

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE,

1855.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February  
26, 1840, and March 16, 1842.  
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**AUGUSTA:**  
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1855.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1855.

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**Chapter 152.****CHAP. 152.**

An act to regulate the business of pawn brokers.

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

SECT. 1. The mayor and aldermen of any city and the selectmen of any town in this state, may grant licenses to such persons of good character as they may deem proper, to carry on in such city or town, the business of pawn brokers; which licenses shall be in force for a time not exceeding one year, and shall be subject to the provisions of this act. Such licenses may be revoked by the mayor and aldermen and selectmen, whenever they shall be satisfied that the person licensed has neglected or violated any of the provisions of this act.

Pawn brokers,  
license of, &c.

SECT. 2. If any person, after the first day of May next, shall carry on the business of a pawn broker, without being duly licensed therefor, he shall pay a fine not exceeding one hundred dollars, to be recovered by indictment, to the use of the state.

—penalty for  
neglect.

SECT. 3. Every person licensed as a pawn broker, shall keep a book, in which shall be fairly written at the time of every loan made by him, an accurate account and description of the goods or articles pawned, the amount of money loaned thereon, the time of pledging the same, the rate of interest to be paid thereon, and the name and residence of the person pawning the said goods or articles. He shall also, at the time of making every loan, deliver to the borrower, without charge therefor, a written memorandum, signed by himself, containing the substance of the entry required to be made in his book as herein provided. He shall at all reasonable times, on request, submit the book so required to be kept by him, to the inspection of the mayor and aldermen and selectmen or of any one of their number.

—to keep account  
of loans, &c.

—to furnish  
memorandum of  
articles, &c.,  
pawned.

—books to be  
submitted to  
inspection of city  
or town officers.

SECT. 4. Any pawn broker, who shall neglect or violate any of the provisions of the preceding section, shall forfeit and pay the sum of twenty dollars, to be recovered by complaint to the use of the state.

Penalty for  
violation.

SECT. 5. No person shall demand or receive any greater rate of interest than twenty-five per cent. per annum upon any loan not exceeding the sum of twenty-five dollars, made upon any goods or articles pawned or pledged, or than six per cent. per annum upon any such loan exceeding the sum of twenty-five dollars, under a penalty of one hundred dollars for every such offense, to be recovered by indictment to the use of the State.

Interest not to  
exceed certain  
rates.

SECT. 6. No person licensed as a pawn broker, or carrying on said business, shall sell any pawn or pledge, until the same shall

Pawns, &c.,  
when to be sold.

**CHAP. 153.** have remained in his possession at least three months after the expiration of the time for which the same was pawned or pledged; and all such sales shall be at public auction and not otherwise, by duly licensed auctioneer, and after publication of notice in some newspaper, if any be published in the city or town, where such articles shall be pawned or pledged, specifying the time and place of sale within said city or town, the name of the auctioneer, and a description of the goods or articles to be sold. If no newspaper be published in such city or town, the notice of sale shall be posted up in two public places in said city or town, at least two weeks before said sale.

--sale of, to be advertised.

Certain sales void.

**SECT. 7.** All sales of goods or articles pawned or pledged, not made in pursuance of the provisions of this act, shall be wholly void. Any person who shall undertake to sell such goods or articles in violation hereof, shall pay a fine of twenty dollars for every offense, to be recovered by complaint to the use of the State.

Surplus proceeds of sales, how disposed of, &c.

**SECT. 8.** The surplus money, if any, arising from any sale as aforesaid, of goods or articles pawned or pledged, after deducting the amount of the loan, the interest then due on the same, and the proportional part of the expenses of the advertisement and sale, shall be paid over by the person selling such goods or articles, to the person who would be entitled to redeem the same, if no sale had taken place. And if such surplus be not paid over on demand, the person retaining the same shall forfeit and pay double the amount so retained, to be recovered by complaint or indictment, one-half to the use of the person entitled to receive the said surplus, the other half to the use of the state.

[Approved March 14, 1855.]

### Chapter 153.

An act to amend chapter eighty-seven of the revised statutes on marriage.

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

Licensed ministers authorized to solemnize marriages.

**SECT. 1.** Any person regularly licensed to preach, by an association of ministers, religious seminary or ecclesiastical body, being duly appointed and commissioned by the governor and council, shall have power to solemnize marriages in conformity to the power given by said commission to him. And the twelfth section of chapter eighty-seven of the revised statutes, is amended in pursuance hereof.

**SECT. 2.** This act shall take effect from and after the approval of this act by the governor.

[Approved March 14, 1855.]