

# MAINE STATE LEGISLATURE

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SEVENTY-FIFTH LEGISLATURE

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HOUSE

NO. 286

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*House of Representatives, Feb. 27, 1911.*

*Introduced by Mr. Bogue of East Machias, who moved its reference to the Committee on Judiciary. By him tabled for printing pending reference to a committee.*

*C. C. HARVEY, Clerk.*

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND ELEVEN.

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AN ACT to provide for publicity respecting the membership of mercantile partnerships, and for identification of individual merchants in certain cases.

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*Be it enacted by the People of the State of Maine, as follows:*

Section 1. Whenever two or more persons become associated as partners or otherwise for the purpose of engaging in any retail mercantile enterprise of a permanent character, they shall, before commencing business, deposit in the office of the clerk of the city or town in which the same is to be carried on, a certificate signed and sworn to by them, setting forth their names and places of residence, the nature of the business in which they intend to engage, and giving the name under which they are to transact business. And all

10 persons so associated and engaged in business as aforesaid  
11 at the time when this act takes effect shall, within thirty  
12 days thereafter, deposit in the office of the clerk of the city  
13 or town where such business is being carried on, a certificate  
14 signed and sworn to by them setting out the facts before  
15 mentioned. Whenever any member of such partnership or  
16 association withdraws therefrom, he may certify under oath  
17 to the fact of such withdrawal, which certificate shall be de-  
18 posited in the clerk's office where the partnership certificate  
19 is recorded; and he shall conclusively be presumed to be a  
20 member of the firm or association to the time of his deposit-  
21 ing such certificate.

Sect. 2. Whenever any person intends to engage in such  
2 business as sole proprietor thereof, and to adopt any business  
3 name, style or designation other than his own name exclu-  
4 sively, he shall, before commencing business, deposit in the  
5 office of the clerk of the city or town in which said business  
6 is to be carried on, a certificate signed and sworn to by him  
7 setting forth his name and place of residence; the name,  
8 style or designation under which the business is to be con-  
9 ducted, and stating that he is the sole proprietor. And all  
10 persons who may be such sole proprietor at the time this act  
11 takes effect, shall, within thirty days thereafter, deposit in  
12 the office of the clerk of the city or town where such business  
13 is being carried on, a certificate signed and sworn to by him,  
14 setting out the facts before mentioned.

Sect. 3. The clerks of the several cities and towns shall

2 record, in a suitable book kept exclusively for the purpose,  
3 the certificates deposited under the provisions of this act, and  
4 such book shall be open to public inspection. The clerk shall  
5 be entitled to a fee of twenty-five cents for recording such  
6 certificates.

Sect. 4. Any person failing seasonably to deposit the cer-  
2 tificate required by this act, shall be punished by a fine of five  
3 dollars for each day he is in default.

Sect. 5. No person signing and making oath to any certifi-  
2 cate deposited as provided by this act shall be permitted, in  
3 any judicial proceeding, to contradict the statements con-  
4 tained in such certificate. Whoever swears or affirms to any  
5 such certificate which is not true in fact shall be deemed  
6 guilty of perjury.