

REVISED LAWS OF  
MINNESOTA 94

SUPPLEMENT 1909

CONTAINING

THE AMENDMENTS TO THE REVISED LAWS,  
AND OTHER LAWS OF A GENERAL AND  
PERMANENT NATURE, ENACTED  
BY THE LEGISLATURE IN  
1905, 1907, AND 1909

WITH HISTORICAL AND EXPLANATORY NOTES TO PRIOR STATUTES  
AND FULL AND COMPLETE NOTES OF ALL  
APPLICABLE DECISIONS

COMPILED AND ANNOTATED BY  
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## CHAPTER 56.

## AUCTIONEERS.

**2813. Licensed by county board or auditor.**—The county board or auditor may license any voter of its county as an auctioneer. Such license shall be issued by the auditor, and shall authorize the licensee to conduct the business of an auctioneer in the county in which the same is issued, and adjoining counties, for the period of one year. It shall be recorded by the auditor in a book kept for that purpose. Before such license is issued, the licensee shall pay into the county treasury a fee of ten dollars. (R. L. § 2813, as amended by Laws 1909, c. 249, § 1.)

## [CHAPTER 56A.]

## [HAWKERS, PEDDLERS AND TRANSIENT MERCHANTS.]

**[2818—]1. Terms defined.**—Every person traveling from house to house for the purpose of offering for sale any article of merchandise, either for immediate or future delivery or according to sample is hereby declared to be a hawker and peddler. And every person, corporation or co-partnership exposing and offering for sale at retail in any city or village in this state a stock of goods, wares and merchandise is hereby declared to be a transient merchant, unless the carrying on and maintaining of said business in said city or village is in pursuance of an intention to maintain and carry on the same therein permanently and whenever it appears that any such stock of goods, wares and merchandise has been brought to any such city or village by a person not a resident therein and that it is claimed that such stock is to be closed out at reduced prices, such facts shall be presumptive evidence that the person so offering said goods for sale does not intend to maintain a permanent location in said city or village. ('09 c. 248 § 1)

**Historical.**—“An act to tax the occupation of, and to license, hawkers, peddlers and transient merchants and defining said occupations.” Approved April 19, 1909.

**Constitutionality.**—This act is unconstitutional. *State v. Parr*, 123 N. W. 408.

**[2818—]2. Hawkers and peddlers—License—Fees.**—No person shall engage in or follow the business or occupation of a hawker or peddler until he shall have obtained a license from the state of Minnesota so to do; and for such license shall pay into the treasury of the state of Minnesota an annual license fee and tax as follows; where he shall use in such business or occupation a wagon or other vehicle drawn by two or more horses, or other beasts of burden, or automobile or other vehicle or conveyance propelled by any mechanical power, the sum of fifty dollars; where he shall use in such business or occupation a wagon or other vehicle drawn by one horse or other beast of burden, the sum of twenty-five dollars; where he shall use in such business or occupation a push or hand cart, bicycle or other vehicle not drawn by horses, or other beast of burden, or propelled by any mechanical power, the sum of ten dollars; and where he shall conduct such business on foot by means of pack, basket or other means of carrying merchandise on foot, the sum of ten dollars. ('09 c. 248 § 2)

**[2818—]3. License of hawker and peddler, how applied for and issued.**—The application for a license as hawker and peddler shall