

vided that persons carrying on the shad and herring fisheries in this State may sell and dispose of so much salt as may be necessary to cure the fish purchased of them during the months of March, April and May and no longer without license, and that nothing herein contained shall extend to vendors of cakes or to the vendors of beer and cider who are the makers of such beer and cider; but nothing herein shall exempt any vendors of lager beer from the requirement to obtain a license to sell said lager beer.

Sections 37 to 40 of article 56, of the code of 1860, were declared unconstitutional in *Ward v. Maryland*, 12 Wall, 418. This section and the following ones are constitutional, embrace non-residents as well as residents, and apply to sales by sample. (See, however, section 55). *Corson v. State*, 57 Md. 263. And see *Ward v. Maryland*, 12 Wall. 418.

A person holding a trader's license in one city or county, is not authorized to sell and deliver goods from a wagon in another county. The design of this section. *Salfner v. State*, 84 Md. 302.

For a discussion of the nature of the license tax formerly imposed by section 37 of article 56 of the code of 1860, and of licenses in general, see *Ward v. State*, 31 Md. 284. (Reversed in *Ward v. Maryland*, 12 Wall. 418).

See sections 2, 3 and 4.

As to licenses for fishing in the Potomac River, and in Chesapeake Bay below Poole's Island, see art. 39, sections 49, *et seq.*, and 110, *et seq.*

As to licenses for tonging, dredging and packing oysters, see art. 72.

As to a license being required of non-residents who hunt, etc., upon certain waters, and also of persons pushing the boats of persons so hunting, see art. 99, sec. 60. *et seq.*

1904, art. 56, sec. 39. 1888, art. 56, sec. 36. 1860, art. 56, sec. 43. 1858, ch. 414, sec. 2. 1862, ch. 49. 1880, ch. 349.

39. When any person, body politic or corporate shall propose to sell or barter, or dispose of, or offer for sale anything mentioned in the preceding section, except spirituous or fermented liquors, he shall apply to the clerk of the circuit court for the county in which he proposes to carry on such selling or bartering, or disposing of goods, wares, chattels or merchandise; or if he proposes to carry on such selling or bartering, or disposing of goods, wares, chattels or merchandise in the city of Baltimore, to the clerk of the court of common pleas for a license therefor; and a license to offer for sale issued by said clerk of court of common pleas or by the clerk of the circuit court for any county shall be good and sufficient as a license to offer for sale in every part of the State; provided that such license shall not authorize the holder thereof to open or carry on any store or fixed place of business for such selling or offering for sale in any other city or county than the city or county in which such license shall be issued; but no license to trade or to sell spirituous or fermented liquors shall be issued by any clerk of a court to a *feme covert*, or to any person under the age of twenty-one years, without the special order of a judge of said court; and no judge shall give such special order to issue such license to sell spirituous or fermented liquors to a *feme covert*, or person under the age of twenty-one years, unless upon the recommendation of at least ten respectable freeholders residents of the ward or district wherein said license would be operative; and whenever any license shall be issued to a *feme covert* or minor, the said *feme covert*