

An. Code, sec. 39. 1904, sec. 39. 1888, sec. 36. 1858, ch. 414, sec. 2. 1862, ch. 49.
1880, ch. 349.

43. 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* or person under the age of twenty-one years shall be responsible for all contracts made in the prosecution of such business under such license and shall be liable to be sued therefor in any of the courts of this State; and the said *feme covert* may be sued or indicted and prosecuted in case of a violation by her of the license law of this State, or in case she should keep a disorderly house, as if she were a *feme sole*; and if judgment be obtained against her on any contract, execution shall or may issue in the ordinary way to affect her separate estate; provided, however, that such responsibility shall in no manner affect or impair the responsibility of the parent of such infant under existing laws.

If a minor contracts debts in conducting business under this section without obtaining license in accordance with this and preceding section, he does not become liable for such debts. See notes to sec. 109. *Crew Levick Co. v. Hull*, 125 Md. 8.

The portion of this section with reference to issuing licenses to *feme covert* or minor, is a valid regulation under police power. *Cahen v. Jarrett*, 42 Md. 577.

This section held to have no application to a suit against married woman on contract made by her for personal services. *Davis v. Carroll*, 71 Md. 571.

Prior to art. 47, sec. 35, a married woman trading under this section, was not subject to insolvency proceedings. *Clark v. Manko*, 80 Md. 79; *Relief Bldg. Assn. v. Schmidt*, 55 Md. 100.

Cited but not construed in *Loweckamp v. Koechling*, 64 Md. 96; *Ahern v. Fink*, 64 Md. 163.

See notes to sec. 42.