

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# Seventieth Legislature.

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HOUSE.

No. 366

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## STATE OF MAINE.

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

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AN ACT relating to Hawkers and Peddlers.

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*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 town,  
2 or from place to place in the same town, exposing for sale or  
3 selling, any goods or chattels other than fruit grown in the  
4 United States, fruit trees, provisions, live animals, brooms,  
5 pianos, organs, wagons, sleighs, agricultural implements,  
6 fuel, newspapers, agricultural products of the United States,  
7 the products of his own labor or the labor of his family, any  
8 patent of his own invention, or in which he has become inter-  
9 ested by being a member of any firm, or stockholder in any

10 corporation which has purchased the patent, until he shall  
11 have procured a license so to do as hereinafter provided.

Sect. 2. The secretary of state shall grant a license, to go  
2 about exposing for sale and selling, any goods, wares or mer-  
3 chandise, to any person who files in his office a certificate  
4 signed by the mayor of a city, or by the majority of the select-  
5 men of a town, stating to their best knowledge and belief  
6 that the applicant therein named is of good moral character ;  
7 but such license shall be granted to no other person. 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 the mayor or said selectmen are hereby  
11 authorized to administer said oath.

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

Sect. 4. Every person licensed under the two preceding  
2 sections, shall pay to the treasurer of each city or town men-  
3 tioned in his license, the sums following: for every town  
4 containing not more than one thousand inhabitants, accord-  
5 ing to the United States census next preceding the date of  
6 his license, three dollars; for towns containing more than one  
7 thousand and less than two thousand inhabitants, six dollars ;  
8 and for every thousand inhabitants in excess of two thou-  
9 sand, two dollars, provided, that the sum so to be paid to any

10 such treasurer shall in no case exceed twenty dollars, but any  
11 resident of a town having a place of business therein, owning  
12 and paying taxes to the amount of twenty-five dollars on his  
13 stock in trade, can peddle said goods in his own town without  
14 paying any license fee whatever.

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

Sect. 6. Any soldier or sailor disabled in the military or  
2 naval service of the United States, or by sickness or disability  
3 contracted therein or since his discharge from service, and  
4 any person who is blind shall be exempt from paying the  
5 license fees required by this chapter.

Sect. 7. The secretary of state and the treasurers of coun-  
2 ties, cities and towns, shall severally keep records of all li-  
3 cense upon which the sums herein provided have been paid  
4 to them, with the number of each, the names and residences  
5 of the persons licensed, and the sums received thereon, and  
6 all such records shall be opened for public inspection.

Sect. 8. All sums paid to the secretary under this chapter  
2 shall be for the use of the state, and all sums paid to the  
3 treasurer of a county, city or town, shall be for the use of

4 such county, city or town, provided, however, that the fee of  
5 one dollar paid for each license, shall be for the personal use  
6 of said secretary.

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

Sect. 10. Whoever goes from town to town, or from place  
2 to place in the same town, carrying for sale or exposing for  
3 sale, any goods, wares or merchandise, contrary to the pro-  
4 visions of this act, shall be punished by a fine not exceeding  
5 two hundred dollars for each offense.

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

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

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

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

Sect. 15. All acts and parts of acts inconsistent herewith,  
2 are repealed.

Sect. 16. This act shall not take effect until May fifteen,  
2 nineteen hundred and one.







STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES,

AUGUSTA, March 12, 1901.

Reported by Mr. SPOFFORD of Deer Isle, from Committee on  
the Judiciary, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*