

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTIETH LEGISLATURE

OF THE

STATE OF MAINE

1901.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

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PUBLIC LAWS
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of the family of or next of kin to the deceased, shall claim the body for burial, but it shall be surrendered to him or her for interment, and no notice shall be given and no body delivered to said board or its agents, if such deceased person was a traveler and not a vagabond, who died suddenly, in which case the said body shall be buried.'

Approved March 22, 1901.

Chapter 277.

An Act relating to Hawkers and Peddlers.

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

Peddling without license forbidden.

—exceptions.

Section 1. No person shall go about from town to town, or from place to place in the same town, exposing for sale or selling, any goods or chattels other than fruit grown in the United States, fruit trees, provisions, live animals, brooms, pianos, organs, wagons, sleighs, agricultural implements, fuel, newspapers, agricultural products of the United States, the product of his own labor or the labor of his family, any map made by him and copyrighted in his name, any patent of his own invention, or in which he has become interested by being a member of any firm, or stockholder in any corporation which has purchased the patent, until he shall have procured a license so to do as hereinafter provided.

Secretary of state shall grant license, and to whom.

—applicant must make oath that he is the person named in certificate.

What shall be inserted in license.

Section 2. The secretary of state shall grant a license, to go about exposing for sale and selling, any goods, wares or merchandise, to any person who files in his office a certificate signed by the mayor of a city, or by the 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 the mayor or said selectmen are hereby authorized to administer said oath.

Section 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.

Section 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 thousand inhabitants, six dollars; and for every thousand inhabitants in excess of two thousand, two dollars, provided, that the sum so to be paid to any such treasurer shall in no case exceed twenty dollars, but any resident of a town having a place of business therein, owning and paying taxes to the amount of twenty-five dollars on his stock in trade, can peddle said goods in his own town without paying any license fee whatever.

Fees paid to cities and towns.

Section 5. The secretary, upon conditions required in section two, may grant special state licenses, upon the payment by the applicant of fifty dollars for each license, and the person so licensed may expose for sale and sell, in any city or town in this state, any goods, wares or merchandise. He may also grant as aforesaid, upon the payment by the applicant of one dollar for each county mentioned therein, special county licenses, and the person so licensed, upon paying to the treasurer of each county mentioned in said license, the sum of five dollars, may expose for sale and sell, within such counties, any tin, brittania, glass, earthen, iron or wooden wares, manufactured in the United States. The respective county treasurers, upon receipt of the aforesaid sum, shall certify on the face of said license the amount so received.

State licenses.

—fee.

—county licenses.

—fee.

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

Disabled soldiers and sailors and the blind exempted from payment of fees.

Section 7. The secretary of state and the treasurers of counties, cities and towns, shall severally keep records of all licenses upon which the sums herein provided have been paid to them, with the number of each, the names and residences of the persons licensed, and the sums received thereon, and all such records shall be opened for public inspection.

Record shall be kept of licenses.

Section 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

Fees, how disposed of.

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

License to be exhibited when demanded by an officer.

Section 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.

Penalty for peddling without license.

Section 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.

Licenses, when dated.

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

Enforcement of act.

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

—fines, how disposed of.

Jurisdiction of officers.

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

Commercial agents exempt from provisions of act.

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

Inconsistent acts repealed.

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

When act shall take effect.

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

Approved March 22, 1901.