

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

FOURTEENTH LEGISLATURE,

At its Session, held in January, 1834.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

AUGUSTA :

I. BERRY & CO., PRINTERS TO THE STATE.

1834.

Chapter 117.

AN ACT relative to Principal Factors and Agents.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That every person in whose name any merchandize shall be shipped, shall be deemed the true owner thereof so far as to entitle the consignee of such merchandize to a lien thereon, for any money advanced or negotiable security given, by such consignee, to and for the use of the person in whose name such shipment shall have been made—and for any money or negotiable security received by the person in whose name such shipment shall have been made, to or for the use of any such consignee.

Shipper of merchandize to be deemed the owner so as to entitle consignee to a lien for advances.

SECT. 2. *Be it further enacted,* That every factor or other agent entrusted with the possession of any bill of lading, custom-house permit, or warehouse keeper's receipt, for the delivery of any such merchandize, and every such factor or agent not having the documentary evidence of title, who shall be entrusted with the possession of any merchandize for the purpose of sale, or as security for any advances to be made or obtained thereon, shall be deemed to be the true owner thereof, so far as to give validity to any contract made by such agent with any other person, for the sale or disposition of the whole or any part of such merchandize, any money advanced, or negotiable instrument or any other obligation in writing given by such person upon the faith thereof.

Factors' agents, &c. having documentary evidence of title or possession of merchandize enabled to make valid contracts.

SECT. 3. *Be it further enacted,* That every person who shall accept or take any such merchandize in deposit from such agent as security for any antecedent debt or demand, shall not acquire thereby, or enforce any right or interest in or to such merchandize or document, other than was possessed or might have been enforced, by such agent at the time of such deposit.

Persons taking merchandize in deposit from agent or factor to acquire no right but that of the factor or agent.

SECT. 4. *Be it further enacted*, That nothing in this act shall be construed to prevent the true owner of any merchandize so deposited, from demanding and receiving the same, upon re-payment of the money advanced, or on restoration of the security given, on the deposit of such merchandize; and upon satisfying such lien as may exist thereon in favor of the agent who may have deposited the same, nor from recovering any balance which may remain in the hands of the person with whom such merchandize shall have been deposited as the produce of the sale thereof, after satisfying the amount justly due to such person by reason of such deposit, and also after satisfying all just expenses arising on such merchandize.

Owner to demand and receive merchandize on satisfying factor's lien.

SECT. 5. *Be it further enacted*, That nothing contained in this Act shall authorize a common carrier, ware-house keeper or other person to whom merchandize or other property may be committed for transportation or storage only, to sell or hypothecate the same.

No carrier or warehouse keeper to hypothecate merchandize.

[Approved by the Governor, March 7, 1834.]

Chapter 118.

AN ACT to repeal an "Act to encourage the destruction of Crows," approved March sixth, one thousand eight hundred and thirty. Also an Act, entitled "An Act to encourage the destruction of Bears, Wolves, Wild Cats and Loupcerviers" approved February eleventh, one thousand eight hundred and thirty two.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled*, That an act entitled "An Act to encourage the destruction of Crows," approved March sixth, one thousand eight hundred and thirty—also an act, entitled "An Act to encourage the destruction of Bears, Wolves, Wild Cats and Loup Cerviers" approved February eleventh, one thousand eight hundred and thirty two, be and the same are hereby repealed.

Certain acts repealed Chap. 455, Vol. 3, pp. 297.