

Pledges to be kept for one year unless sooner redeemed.	3. That all goods pledged or pawned shall be kept for the term of one year by the pawnbroker receiving the same in pledge, unless sooner redeemed, and not more than the rate of twenty-five per centum per annum interest shall be charged on any sum not exceeding twenty-five dollars loaned upon any pledged or pawned goods and on sums exceeding twenty-five dollars not more than ten per centum interest shall be charged, and such interest at such rate shall be in lieu of all other charges and demands; and every pawnbroker thus licensed shall keep a proper record of the deposit and redemption of all goods and pledges, the amount loaned thereon and the interest charged, and shall give to each pawnor a proper descriptive ticket, and that the said record shall be continually open to police inspection.
Interest.	
Record of deposit and redemption to be kept.	
Notice of sale to be given.	4. That if goods pledged or pawned to any such pawnbroker shall remain unredeemed, and no interest upon the loan thereon shall have been paid for the space of one year, such goods may then be sold by said pawnbroker, but notice of such sale shall be given by advertisement in at least two newspapers printed and published in said county, for at least two weeks prior to such sale, and said sale shall be at public vendue to the highest bidder, and in no other manner.
Limitation of act.	5. That this act shall not apply to municipalities having charter regulations respecting pawnbrokers.

### Pedlers.

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| <ol style="list-style-type: none"> <li>1. License required.</li> <li>2. How obtained. Fee for license. Tax.</li> <li>3. Penalty for forging.</li> <li>4. Penalty for lending or hiring.</li> <li>5. Peddling without license.</li> <li>6. Sales in public markets, no license required.</li> <li>7. License certified and copy filed.</li> <li>8. Penalties recovered and applied.</li> <li>9. Limitation of suits, etc.</li> <li>10. Liquor and ardent spirits not to be vended by virtue of any license.</li> </ol> | <ol style="list-style-type: none"> <li>11. Penalty for vending liquors.</li> <li>12. Penalty for peddling without license.</li> <li>13. License to travel on foot not to authorize traveling and transferring goods by railroad, &amp;c.</li> <li>14. License fee to be paid to county clerk in addition to other duties imposed.</li> <li>15. No person to act as clerk, agent or assistant of hawker, pedler, &amp;c., without license.</li> <li>16. County clerks to keep account record of moneys received.</li> </ol> |
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### An act relating to hawkers, pedlers and petty chapmen.

R S. 1040.

Approved April 10, 1846.

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| License required. | 1. That no person shall follow, use or exercise the business or calling of a hawker, pedler, petty chapman or itinerant auctioneer in this state, or shall go or travel from town to town, or to the houses of other persons, either on foot, or with a horse or horses, mule or mules, or other beast or beasts of burthen, carrying, selling or exposing, either at private or public sale, any goods, wares or merchandise not the growth, product or manufacture of this state, until such person shall have first obtained a license for that purpose, in the manner hereinafter directed (a)   |
| How obtained.     | 2. That such license shall be granted by the governor of this state, or person administering the government, upon a recommendation for that purpose, by the inferior court of common pleas of the county where the application for such license may be made; and that every person who shall obtain such license to travel with a horse or horses, or other beasts of burthen, for the purpose of selling goods, wares or merchandise, either at public or private sale, or both, shall pay to the governor, or person administering the government, the sum of three dollars and fifty cents; and every person who shall obtain a license to travel on foot for the purposes aforesaid, shall pay two dollars; <i>provided</i> , that no such license shall be exercised or used until the person or persons licensed to travel |
| Fee for license.  |  |

(a) *Query.* As to the constitutionality of this act. *Welton v. Missouri*, 91 U. S. (1 Otto), 275. The supreme court of Tennessee decided (Feb. 24, 1877), that a similar provision in the constitution of Tennessee, and an act of the legislature passed thereunder, were not in contravention of the constitution of the United States, *Howe Machine Co. v. Cage*.

with a horse or horses, or other beasts of burthen, shall have first paid to the governor, or person administering the government, the sum of fifteen dollars, for the use of the state; and the persons licensed to travel on foot, shall have first paid to the governor, or person administering the government, the sum of eight dollars, for the use of the state; which said payment shall be endorsed by the governor, or person administering the government, on the said license, at the time of granting the same, and which said license shall continue and be valid for one year only, unless renewed, as hereinafter provided. (See *Sec. 13, 14*).

Tax.

Term.

3. That if any person shall forge or counterfeit any license, or any such endorsement thereon, as before mentioned, for the purpose of using the same, or shall wilfully and knowingly travel with any such forged license, for the purpose of selling as aforesaid, such person shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished as in other cases of forgery.

Penalty for forging.

4. That if any person, having obtained a license as aforesaid, shall lend or hire the same to any other person or persons, for the purpose of using or exercising the same, such license shall thereby become void; and the person lending or hiring such license, and the person using the same under colour thereof, shall each forfeit the sum of one hundred dollars, to be recovered in any court of competent jurisdiction, with costs of suit, in an action of debt, the one half to the use of the poor of the township in which said suit shall be brought, and the other half to the person suing for the same.

Lending or hiring.

5. That if any person shall be found hawking, peddling or traveling from house to house, or place to place, to vend, either at public or private sale, any goods, wares or merchandise herein before mentioned and described, without first having obtained a license as herein before mentioned, such person shall forfeit the sum of fifty dollars, to be recovered in an action of debt, by any person who may sue for the same, the one half to the prosecutor, and the other half to the use of the state, before any justice of the peace of any of the counties in this state, together with the costs of prosecution. (See *Sec. 12*).

Peddling with-out.

6. That nothing in this act contained shall prevent any person from selling or exposing to sale, any goods, wares and merchandise in any public market in this state, without a license for that purpose; *provided always*, that any person found hawking or peddling as aforesaid, who shall, upon demand being made by any person in this state, refuse to produce and show such license as aforesaid, then the person so offending shall forfeit and pay the sum of ten dollars for every offence, to be recovered in an action of debt, by any person who shall sue for the same.

Sales in public markets. Proviso.

7. That it shall be the duty of every person who may have obtained a license in pursuance of this act, before he shall sell, or expose for sale, any goods, wares or merchandise by virtue thereof, in any county of this state, to file in the clerk's office of such county a copy of his license, and the clerk of such county shall thereupon endorse on the original license a certificate of a filing of the said copy; and in case any person shall sell or expose for sale, any goods, wares or merchandise, as aforesaid, without having first procured the said certificate on his license, he shall be liable to all the penalties of this act; and the said clerks shall be entitled to receive fifty cents for such certificate and filing. (See *Sec. 14*).

License certified and copy filed.

8. That it shall be the duty of the overseers of the poor of every township in this state, to sue for and recover the penalties of any person or persons who may offend against any of the provisions of this act in their respective townships; and they shall be entitled to one-half of any penalty or penalties, when received, to their own use, the other half to be appropriated to the poor of the township.

Penalties recovered and applied.

9. That every suit for any penalty prescribed by this act, shall be commenced within six months from the time of incurring such penalty, and not after; and every such suit may be commenced by warrant, in the court for the trial of small causes, any law, usage or custom to the contrary notwithstanding.

Limitation of suits, etc.

P. L. 1854, p. 402.

Ardent spirits not to be vended by virtue of any license.

Penalty for vending liquor, &amp;c.

**Supplement.**

Approved March 16, 1854.

10. SEC. 1. That no person shall be authorized, by virtue of any license granted under the authority of the act to which this is a supplement, to carry, sell or expose, either at private or public sale, any wine, gin, rum, brandy, whiskey, cider spirits or other ardent spirits, or any composition of which any of the said liquors shall form the chief ingredient.

11. SEC. 2. That if any person or persons shall be found hawking, peddling, or traveling from house to house, or place to place, to vend either at public or private sale any wine, gin, rum, brandy, whiskey, cider spirits or other ardent spirits, or any composition of which any of the said liquors shall form the chief ingredient, such person shall forfeit and pay the sum of fifty dollars, to be recovered in an action of debt by any person who may sue for the same, before any justice of the peace of any of the counties of this state, together with the cost of prosecution.

P. L. 1858, p. 466.

Penalty for peddling without license.

**Supplement.**

Approved March 18, 1858.

12. SEC. 1. That if any person shall follow, use or exercise the business or calling of a hawker, pedler, petty chapman or itinerant auctioneer, in this state, or shall go or travel from town to town, or to houses of other persons, either on foot or with a horse or horses, mule or mules, or other beast or beasts of burthen, carrying, selling or exposing either at private or public sale, any goods, wares or merchandise, not the growth, product or manufacture of this state, without having first obtained a license therefor, as provided by the act to which this act is a supplement, he, she or they shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not exceeding five hundred dollars, or imprisonment for any term not exceeding one year, or both.

P. L. 1860, p. 265.

License to travel on foot not to authorize person to travel and transport goods by railroad, &amp;c.

**Supplement.**

Approved March 15, 1860.

13. SEC. 1. That no license which shall be obtained by any person to travel on foot, under the second section of the act to which this is a supplement, shall be held, deemed or taken to authorize any such person to travel or to transport any goods, wares or merchandise, for the purpose of such trade, by railroad, steamboat or other public conveyance; but every person desirous of so transporting any goods, wares or merchandise, for the purpose aforesaid, shall first obtain and pay for a license to travel with a horse or horses, or other beasts of burthen, and in default thereof, shall be held liable to all the pains and penalties of the act to which this is a supplement, and all the supplements thereto.

License fee to be paid to county clerk in addition to other duties imposed.

14. SEC. 2. That it shall be the duty of any person who may have obtained a license, in pursuance of the act to which this is a supplement, or in pursuance of any supplement thereto, in addition to the other duties imposed upon such persons by the said act and the supplements thereto, before he shall sell or expose, either at public or private sale, any goods, wares, or merchandise by virtue of such license, in any county in this state, to pay to the clerk of such county the sum of [twenty] dollars for the use of such county, and also the sum of one dollar to the clerk of such county as his fee, which payments so made to such clerk shall authorize the person paying the same to exercise his calling in said county, under his license, during the continuance thereof; and in case any person shall sell or expose, either at public or private sale, any goods, wares, or merchandise as aforesaid, without having complied with the provisions of this act, he shall be liable to all the pains and penalties imposed upon persons selling without license by the act to which this is a supplement, and the various supplements thereto.(1)

[P. L. 1861, p. 468].

No person to act as clerk, agent or assistant of hawker, pedler, &amp;c., without license.

15. SEC. 3. That no person shall act as the clerk, agent or assistant of any person following, using or exercising the business or calling of a hawker, pedler, petty chapman or itinerant auctioneer in this state, unless

(1) By supplement of March 20, 1863, (P. L. 1863, p. 414), the fee for license in the counties of Bergen and Camden is fixed at one hundred dollars. By supplement of April 6, 1875, (P. L. 1875, p. 452), the fee for license in Hudson county is fixed at one hundred dollars.

such person so acting as such clerk, agent or assistant shall have first obtained a license under the act to which this is a supplement, and in all respects complied with all the provisions of such act, and all the supplements thereto, in all respects the same as if such person were trading on his own account; and any person who shall be found acting as such clerk, agent or assistant as aforesaid, without having complied with all the provisions of the act to which this is a supplement, and the various supplements thereto, shall be liable to all the pains and penalties imposed upon persons selling without license by such act and the supplements thereto.

16. SEC. 4. That the clerks of the several counties of this state are hereby required to keep an account record of the moneys by them received under this act, with the names of the persons paying the same, which record shall be open at all reasonable hours to the inspection of all the citizens of this state. (2)

County clerks to keep account record of moneys received.

(2) For act to prevent pedlars and auctioneers, &c., from exercising their business in Phillipsburg, Warren county, see acts of March 16, 1854, (P. L. 1854, p. 364,) and supplement thereto, (P. L. 1857, p. 417).

### Pensions.

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| 1. No money to be paid on account of pensions, without production of affidavit, etc. | 3. Evidence of service to be filed in office of adjutant general, pension paid on his certificate. |
| 2. Pensions to be paid soldiers and sailors of war of 1812, or their widows.         | 4. Pensions not to be paid to widows who have again married.                                       |

#### An act to regulate the payment of pensions to invalids and widows. Rev. 514.

Passed November 24, 1802. R. S. 786.

1. That from and after the passing of this act, no person or persons whatsoever, who are or shall be entitled to receive from the treasurer of this state any money on account of warrants to widows or invalid pensioners, shall receive the same, except in cases of arrearages of pensions due at the time of the death of an invalid, or at the marriage or death of a widow, unless he or she produce to the said treasurer the affidavits of two reputable freeholders of the county in which he or she resides, setting forth, that of their own knowledge, the person named in said warrant is at the time living, and if a widow, that to the best of their knowledge and belief she is still the widow of the deceased person mentioned in the said warrant.

No money to be paid on account of pensions, without the production of affidavit, etc.

#### An act for the relief of soldiers and sailors of this state in the war of one thousand eight hundred and twelve.

Approved March 12, 1874. P. L. 1874, p. 34.

2. SEC. 1. That the sum of one hundred dollars per annum be paid all soldiers and sailors of this state who served in the war of one thousand eight hundred and twelve, and the widows of any such soldiers and sailors, in equal semi-annual payments during their life-time. (See Sec. 4).

3. SEC. 2. That the evidence of service in each case shall be furnished to and filed in the office of the adjutant general, and he shall examine the same, and upon being satisfied that such service was really performed, he shall so certify to the comptroller, and the comptroller shall audit such claims, and the treasurer of the state shall pay the same; *provided*, that this act shall not apply to any persons who are now or may hereafter be in the receipt of pensions under any special law of this state, or of any pensions from the United States government for similar services during the continuance of payment of such pension.

Pensions to be paid soldiers and sailors of the war of 1812, or their widows.

Evidence of service to be filed in office of adjutant general, pension paid on his certificate.

Act not to apply to persons receiving pensions.

#### Supplement.

Approved April 21, 1876. P. L. 1876, p. 285.

4. SEC. 1. That the first section of the act to which this is a supplement, which section reads as follows:  
 "That the sum of one hundred dollars per annum be paid all soldiers

Section to be amended.