

No. 262, A.]

[Published March 25, 1899.

CHAPTER 52.

AN ACT to amend section 1576 of the Wisconsin statutes of 1898, relating to peddlers.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 1576 of the statutes of 1898, is hereby amended by striking out the words, "the authorized" as they appear at the end of the fourth line beginning at the bottom of said section, and inserting in lieu thereof the words "any sheriff, under-sheriff, deputy sheriff, policeman, marshal, constable or any peace," and by inserting at the end of said section the words "and any failure to produce such license when required by such officers, shall be prima facie evidence that no such license has been obtained;" so that when so amended, said section will read as follows: Section 1576. Every person who shall be found traveling or trading contrary to the provisions of this chapter or to the terms of any license that may have been granted to him, or shall when licensed as a transient merchant, trader or dealer neglect or refuse to pay the per diem tax authorized by section 1572, according to the ordinance or resolution of the town, city or village passing the same, shall, for each offense, forfeit not less than fifty dollars nor more than one hundred dollars, which the district attorney of the proper county shall sue for in the name of the state and cause to be collected and paid into the state treasury for the benefit of the school fund. The court imposing such forfeiture may order that there be paid to the district attorney out of the sum collected in the action prosecuted by him a sum not exceeding fifteen per centum thereof, and to the witnesses or

Failure to produce license on request, prima facie evidence that none has been obtained. Who may make request.

Prima facie
evidence as to
transient
merchant.

other persons furnishing information of the violation of law, a sum not exceeding ten per centum of the amount collected; provided, that if any person shall engage in trade in any town, city or village, contrary to the provisions of this chapter respecting transient merchants, traders or dealers, nothing herein contained shall prevent such town, city or village from suing for and collecting the amount of the per diem tax imposed upon such person for the use of such town, city or village according to the provisions of chapter 142, and in addition thereto a forfeiture of a sum equal to the amount of such tax. Upon the trial of any such action the fact that such person has not been engaged in trade in the plaintiff town, city or village for the space of six months, or has not paid any tax therein upon his goods, wares and merchandise as resident dealers have done, shall be prima facie evidence that he is a transient merchant, trader or dealer and that he is liable to such per diem tax if it has not been paid. Every person having a license under the provisions of this chapter as a peddler or transient merchant, trader or dealer who shall refuse to produce it for examination when lawfully required to do so by the treasury agent or any special treasury agent, or any sheriff, under-sheriff, deputy sheriff, policeman, marshal, constable or any peace officer of any town, city or village shall be punished by a fine of not more than twenty dollars or by imprisonment in the county jail not more than twenty days, or by both such fine and imprisonment; and any failure to produce such license when required by such officers shall be prima facie evidence that no such license has been obtained.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 23, 1899.