

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

NEW DRAFT.

Sixty-Fourth Legislature.

HOUSE.

No. 274.

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. No person shall go about from town to
2 town, or from place to place in the same town, exposing
3 for sale or selling, any goods or chattels other than fruit
4 grown in the United States, provisions, live animals,
5 brooms, agricultural implements, fuel, newspapers, books,
6 pamphlets, agricultural products of the United States,
7 the products of his own labor, or the labor of his family,
9 any patent of his own invention, or in which he has
10 become interested by being a member of any firm, or
11 stockholder in any corporation which has purchased the
12 patent, until he shall have procured a license so to do as
13 hereinafter provided.

SECT. 2. The Secretary of State shall grant a license, to go about exposing for sale and selling, any goods, wares or merchandise, to any citizen of the United States who files in his office, a certificate signed by the mayor of a city, or by a majority of the selectmen of a town, stating to their best knowledge and belief, that the applicant therein named is of good moral character; but such license shall be granted to no other person. The mayor or selectmen before granting such certificate, shall require the applicant to make oath, that he is the person named therein and that he is a citizen of the United States, and the mayor or said selectmen are hereby authorized to administer said oath.

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

SECT. 4. Every person licensed under the two preceding sections, shall pay to the treasurer of each city or town mentioned in his license, the sums following: for every town containing not more than one thousand inhabitants, according to the United States census next preceding the date of his license, three dollars; for towns containing more than one thousand and less than two

8 thousand inhabitants, six dollars, and for every
9 thousand inhabitants in excess of two thousand, two
10 dollars, provided that the sum so to be paid to any such
11 treasurer, shall in no case exceed twenty dollars.

SECT. 5. The secretary, upon conditions required in
2 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 five 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 chapter shall be for the use of the State, and all sums paid to the treasurer of a county, city or town, shall be for the use of such county, city or town.

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

SECT. 10. Whoever goes from town to town, or from place to place in the same town, carrying for sale or exposing for sale, any goods, wares or merchandise, contrary to the provisions of this act, shall be punished by a fine not exceeding two hundred dollars for each offense.

SECT. 11. All licenses granted under this chapter shall bear date the day on which they are issued, and shall continue in force one year.

SECT. 12. Sheriffs and their deputies, constables and police officers, shall arrest and prosecute every person within their jurisdiction whom they have reason to believe to be guilty of violation of any of the provisions of this act; and one-half of any fine recovered under section 11 of this act shall inure to the prosecutor, the balance to the town or city in which the offense was committed.

SECT. 13. Trial justices and judges of municipal and police courts shall have jurisdiction of all offenses committed under this chapter.

SECT. 14. The provisions of this chapter are not applicable to commercial agents, selling goods by sample to dealers only.

SECT. 15. All acts and parts of acts inconsistent here-
2 with are repealed.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 28, 1889. }

Reported from Committee on Legal Affairs by Mr. SPRAGUE of
Dexter; ordered printed under joint rule.

NICHOLAS FESSENDEN, *Clerk.*