

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

HOUSE

NO. 291

House of Representatives, Feb. 19, 1915.

Ordered, That five hundred copies be printed and that the same be referred to the Committee on Legal Affairs.

Committee on Reference.

Presented by Mr. St. Clair of Calais.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIFTEEN

AN ACT to provide for Publicity respecting the Membership
of Mercantile Partnerships, and for Identification of Indi-
vidual Merchants in Certain Cases.

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

Section 1. Whenever two or more persons become asso-
2 ciated as partners or otherwise for the purpose of engaging
3 in any retail mercantile enterprise of a permanent character,
4 they shall, before commencing business, deposit in the office
5 of the clerk of the city or town in which the same is to be
6 carried on, a certificate signed and sworn to by them, set-
7 ting forth their names and places of residence, the nature of
8 the business in which they intend to engage, and giving the

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

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

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

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