

Payne Vs. Kansas

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Court : US Supreme Court

Decided On : Dec-09-1918

Appeal No. : 248 U.S. 112

Appellant : Payne

Respondent : Kansas

Judgement :

Payne v. Kansas - 248 U.S. 112 (1918)

U.S. Supreme Court Payne v. Kansas, 248 U.S. 112 (1918)

Payne v. Kansas

No. 49

Argued November 15, 1918

Decided December 9, 1918

248 U.S. 112

ERROR TO THE SUPREME COURT

OF THE STATE OF KANSAS

SYLLABUS

A state law forbidding sale of farm produce on commission without a license, to be procured upon a proper showing as to character, responsibility, etc., a bond conditioned to make honest accounting, and payment of a fee of ten dollars, *held* consistent with the Fourteenth Amendment.

98 Kan. 465 affirmed.

The case is stated in the opinion.

Memorandum opinion by MR. JUSTICE Mc REYNOLDS.

The validity of c. 371, Laws of Kansas 1915 -- "An act in relation to the sale of farm produce on commission" -- is challenged by certain grain dealers carrying on business in that state. It forbids the sale of farm produce on commission without an annual license, to be procured from the State Board of Agriculture upon a proper showing as to character, responsibility, etc., and a bond conditioned to make honest accounting. A fee of \$10 is required.

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Plaintiffs in error maintain that the statute is class legislation which abridges their rights and privileges, that it deprives them of the equal protection of the laws and also of their property without due process of law, all in violation of the Fourteenth Amendment.

Manifestly, the purpose of the state was to prevent certain evils incident to the business of commission merchants in farm products by regulating it. Many former opinions have pointed out the limitations upon powers of the states concerning matters of this kind, and we think the present record fails to show that these limitations have been transcended. *Rast v. Van Deman & Lewis*, [240 U. S. 342](#) ; *Brazee v. Michigan*, [241 U. S. 340](#) ; *Adams v. Tanner*, [244 U. S. 590](#) .

The judgment of the court below is

Affirmed.

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