

MAINE STATE LEGISLATURE

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FIFTH REVISION.

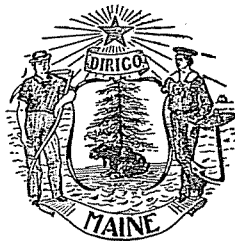
THE
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED SEPTEMBER 1, 1903, AND TAKING EFFECT JANUARY 1, 1904.

BY THE AUTHORITY OF THE LEGISLATURE.



AUGUSTA :
KENNEBEC JOURNAL PRINT,
1904.

the termination of the partnership, the property is not sufficient to pay the partnership debts, the special partners shall be severally answerable for all sums by them in any way received, withdrawn or divided, with interest thereon from the time of withdrawal, notwithstanding the provision in the following section.

SEC. 8. Suits respecting the business of such partnership shall be commenced and prosecuted by and against the general partners only, except in those cases in which provision is hereinbefore made, that special partners shall be deemed general partners, and special partnerships, general partnerships; in which cases all the partners deemed general partners, may join or be joined in such suits.

SEC. 9. No voluntary dissolution of such partnerships shall take place before the time specified in the certificate before named, unless a notice thereof is recorded in each registry, in which the original certificate, or certificate of renewal or continuance is recorded, and published in such paper, as is directed in section five.

SEC. 10. In all cases not otherwise provided for herein, the members of limited partnerships are subject to the liabilities, and entitled to the immunities, incident to general partnerships, and the supreme judicial court may hear and determine, in equity, all questions between co-partners in any partnership formed by virtue of this chapter, and between said co-partners and any creditors of the firm.

In whose name, suits may be brought.
R. S., c. 33, § 8.

Voluntary dissolution, and notice thereof.
R. S., c. 33, § 9.

In cases not otherwise provided for herein, limited partners to be same as general.
R. S., c. 33, § 10.

CHAPTER 36.

AUCTIONS AND AUCTIONEERS.

SEC. 1. The municipal officers of any town may license any legal voter thereof, by a writing under their hands, to be auctioneer for one year, in every town in their county; and shall record every such license in a book kept by them for that purpose. Upon receipt of such license, such auctioneer shall pay two dollars to the treasurer of said licensing town for said town, and may be exempted from the deduction of two and one-half per cent from the gross amount of sales provided in section three. (a)

SEC. 2. If such officers, after written application to them for a license, unreasonably refuse or neglect to grant it, the applicant, by giving them ten days' notice and a bond to pay all costs arising thereafter, may appeal to the county commissioners, who, after a hearing of the parties, may grant the license if they judge it reasonable.

SEC. 3. Every person licensed shall keep a fair and particular account of all goods and chattels by him sold, stating of whom received, and the price for which the same were sold; and unless otherwise authorized, if said goods are sold voluntarily for the benefit of parties residing out of the state, he shall deduct two and a half per cent from the gross amount of the sales for the use of the town where the sale is made, and pay the same to the treasurer thereof within ten days after the sale; and in default thereof, he shall be fined not less than fifty, nor more than three hundred dollars, and shall forfeit his license.

SEC. 4. No auctioneer shall allow any person, not a legal voter in the town from which he received his license, to act for or under him in any

License.
R. S., c. 34, § 1.

—fee.

—exemption.

Appeal to county commissioners, in case of refusal.
R. S., c. 34, § 2.

Auctioneers to keep account of goods sold.
R. S., c. 34, § 3.
53 Me., 394.

—tax on goods of non-residents.

—penalty.

Penalty for allowing any one not a

(a) 4 Me., 263, 335; 25 Me., 142; 38 Me., 311; 43 Me., 160; 53 Me., 394.

CHAP. 36.

voter in town, to act under him.

R. S., c. 34, § 4.

Penalty for receiving goods of minors or servants.

R. S., c. 34, § 5.

—town officers may license to sell after sunset.

Real estate lying in two towns, how sold.

R. S., c. 34, § 6.
43 Me., 160.

—blooded animals may be sold without license.
1893, c. 159.

Penalty if occupant of building permits any person to sell contrary to law therein.

R. S., c. 34, § 7.

Exceptions as to sales by officers.

R. S., c. 34, § 8.

Fines how recovered and appropriated.

R. S., c. 34, § 9.

Town officers may grant special license to auctioneers to sell on invoice.

R. S., c. 34, § 10.

—fee.

sales at public auction, under a penalty of fifty dollars for each offense; and any person so acting is subject to the same penalty.

SEC. 5. If an auctioneer receives goods for sale at public auction, of any servant or minor, knowing him to be such, or sells goods, before sunrise or after sunset, at public auction, he forfeits not less than fifty, nor more than one hundred and seventy dollars for each offense; but the municipal officers of any town may license any duly licensed auctioneer specially, to sell after sunset upon payment of a sum not exceeding twenty dollars.

SEC. 6. A parcel of real estate lying partly in one town and partly in another, may be sold by an auctioneer of either; but if an auctioneer sells or offers to sell real or personal property at public auction in any other towns than those authorized by his license, or if any person sells without a license, he forfeits not exceeding six hundred dollars; *provided, however*, that any person, employed by the owner of blooded animals may sell the same, as auctioneer, at public auction, whether licensed by municipal officers or not.

SEC. 7. If the tenant or occupant of any building, having actual possession and control thereof, knowingly permits any person to sell any goods or chattels at public auction contrary to this chapter, in such building, or in any apartment, or yard appurtenant thereto, he forfeits not more than six hundred, nor less than one hundred dollars.

SEC. 8. Nothing in the preceding sections extends to sales made by sheriffs, deputy sheriffs, coroners, constables, tax collectors, executors or administrators, or any other person authorized to sell goods, chattels or lands, by order of any court or judge of probate.

SEC. 9. All fines imposed by this chapter may be recovered by indictment; and it is the special duty of city marshals and their deputies, sheriffs, constables and police officers, to make immediate complaint for every offense against the provisions hereof; half of all fines shall be for the prosecutor, and half for the town where the offense is committed.

SEC. 10. The municipal officers of any city or town, may, upon presentation of an invoice or inventory of the property to be sold, which shall be produced unless said municipal officers decide that the same is unnecessary, grant a special license to any auctioneer, a voter in the state, to sell at public auction, between the hours of seven in the forenoon and six in the afternoon, upon payment to such city or town of five dollars for each invoice or inventory.