

PEDDLING.

CHAPTER 85.

[S. B. No. 151.]

TO REGULATE PEDDLING.

AN ACT Entitled "An Act to Regulate Peddling in this State and to Provide a License Fee for Persons Engaged in Peddling."

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. UNLAWFUL TO PEDDLE WITHOUT LICENSE.] It shall not be lawful for any person to travel from place to place in any county in this State for the purpose of carrying to sell, exposing or offering for sale or barter, at retail or to consumers, any goods, wares, merchandise, or other articles of trade whatsoever, whether by sample or otherwise, or whether delivered at the time of sale or to be delivered at some future time, except as hereinafter provided, unless such person shall have first obtained a license as a peddler or traveling merchant as hereinafter provided; but nothing herein shall be so construed as to prevent any inventor, manufacturer, mechanic, nurseryman or farmer from selling his invention, work or production, in person or by agent, or any person from selling or offering to sell at wholesale to retail dealers only any goods, wares or merchandise whatsoever, or train boys from selling their wares to persons traveling on railroad trains.

§ 2. APPLICATION IN WRITING.] To obtain a license an application in writing must be made to the auditor of the county in which the applicant desires to pursue the business of a peddler or traveling merchant. Such application shall be signed by the applicant and shall state whether the license sought is for traveling and trading on foot or with one or more horses or other beasts of burden.

§ 3. FEES FOR LICENSE—TERM ONE YEAR.] No license shall be issued until the fee therefor has been paid into the treasury of the county. The fees for licenses, good for the term of one year, shall be as follows:

1. To travel on foot, including railroads or other public conveyances, \$20.
2. To carry goods with a single horse or other beast of burden, \$35.
3. To carry goods with two or more horses or other beasts of burden, \$50.

§ 4. LICENSES EXPIRE APRIL 30 EACH YEAR.] Upon the filing of an application for a license and the treasurer's receipt for the fee in the office of the county auditor, he shall issue a license, under seal, signed by himself or his deputy. Such license shall authorize the licensee to pursue the business of a peddler or traveling merchant in the manner stated therein in the county where it is issued for the term therein stated. All licenses shall expire on the thirtieth day of April of each year. If such license is not taken out during the month of May, the fee therefor shall be reckoned proportionately for that part of the year from the first day of the month in which it is issued to the first day of May following, but no license shall be issued for a fee of less than \$5.

§ 5. PENALTY FOR VIOLATION.] Any person who shall pursue the business of trading as a peddler or traveling merchant without license, or who refuses to produce his license for examination upon the request of any resident or officer of the county in which he is carrying on such business is guilty of a misdemeanor, and upon conviction thereof is punishable, in the discretion of the court, by a fine of not exceeding fifty dollars or by imprisonment in the jail of the county in which the offense is committed not exceeding thirty days.

§ 6. LAW CONSTRUED.] Nothing contained in this act shall be so construed as to impair, interfere with, or take away the right of incorporated towns, villages or cities to license and regulate peddling within their corporate limits.

§ 7. EMERGENCY.] There being no existing law adequately regulating the matter of peddling and licenses, *Therefore*, An emergency is hereby declared to exist and this act shall be in force from and after its passage and approval.

Approved, March 19, 1895.

PENITENTIARY.

CHAPTER 86.

[H. B. No. 149.]

IMPROVEMENTS OF PENITENTIARY.

AN ACT Authorizing the Board of Trustees of the Penitentiary of this State to Employ the Inmates of the Penitentiary in Manufacturing of Brick and Constructing Public Improvements.

Whereas, It is necessary to furnish some employment to those confined in our State penitentiary to maintain proper discipline.