

CHAPTER 273.

A further additional SUPPLEMENT to the ACT of December session, eighteen hundred and twenty-seven, chapter one hundred and seventeen, entitled, an Act to regulate the issuing of Licenses to Traders, Keepers of Ordinaries, and others.

See notes to the original act, ante page 928.

SEC. 1. *Be it enacted, by the General Assembly of Maryland,* That no person shall expose for sale, or sell, any goods, wares or merchandise, with a view to profit in the way of trade, unless he or she shall first obtain a license to trade, and any person herein offending shall be liable to indictment; and upon conviction, be adjudged to pay a sum not less than ten dollars, nor more than one hundred dollars, for each and every offence; the whole of which penalty shall, upon its being collected, be paid over by the sheriff collecting the same, to such person as the grand jury shall name upon their presentment, as the informer, who shall be received as a competent witness; and when no informer is named, such penalty shall be paid into the public treasury, as in other cases; *Provided however,* that nothing in this act contained, shall be construed to require any person or persons, or body corporate, to have a license for selling or dealing in any goods, wares or merchandise, in respect of which a license is not made necessary by the act to which this is a supplement, or by any of the supplements to said act heretofore passed.

Persons selling without license.

Indictment. Liable to Penalty.

The whole to be paid to informer. Who is made a competent witness.

Proviso.

SEC. 2. *And be it enacted,* That by the license to trade, mentioned in this act, shall be understood all or any of the licenses to authorize sales, required to be taken out or issued under the acts of assembly to which this act is a supplement; that all presentments, or indictments, which charge an offence substantially in the terms of the first section of this act, shall be deemed and taken to be sufficiently well pleaded in law, to warrant a conviction and judgment; and that all competent matters tending to excuse a party presented or indicted, from any obligation to take out a license under the existing laws, or from the penalty hereby created, may be given in evidence under an indictment so framed, and shall avail as a defence to, or a justification of, the matters charged according to their legal effect under the whole system.

License to trade. How construed.

Charge for offence.

Plea allowed.

SEC. 3. *And be it enacted,* That all sales made in the ordinary course of trade by the co-partner, wife, agent or servant, of the party presented or indicted, shall be deemed to be made by such party, and given in evidence as his act: and that the words, goods, wares, and merchandise, as used in the first section of this act, shall include spirituous and fermented liquors.

Sale construed.

Items included. 7th and 9th secs. 1827, ch. 117, repealed.

SEC. 4. *And be it enacted,* That the seventh and ninth sections of the act of eighteen hundred and twenty-seven, chapter