

MAINE STATE LEGISLATURE

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NEW DRAFT.

Sixty-Fourth Legislature.

HOUSE.

No. 142.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
EIGHTY-NINE

AN ACT relating to Hawkers and Peddlers.

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

SECTION 1. Any citizen of the United States, may go
2 about from town to town, or from place to place in the
3 same town, exposing for sale and selling fruit, provisions,
4 live animals, brooms, agricultural implements, fuel, news-
5 papers, books, pamphlets, agricultural products of the
6 United States, the products of his own labor or the labor
7 of his family, and any patent of his own invention; but
8 nothing in this section shall be so construed as to include
9 among the things that may be so exposed for sale, or sold,
10 any articles of the growth or production of foreign
11 countries.

SECT. 2. The Secretary of State may grant a license,
2 to go about exposing for sale and selling, any goods,

3 wares or merchandise, to any person who files in his
4 office, a certificate signed by the mayor of a city, or by a
5 majority of the selectmen of a town, stating to the best
6 knowledge and belief of such mayor or selectmen, the
7 applicant therein named is of good moral character. The
8 mayor or selectmen before granting such certificate, shall
9 require the applicant to make oath, that he is the person
10 named therein and that he is a citizen of the United States,
11 and the mayor or said selectmen are hereby authorized to
12 administer said oath.

SECT. 3. The Secretary shall cause to be inserted in
2 every such license the names of such cities and towns as
3 the applicant selects, with the sums to be paid to the
4 respective treasurers thereof, as provided in the following
5 section, and shall receive from the applicant, one dollar
6 for each city and town so inserted. Every person so
7 licensed, may sell as aforesaid in any city or town men-
8 tioned in his license, any goods, wares or merchandise,
9 upon first paying the required sum, to the treasurer of
10 such city or town, who shall certify on the face of said
11 license the sum so paid.

SECT. 4. Every person licensed under the two preced-
2 ing sections, shall pay to the treasurer of each city or
3 town mentioned in his license, the sums following: for
4 every town containing not more than one thousand inhab-
5 itants, according to the United States census next pre-
6 ceding the date of his license, three dollars; for towns
7 containing more than one thousand and less than two
8 thousand inhabitants, six dollars, and for every thousand
9 inhabitants in excess of two thousand, two dollars, provided

10 that the sum so to be paid to any such treasurer, shall in
11 no case exceed twenty dollars.

SECT. 5. The secretary, upon conditions required
2 in section 2 may grant special State licenses, upon the
3 payment by the applicant of fifty dollars, for each license,
4 and the person so licensed may expose for sale and sell,
5 in any city or town in this State, any goods, wares or
6 merchandise. He may also grant as aforesaid, upon the
7 payment by the applicant of one dollar for each county
8 mentioned therein, special county licenses, and the person
9 so licensed, upon paying to the treasurer of each county
10 mentioned in said license, the sum of two dollars, may
11 expose for sale and sell, within such counties, any tin,
12 britannia, glass, earthen, iron or wooden wares manu-
13 factured in the United States. The respective county
14 treasurers, upon receipt of the aforesaid sum, shall certify
15 on the face of said license the amount so received.

SECT. 6. Any soldier or sailor disabled in the war for
2 the suppression of the rebellion, or by sickness or disa-
3 bility contracted therein or since his discharge from service,
4 shall be exempt from paying the license fees required by
5 this chapter.

SECT. 7. The secretary of State and the treasurers of
2 counties, cities and towns, shall severally keep records of
3 all licenses upon which the sums herein provided have
4 been paid to them, with the number of each, the names
5 and residences of the persons licensed, and the sums
6 received thereon, and all such records shall be open for
7 public inspection.

SECT. 8. All sums paid to the secretary under this
2 chapter shall be for the use of the State, and all sums paid

3 to the treasurer of a county, city or town, shall be for the
4 use of such county, city or town.

SECT. 9. Every person licensed to peddle, as herein-
2 before provided, when his license is demanded of him by a
3 mayor, alderman, selectman, sheriff or his deputy, constable
4 or police officer, shall forthwith exhibit it, and if he neglects
5 or refuses so to do, shall be subject to the same penalty as
6 if he had no license. A synopsis of this chapter shall be
7 printed on every license.

SECT. 10. The provisions of this chapter are hereby
2 made applicable to all itinerant merchants, opening a place
3 of business in any city or town, for the sale of goods, wares
4 and merchandise not mentioned in section 1, and not con-
5 tinuing said business in said city or town for the space of
6 six months.

SECT. 11. Whoever goes from town to town, or from
2 place to place in the same town, carrying for sale
3 or exposing for sale, any goods, wares or merchandise,
4 contrary to the provisions of this act, or takes a residence
5 in a city or town for a less term than six months for the
6 purpose of so doing, shall be punished by a fine not
7 exceeding two hundred dollars for each offense.

SECT. 12. All licenses granted under this chapter shall
2 bear date the day on which they are issued, and shall
3 continue in force one year.

SECT. 13. Sheriffs and their deputies, constables and
2 police officers, shall arrest and prosecute every person
3 within their jurisdiction whom they have reason to believe
4 to be guilty of violation of any of the provisions of this
5 act; and one-half of any fine recovered under section 11

6 of this act shall inure to the prosecutor, the balance to the
7 town or city in which the offense was committed.

SECT. 14. Trial justices, and judges of municipal and
2 police courts shall have jurisdiction of all offenses com-
3 mitted under this chapter.

SECT. 15. The provisions of this chapter are not
2 applicable to commercial agents, selling goods by sample
3 to dealers only.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 13, 1889. }

Reported from Committee on Legal Affairs, by Mr. SPRAGUE of
Dexter, and ordered printed under joint rules.

NICHOLAS FESSENDEN, *Clerk.*