

MAINE STATE LEGISLATURE

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THE
REVISED STATUTES

OF THE
STATE OF MAINE,

PASSED JANUARY 25, 1871;

TO WHICH ARE PREFIXED
THE CONSTITUTIONS

OF THE
UNITED STATES AND OF THE STATE OF MAINE:

WITH AN APPENDIX.

BY AUTHORITY OF THE LEGISLATURE.



PORTLAND:
PUBLISHED BY BAILEY & NOYES.

time, and deposit a record thereof with the clerk of the court for such county, and shall be entitled to such just compensation for his services as the governor and council may allow. CHAP. 44.

CHAPTER 44.

HAWKERS AND PEDLARS.

- SEC. 1. Penalty for peddling without a license, and forfeiture of goods; but not applicable to resident merchants selling in their own town, or to a citizen selling articles raised or manufactured in the state.
2. County commissioners may license, and whom, and amount paid therefor, but not by soldiers of this state disabled in the rebellion.
3. Blank licenses, signed by commissioners, furnished the clerk, and he to account therefor, once in three months.
4. All moneys paid to clerk, to be paid to state treasurer, once in three months, except his fees. What to be allowed to clerk by commissioners in payment.
5. License to be exhibited when required; penalty and seizure and forfeiture of goods and carriages for refusal.
6. Penalties, how recovered, and proceedings at the trial.
7. Name of pedlar and words, "Licensed by C. C.," to be painted on carriage.

SEC. 1. No person, except as hereinafter provided, shall travel from town to town, or place to place in any town, on foot, or by any kind of land or water conveyance, 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 this provision shall not apply to commission merchants and commercial brokers traveling from place to place in the city or town where they reside, and selling or offering to sell goods by sample or otherwise; nor to any citizen of this state selling any fish, fruit, provisions, farming utensils or other articles lawfully raised or manufactured in this state.

Penalty and forfeiture for peddling without a license; exceptions. 1866, c. 50, §§ 1, 2.

SEC. 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, if he is to sell or offer to sell by retail, ten dollars; if by wholesale, twenty-five dollars; but soldiers of this state, disabled in the recent war of the rebellion, shall have their licenses free.

County commissioners may license, and whom, and what paid therefor. Disabled soldiers licensed free. 1866, c. 50, §§ 2, 7.

SEC. 3. Said commissioners shall furnish the clerk of the court a sufficient number of blank licenses, signed by at least a majority of them, to meet all calls therefor; and they shall be charged to him,

Blank licenses signed by commissioners, furnished clerk, and he

CHAP. 44. and he shall account therefor once in three months to said commissioners.

to account therefor once in three months. 1867, c. 120 § 2.

All moneys paid to clerk, to be paid to state treasurer once in three months, except his fees.

What to be allowed clerk by commissioners in payment. 1867, c. 120, § 3. License to be shown when required; penalty and seizure and forfeiture of goods and carriages on refusal. 1866, c. 50, § 3.

Penalties, how recovered, and proceedings at the trial. 1866, c. 50, § 4.

Name of pedlar and "licensed by C. C.," painted on carriage. 1866, c. 50, § 5.

SEC. 4. All moneys paid for such licenses, shall be paid to the clerk of the court, and by him paid to the state treasurer or deposited in the nearest bank where state funds are deposited, or such other place as is agreed upon with the state treasurer, once in three months, except fifty cents for each license, taking receipts therefor. Such receipts, licenses not issued, and fifty cents for each license issued and recorded, shall be allowed to such clerk by said commissioners on payment for signed licenses received by him.

SEC. 5. Every person receiving such license, shall exhibit it at all times when required by a trial justice, constable or other peace officer; and upon refusal, he shall forfeit the sum of fifty dollars; and his carriages, goods, wares and merchandise, which he is then and there employing under such license, on complaint before a justice of a police or municipal court or trial justice in said county, may be seized on his warrant, and detained in the custody of the officer until payment of said penalty or the discharge of the accused; and if he is convicted, and said property is not redeemed within twenty days thereafter, it shall be forfeited, and sold as if taken on execution, and the net proceeds distributed as hereinafter provided.

SEC. 6. Such penalties and forfeitures may be recovered by indictment, or 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 his own use; and any trial justice or justice of a police or municipal court, on complaint for a violation of this chapter, may issue his warrant and cause the arrest of the accused and the seizure of the property alleged to be forfeited; and if, on examination, he finds there is probable cause to believe that he is guilty, he shall order him to recognize, with sufficient sureties, to appear before the next supreme judicial court for said county, and in default thereof, commit him, and order the detention of said property by the officer in whose custody it is, until trial in said court; and in case of conviction, said property shall be decreed forfeited to the uses aforesaid, and be sold as if taken on execution.

SEC. 7. 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."