

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1853.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
Feb. 26, 1840, and March 16, 1842.

Augusta:
WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1853.

PUBLIC LAWS
OF THE
STATE OF MAINE.
1853.

Chapter 23.

An act additional to chapter forty-six of the revised statutes.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. No auctioneer shall allow any person who is not a legal voter in the city, town or plantation, where said auctioneer holds his license, to act for or under him as an auctioneer, in any sales, or parts of sales by public auction of any goods, wares or merchandise, under penalty of fifty dollars for each and every offense.

Prohibition upon auctioneers.

SECT. 2. Any person not a legal voter as specified in section one of this act, who shall act as auctioneer under, or by virtue of the license of any regularly licensed auctioneer in the sale or parts of sales, of any goods, wares or merchandise, shall forfeit fifty dollars for each and every offense.

Liability of persons, not legal voters, acting under license of auctioneer.

SECT. 3. It shall be the duty of every auctioneer, on receiving consignments or parcels of goods, wares or merchandise, to be sold at public auction for the benefit of parties residing out of this state, to keep a true account of the sales and proceeds of such goods, wares and merchandise, as provided in the act to which this is additional; and it shall be the duty of said auctioneer to deduct from the gross amount of such sales a sum equal to two and a half per cent. on each dollar of said sales, for the use of the city, town or plantation where said sale is holden; and said auctioneer shall pay the same to the treasurer thereof, within ten days after said sales shall have been made; and in default thereof said auctioneer shall be liable to a fine of not less than fifty dollars and not exceeding three hundred dollars, and shall forfeit his license; *provided* that the sales of goods, wares and merchandise sold under due process of law, or by administrators or executors, shall not be subject to the foregoing provisions.

Duty of auctioneers.

2½ per cent. on gross amount of sales to be paid the town.

SECT. 4. All fines imposed in the several sections of this act may be recovered by complaint and indictment in any court proper to try the same; and it shall be the especial duty of all city marshals or their deputies, and of all sheriffs, constables and police officers, to make immediate complaint on each and every offense against the provisions of this act; and one half of all fines imposed by virtue of this act shall be for the use of the complainant and the other half shall be paid into the city, town or plantation treasury where said offenses shall have been committed.

Proviso.

Fines, how recovered.

SECT. 5. This act shall take effect from and after its approval by the governor.

[Approved March 26, 1853.]