

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

115

PASSED BY THE

FORTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1866.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
February 26, 1840, and March 16, 1842.

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AUGUSTA:  
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1866.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1866.

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**Chapter 49.**

CHAP. 49.

An act relating to appointments and removals of certain officers in cities.

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

In all cases where appointments to office are directed or authorized to be made by the mayor and aldermen of cities, such appointments shall be made by the mayor, by and with the advice and consent of the aldermen, and such officers may be removed by the mayor.

Officers appointed by mayor and aldermen, may be removed by mayor.

Approved February 23, 1866.

**Chapter 50.**

An act relating to hawkers and pedlers.

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

SECT. 1. No person except as hereinafter provided, shall travel from town to town, or place to place, in any town in this state, on foot, or by any kind of land or water conveyance whatsoever, carrying for sale, or offering for sale, any goods, wares or merchandise, whole or by sample, under a penalty of not less than fifty nor more than two hundred dollars, and the forfeiture of all property thus unlawfully carried. But nothing in this act shall be construed as conflicting with the right of any commission merchant, or commercial broker, in any town or city in which he resides, from travelling from place to place in such town or city, and selling or offering to sell by sample or otherwise, any goods, wares or merchandise.

Sale of goods, &c., by persons travelling from place to place, prohibited.

Penalty and forfeiture.

Not applicable to resident merchants, &c., selling in their own city, town, &c.

SECT. 2. The county commissioners may license for the purposes aforesaid, any person who proves to their satisfaction that he sustains a good moral character, and has been five years a citizen of the United States, and such licenses shall expire in one year from their date, and shall not be transferable; and the person receiving such license shall pay therefor to the county treasurers, if he is to sell or offer to sell by retail, ten dollars; if by wholesale, twenty-five dollars; and said county treasurers shall pay all moneys received by them for such licenses into the treasury of the state; but nothing herein shall prevent any citizen of this state from selling any fish, fruit, provisions, farming utensils or other articles lawfully raised or manufactured in this state.

County commissioners may issue licenses, and to whom.

Duties to be paid for license, and how to be disposed of.

Sale by resident citizens of domestic products, &c., of this state, permitted.

SECT. 3. Every person who receives a license under this act, shall exhibit it at all times when required by any trial justice, constable or other peace officer, and upon refusal, he shall forfeit the

License to be exhibited to magistrates, &c., when

**CHAP. 50.**

required; and penalty for refusal.

Seizure and sale of carriages, goods, &c., may be made upon complaint and conviction.

Penalties and forfeitures, how recoverable, and to whose use accruing.

Arrests authorized, and recognizance for appearance before S. J. C. required.

Commitment in case of default, and detention, forfeiture and sale of property.

Provision respecting carriages.

Ch. 44 R. S., and 296 public laws of 1865, repealed.

Disabled soldiers of this state exempted from license fees.

sum of fifty dollars; and the carriages, goods, wares and merchandise of such person, which he is then and there employing under such license, upon complaint before any justice of a police or municipal court, or any trial justice in said county, may be seized under his warrant, and detained in the custody of the officer until payment of said penalty or the discharge of the accused; and in case of his conviction, if said property is not redeemed within twenty days thereafter, it shall be forfeited, and may be sold as if taken on execution, and the net proceeds distributed as hereinafter provided.

SECT. 4. All penalties and forfeitures herein provided, may be recovered by indictment, or by action of debt, in the name of the prosecutor, one half to the use of the town where the offence is committed, and the other to the use of the person prosecuting therefor; and any trial justice or justice of a police or municipal court, upon complaint for a violation of this act, may issue his warrant and cause the arrest of the accused and the seizure of the property alleged to be forfeited, and if upon examination he shall find there is probable cause to believe that the person charged is guilty, he may order him to recognize with sufficient sureties, to appear before the next supreme judicial court for said county, and in default thereof may commit him, and may order the detention of said property by the officer in whose custody it is, until trial in said court, and in cases of conviction said property shall be decreed forfeited to the uses aforesaid, and shall be sold as if taken on execution.

SECT. 5. Every person licensed shall have painted on some conspicuous place on every carriage employed by him, in letters at least one inch wide, his name and the words, LICENSED BY C. C.

SECT. 6. Chapter forty-four of the revised statutes, and chapter two hundred and ninety-six of the public acts of eighteen hundred and sixty-five, are hereby repealed, except as to all prosecutions and actions under them pending, when this act shall take effect.

SECT. 7. No charge shall be made for the licenses provided for in this act, to any soldier of this state, disabled in the service during the recent war for the suppression of the rebellion.

SECT. 8. This act shall take effect upon its approval by the governor.

Approved February 23, 1866.