

than tobacco, he, she or it shall apply to the clerk of the court who is empowered to issue traders' license.

See sec. 107, as to cigars, etc.

1906, art. 56, sec. 59. 1890, ch. 91, sec. 54 b.

59. Upon such application the said clerk shall demand and receive from said applicant the sum of ten dollars before granting said license, and in all cases the said trader shall post the said license in a conspicuous place in his place of business. The failure of any such person or corporation to procure said license shall be a misdemeanor, and upon conviction such person or corporation shall be fined one hundred dollars; one-fourth of which shall be paid to the informer and the balance to the state treasurer.

Spirituos or Fermented Liquors by Retailers.

Ibid. sec. 60. 1888, art. 56, sec. 55. 1860, art. 56, sec. 58. 1858, ch. 414, sec. 4.
1890, ch. 568. 1894, ch. 40. 1894, ch. 443. 1902, ch. 623.
1904, ch. 57.

60. When any person or corporation intends to sell or barter spirituous or fermented liquors or lager beer in quantities not less than a pint, he shall apply to the clerk for a license therefor. This section and sections 61 to 101, inclusive, shall not apply to Anne Arundel, St. Mary's and Charles counties. Special law for Allegany county.

A license to sell liquor is not a contract. It is a mere permit subject to be modified or annulled by the legislature. Hence, a law may be adopted prohibiting the selling of liquor, notwithstanding licenses already granted. The Maryland legislature may pass a law, the principal object of which is to benefit a town in another state. *Clark v. Tower*, 104 Md. 181; *Fell v. State*, 42 Md. 89; *State v. Maryland Club*, 105 Md. 595.

Local option laws are constitutional and valid. *Fell v. State*, 42 Md. 83.

Under the police power, the state can pass a law requiring a license of those who sell lager beer manufactured by themselves within the state. *Keller v. State*, 11 Md. 531. See also, *State v. Maryland Club*, 105 Md. 595.

The three kinds of licenses to sell liquor, contrasted—see sections 72 and 90. An oyster or eating house license for the sale of liquor in quantities less than a pint, does not authorize the sale of liquor in any greater quantities. *State v. Cahen*, 35 Md. 237.

Formerly the liquor license laws did not apply to social clubs; see, however, section 87, *et seq.* *Seim v. State*, 55 Md. 571. See also, *State v. Maryland Club*, 105 Md. 597.

See sec. 5 and notes.

As to the sale of liquor on election day, and taking it into registration offices, see art. 33, sections 112 and 113.

See art. 20, sec. 25.

Ibid. sec. 61. 1888, art. 56, sec. 56. 1860, art. 56, sec. 59.
1858, ch. 414, sec. 4.

61. Upon such application the applicant shall state on oath, to be administered by the clerk, the amount of his stock of spirituous or fermented liquors or lager beer generally kept on hand by him or the concern in which he is engaged, or if said applicant shall not have been previously engaged in such trade or business, the amount of such stock he expects to keep.

Cited but not construed in *State v. Cahen*, 35 Md. 237.

See notes to sec. 40.