

An Act in relation to Auctioneers in the City of Milwaukee.

Chap 385

The people of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. The common council of the city of Milwaukee are hereby authorized to regulate the business of auctioneers within said city and grant licenses for the same. May license auctioneers.

SEC. 2. Not less than five nor more than fifty dollars shall be the amount required for a license, and the common council shall have power to pass an ordinance or ordinances prescribing the penalty and proceedings for carrying on the business of auctioneers without such license; and the tax now by law to be paid, shall be paid into the city treasury for the use of said city. Rate of license.

J. McM. SHAFER,
Speaker of the Assembly.
E. B. DEAN, JR.,
President pro tem. of the Senate.

Approved, April 16, 1852.

LEONARD J. FARWELL.

[Published June 2, 1852.]

An Act relating to Hawkers and Pedlers.

Chap 386

The people of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. No person shall be allowed to travel from place to place within this state for the purpose of carrying to sell, or exposing to sale any goods, wares, or merchandize, except the same are of the growth or manufacture of citizens of this state, unless he shall have first obtained a license as a hawker and pedler in the manner hereinafter provided. Pedlers to procure license.

SEC. 2. Every person desiring to obtain a license as a hawker or pedler, shall apply to the secretary of state, and shall deliver to him a note in writing signed by such applicant, or his authorized agent, and stating in what manner the applicant intends to travel and trade, whether on foot or with one or more horses or other beasts of burthen, or with any sort of carriage. To apply to secretary of state.

SEC. 3. Every such applicant, before he shall be entitled to a license, shall pay into the state treasury the follow-

Rates of license. ing duties: if he intend to travel on foot, the sum of ten dollars; if he intend to travel and carry his goods with a single horse, or other beast carrying or drawing a burthen, the sum of thirty dollars; if he intend to travel with any vehicle or carriage drawn by two horses or other animals, the sum of forty dollars; and if he intend to travel with more than two horses or other animals drawing any sort of carriage, the sum of sixty dollars.

When license granted. SEC. 4. It shall be the duty of the secretary of state, upon the payment of his fees, to grant to every such applicant who shall deliver to him with the notice above required, the receipt of the state treasurer showing the payment of the proper duties into the state treasury, a license under his seal of office, and signed by himself, authorizing such applicant to travel and trade within this state as a hawker or pedler in the manner stated in the notice, for the term of one year from the date of the license.

Penalty for violation. SEC. 5. Every person who shall be found traveling and trading within this state, contrary to the provisions of this act, or contrary to the terms of any license that may have been granted to him as a hawker or pedler, shall for each offence forfeit the sum of twenty-five dollars.

Justice to issue warrant. SEC. 6. Any justice of the peace, upon complaint being made, shall issue his warrant for the apprehension of any person who shall be found trading as a hawker or pedler without license, or contrary to the terms of his license, in violation of the provisions of this act.

When convicted SEC. 7. It shall be the duty of such justice, if a sufficient license to authorize such trading be not produced to him, and the fact of trading be proved to him, either by the confession of the person so apprehended or the oath of competent witnesses, to convict the offender of such offences against this act as shall be so confessed or proven, and to issue his warrant on each conviction, directed to some constable of the county in which the conviction shall be had, commanding such constable to cause the sum of twenty-five dollars, with cost not to exceed five dollars, to be forthwith levied by distress and sale at public vendue of the goods, wares, and merchandize of the offender.

When defendant not entitled to costs. SEC. 8. In every case of a prosecution against any person, for the recovery of any penalty given in this act, no costs shall be allowed to the defendant, if it shall appear that before the commencement of the prosecution such defendant had refused to produce his license when lawfully required, nor in such case shall the defendant be entitled to maintain any action against the person prosecuting him, or the constable or other persons by whom he may have

been apprehended, or the justice issuing any warrant or other process against him, or before whom he may have been tried, for any of their acts in so prosecuting, apprehending, or trying him.

SEC. 9. No suit or prosecution for the recovery of any penalty imposed by the provisions of this act, shall be maintained unless it shall appear that the same was brought within sixty days after the commission of the offence charged. Limitation
prosecution.

SEC. 10. This act shall take effect and be enforced from and after the first day of May, A. D., 1852.

J. McM. SHAFTER,
Speaker of the Assembly.

E. B. DEAN, JR.,
President pro tem. of the Senate.

Approved, April 16, 1852.

LEONARD J. FARWELL.

[Published May 19, 1852.]

An Act relating to Sheep.

Chap 387

The people of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. If the owner of any diseased sheep infected with contagious disease, shall suffer or permit such diseased sheep or any of them to go at large out of his enclosure at any season of the year, such person shall forfeit the sum of five dollars for each and every such sheep, to the person who shall enter complaint, for each time they shall be so found running at large, which forfeiture may be recovered by action of debt before any justice of the peace of the county where such offence shall have been committed, when such justice shall have jurisdiction of the case to the amount claimed, and when a justice of the peace shall not have jurisdiction, the same may be sued for and recovered in an action of debt in the circuit or county court of the proper county, with costs of suit. And if the owner of such diseased sheep shall, upon reasonable request, refuse or neglect to keep and restrain them from going or running at large, it shall be lawful for any person who may be the owner of any sheep and likely to be injured thereby, to take up said sheep and put them in some secure enclosure other than the public pound; and the same may be disposed of in the manner hereinafter provided. It shall be the duty of the person so taking up said sheep, within

Proceedings in
case of diseased
sheep running at
large.