

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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SEVENTY-NINTH LEGISLATURE

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HOUSE

NO. 413

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House of Representatives, March 14, 1919.

Reported by Mr. Murchie from Committee on Judiciary and  
ordered printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND  
NINE HUNDRED AND NINETEEN

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AN ACT to Amend Sections eleven, twenty-five and twenty-  
six of Chapter forty-one of the Revised Statutes, Relating to  
Itinerant Vendors.

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Be it enacted by the People of the State of Maine, as follows:

Section 1. Section eleven of chapter forty-one of the re-  
vised statutes is hereby amended by striking out the word  
3 "fifty" in the fourth line of said section and inserting in place  
4 thereof the words 'two hundred,' and also by striking out  
5 the word "sixty" in the said fourth line of the section and  
6 inserting in place thereof the word 'ninety,' so that said sec-  
7 tion as amended shall read as follows:

'Sect. 11. Every itinerant vendor who shall sell or ex-

2 pose for sale, at public or private sale, any goods, wares  
3 and merchandise without state and local license therefor, is-  
4 sued as hereinafter provided, shall be punished for each  
5 offense by fine not exceeding two hundred dollars or by im-  
6 prisonment not exceeding ninety days, or by both such fine  
7 and imprisonment.'

Sect. 2. Section twenty-five of chapter forty-one of the  
2 revised statutes is hereby amended by inserting after the  
3 word "car" in the ninth line of said section the words  
4 'wagon or other conveyance' so that said section as amended  
5 shall read as follows:

'Sect. 25. The words "itinerant vendors" for the pur-  
2 poses of this chapter shall be construed to mean and include  
3 all persons, both principals and agents, who engage in a  
4 temporary or transient business in this state, either in one  
5 locality or in travelling from place to place selling goods,  
6 wares and merchandise, and who, for the purposes of carry-  
7 ing on such business, hire, lease or occupy any building or  
8 structure for the exhibition and sale of such goods, wares  
9 and merchandise, or who sells goods, wares and merchan-  
10 dise, at retail from a car, wagon or other conveyance,  
11 steamer or vessel. No itinerant vendor shall be relieved or  
12 exempted from the provisions and requirements hereof by  
13 reason of associating himself temporarily with any local  
14 dealer, trader or merchant, or by conducting such temporary  
15 or transient business, in connection with or as a part of, or  
16 in the name of any local dealer, trader or merchant.'

Sect. 3. Section twenty-six of chapter forty-one of the revised statutes is hereby amended by inserting after the word "hawkers" in the fifth line of said section the words 'or peddlers,' and by adding to said section the following:—'any of whom are bona fide residents of this state or of any other state or country whose laws impose no burden upon citizens of this state engaged in like business within their borders,' so that said section as amended shall read as follows:

Sect. 26. The provisions of the fifteen preceding sections shall not apply to sales made to dealers by commercial travelers or selling agents in the usual course of business, nor to bona fide sales of goods, wares and merchandise by sample for future delivery, nor to hawkers or peddlers on the streets or peddlers from vehicles, any of whom are bona fide residents of this state or of any other state or country whose laws impose no burden upon citizens of this state engaged in like business within their borders.'