

No. 26, A.]

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CHAPTER 81.

AN ACT to amend sections 1570 and 1572 of chapter 67, of the revised statutes, entitled, "Of Peddlers."

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

Taxing ped-
dlers, liability
of same.

SECTION 1. Section 1570, of the revised statutes, as amended by chapter 100, of the laws of 1881, chapter 218, of the laws of 1882, and chapter 510, of the laws of 1889, is hereby amended so as to read as follows: Section 1570. No person shall be allowed to travel from place to place within this state for the purpose of selling or exposing for sale, barter or exchange, at retail or to consumers, any goods, wares, merchandise, notions or other articles of trade whatsoever, whether by sample or otherwise, and whether said goods, wares, merchandise, notions or other articles of trade whatsoever are delivered at time of sale or to be delivered at some future day, unless he shall have obtained a license as a peddler as herein provided; but this chapter shall not prevent any manufacturer, mechanic, nurseryman or farmer from selling his work or production by himself or employe; provided, that such manufacturer or mechanic shall have actually manufactured the goods, and such nurseryman shall have actually raised the products so sold or offered for sale, or shall have owned and been in possession of the same for not less than three months next prior to said sale or offering for sale; or prevent any patent right dealer from selling his own invention, or to prevent any person from selling or offering to sell at wholesale or to dealers only, any goods, wares, or merchandise whatsoever, or to prevent any fish peddlers from

Exemptions.

selling fish, or train boys from selling to persons traveling on railroad trains, or to prevent any person, who, by reason of being blind, deaf and dumb, or so crippled as to incapacitate him for hard manual labor, from selling goods, wares or merchandise on foot, or with one horse and wagon, without a license; provided, that this section shall not be construed to require any keeper of a meat market or dealer in agricultural machinery or farm implements, who keeps a permanent place of business, or his employes, to procure a license to sell such meats, machinery or implements as are kept in stock by him at such place; provided, that this section shall be intended to include among those required to obtain licenses as peddlers, all such persons as are transient merchants, traders or dealers, such persons as bring into any town, city or village in any manner, goods, wares, merchandise, notions, or other articles of trade, except such as are excepted in this section, for the purpose of selling the same in the manner provided in this section, and who do not intend to become and do not become permanent merchants, traders or dealers in such town, city or village; permanent merchants, traders and dealers being here defined to be those who remain in a locality engaged in trade for a period of six months or more; or who pay taxes upon their goods, wares, merchandise or other articles of trade the same as other resident dealers.

Permanent
merchants,
traders, etc.,
defined.

SECTION 2. Section 1572, of the revised statutes, is hereby amended so as to read as follows: Section 1572. Every such applicant, before he shall be entitled to such license, shall pay into the state treasury the following license fees: If he intends to travel on foot, including railroads or other public conveyances, but carrying his goods, wares and merchandise with him, thirty dollars; if he intends to travel and carry his goods with a single horse or other beast carrying or drawing a burden, forty-five dollars; if he intends to travel with a vehicle or carriage drawn with two or more

Cost of license
detailed.

horses or other animals, seventy-five dollars; if intending to deal as a transient merchant, or dealer, fifty dollars; provided, that any such applicant taking license as such transient merchant, trader or dealer shall, in addition to the amount paid for such license, also pay to the treasurer of the town, city or village where he may sell or offer for sale any goods, wares or merchandise, a sum not exceeding twenty dollars per day for each day that such person may be engaged in selling or disposing of any such goods, wares or merchandise, to be determined by ordinance or resolution of the town, city or village where he may engage in business aforesaid, which ordinance or resolution shall provide when and in what manner such per diem tax shall be paid; and provided further, that any hawker or peddler on entering any city, village, or town in this state for the purpose of selling or offering for sale his goods, wares, merchandise or notions, shall, if required by any treasury agent or any official of any such city, village or town, appear before the clerk of such city, village or town and present his state license and make affidavit that he or she is the person named in such license, and after making such affidavit, it shall be the duty of such clerk to issue a certificate, setting forth that the above requirement has been complied with for such city, village or town. This certificate shall be good for thirty days from its date. Any hawker or peddler failing to comply with the above requirement shall be deemed guilty of a misdemeanor and subject to a fine not exceeding ten dollars, or ten days in the county jail, or both.

Penalty for
evading the
law

SECTION 3. This act shall take effect and be in force from and after the first day of May, 1895.

Approved March 23, 1895.