allowed clerk by commissioners.

License to be shown, when required; penalty, with seizure and forfeiture of goods and carriages on refusal.
R.S., c. 44, § 5.

Penalties, how recovered, and proceedings at the trial.
R.S., c. 44, § 6.

What must be painted on pedlar's carriage.
R.S., c. 44, § 7.

CHAPTER 45.

INTEREST.

Six per cent., the legal rate of interest unless parties otherwise agree in writing.

In the absence of an agreement in writing, the legal rate of interest is six per cent. a year. (a)

Rate six per cent., unless by written agreement.
R.S., c. 45, § 1.

(a) 66 Me., 219, 283, 526; 68 Me., 526; 73 Me., 471.