

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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SEVENTY-SEVENTH LEGISLATURE

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HOUSE

NO. 849

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*House of Representatives, March 18, 1915.*

*Reported by Mr. Clifford from Committee on Legal Affairs,  
and ordered printed under joint rules.*

*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 FIFTEEN

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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 asso-  
2 ciated as partners or otherwise for the purpose of engaging  
3 in any mercantile enterprise they shall, before commencing  
4 business, deposit in the office of the clerk of the city or  
5 town in which the same is to be carried on, a certificate  
6 signed and sworn to by them, setting forth their names and  
7 places of residence, the nature of the business in which they

8 intend to engage, and giving the name under which they  
9 are to transact business. And all persons so associated and  
10 engaged in business as aforesaid at the time when 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 busi-  
13 ness is being carried on, a certificate signed and sworn to  
14 by them setting out the facts before mentioned. Whenever  
15 any member of such partnership or association withdraws  
16 therefrom, he may certify under oath to the fact of such  
17 withdrawal, which certificate shall be deposited in the clerk's  
18 office where the partnership certificate is recorded; and he  
19 shall conclusively be presumed to be a member of the firm  
20 or association to the time of his depositing 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  
5 in the office of the clerk of the city or town in which said  
6 business is to be carried on, a certificate signed and sworn  
7 to by him setting forth his name and place of residence;  
8 the name, style or designation under which the business is  
9 to be conducted, and stating that he is the sole proprietor.  
10 And all persons who may be such sole proprietor at the  
11 time this act takes effect, shall, within thirty days thereafter,  
12 deposit in the office of the clerk of the city or town where  
13 such business is being carried on, a certificate signed and  
14 sworn to by him, 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,  
4 and such book shall be open to public inspection. The clerk  
5 shall be entitled to a fee of twenty-five cents for recording  
6 such certificates.

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

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