

issuance of all licenses issued by the clerks of the several courts of this State, and that this power shall be exercised by no other official.

This section did not repeal sec. 6, but the authority given by this section is in addition to that in sec. 6. *Arnreich v. State*, 150 Md. 93.

Auctioneer.

An. Code, 1924, sec. 8. 1912, sec. 7. 1904, sec. 7. 1888, sec. 7. 1886, ch. 507, sec. 5B. 1888, ch. 10.

9. Every person who shall open a room or place of business for the purpose of selling goods, wares and merchandise at auction shall be required to take out a license in the same manner as resident traders; the amount to be charged for said license to be rated upon the amount in value of goods, wares and merchandise on hand by said person for sale in the same manner as licenses are rated to resident traders. This section not to apply to Garrett County.

Billiards.

An. Code, 1924, sec. 9. 1912, sec. 8. 1904, sec. 8. 1888, sec. 8. 1798, ch. 13. 1824, ch. 64, sec. 1. 1826, ch. 219, sec. 1. 1865, ch. 56. 1870, ch. 250. 1892, ch. 525. 1912, ch. 67.

10. A license may be granted to any person who may apply for permission to keep a billiard table, for which license there shall be paid the sum of ten dollars, and for every additional billiard table kept by the same person he shall pay a license of five dollars; provided, that all said additional tables shall be kept in the same premises; and the word billiard table shall be construed to include pool tables; and provided further, that any person who shall keep a pool or billiard table where a charge is made for playing on the same but the said charge is returned or is to be returned to the players to be exchanged with the owner of said table or his agent for money, drinks, cigars or any other article of merchandise, shall be considered as gambling, and such tables shall be deemed gaming tables for the purposes of this article; and the person so keeping such table shall be liable to the penalty or penalties prescribed by the Public General Laws for keeping a gaming table or other place of gaming or permitting gambling on his or her premises.

History of secs. 10, 11 and 12. Although law applicable to billiard tables in Baltimore City has been codified in local Code, the licenses are contemplated to be issued by the state, and state receives the revenue therefrom; demurrer to indictment overruled. Although the law excepts billiard tables kept for private use, such exception need not be negatived in indictment. Local requirements for issue of licenses held to have exclusive operation within limits of Baltimore City. *Weber v. State*, 116 Md. 404.

This section applies to a corporation and also to a club which charges for use of pool table. State may tax amusements of people either for revenue, or as police regulation. *Germania v. State*, 7 Md. 6.

An. Code, 1924, sec. 10. 1912, sec. 9. 1904, sec. 9. 1888, sec. 9. 1824, ch. 64, sec. 3. 1826, ch. 219, sec. 2. 1865, ch. 56.

11. Any person keeping or exhibiting for use a billiard table or tables without first obtaining a license therefor shall, for each and every table so kept or exhibited, forfeit and pay the sum of five hundred dollars, one-half to the informer and the other half to the State.

The only exception to this section is a table kept for private use. When a table is for public, and when for private use. Admissibility of evidence. *Schmetzer v. State*, 63 Md. 422.

Cited but not construed in *Germania v. State*, 7 Md. 6.

See notes to sec. 10.

As to abolition of informer's fees, see Art. 38, sec. 3.