

**Hawkers and Peddlers.**

An. Code, 1924, sec. 26. 1912, sec. 24. 1904, sec. 24. 1888, sec. 27. 1856, ch. 341.  
 1882, ch. 104. 1892, ch. 410. 1894, ch. 443. 1898, ch. 183. 1902, ch. 508.  
 1904, ch. 297. 1933, ch. 328, sec. 26. 1937, ch. 216.

**24.** No hawker or peddler shall buy for sale out of the State, or buy to trade, barter or sell, or offer to trade, barter or sell within the State any goods, wares or merchandise until he shall have first taken out a license for that purpose, but nothing in this section shall apply to hawkers and peddlers of oysters and fish in their unpreserved and natural condition, or of fruits and vegetables perishable in their nature that are sold in their natural condition in this State, or to licensed merchants or traders in Allegany County who have maintained regular places of business for not less than five years and who deliver goods, wares or merchandise to regular customers or others with or without prior orders. This section not to apply to Prince George's, Anne Arundel nor Cecil Counties, as to which special local law exists.

Statute should be construed in light of modern social conditions; judicial notice of practice of producer in selling ice, milk, etc., along established routes without license for many years. *State v. Amick*, 171 Md. 536.

Secs 24, 25, 27 and 28 held valid and person selling ice cream from motor vehicle required to secure hawker's and peddler's license. *Brown v. State*, Daily Record, Dec. 13, 1939.

Failure of hawker or peddler to take out license, does not make his contract illegal or unenforceable. *Banks v. McCosker*, 82 Md. 521; *Coates v. Locust Point Co.*, 102 Md. 296.

Cited but not construed in *Crout v. State*, 157 Md. 387.

An. Code, 1924, sec. 27. 1912, sec. 25. 1904, sec. 25. 1888, sec. 28. 1856, ch. 341. 1862, ch. 97. 1882, ch. 104. 1884, ch. 350. 1886, ch. 507. 1888, ch. 10. 1892, ch. 410.  
 1894, chs. 333, 443. 1902, ch. 508. 1920, ch. 600. 1922, ch. 298. 1933, ch. 328, sec. 27. 1935, ch. 219.

**25.** For every such license there shall be paid the following rates, to wit: For every license to travel on foot, the sum of one hundred dollars; to travel with a horse or other beast of burden and wagon or other vehicle, the sum of one hundred and fifty dollars; with two horses or other beast of burden and wagon or other vehicle, the sum of two hundred dollars; and with a motor truck or motor vehicle of any description whatsoever, the sum of three hundred dollars. Provided that the license to travel with a motor truck or motor vehicle of any description shall be one hundred dollars for residents of Garrett County. This section not to apply to Anne Arundel, Prince George's nor Cecil Counties.

See notes to Sec. 24.

An. Code, 1924, sec. 28. 1912, sec. 26. 1904, sec. 26. 1888, sec. 29. 1862, ch. 97.  
 1865, ch. 76.

**26.** No such license shall be granted to any hawker or peddler in the name or style of a partnership or company and but one person shall trade under any such license. No such license shall extend beyond the county in which it may be issued.

Cited in *State v. Amick*, 171 Md. 542.

An. Code, 1924, sec. 29. 1912, sec. 27. 1904, sec. 27. 1888, sec. 30. 1856, ch. 341, sec. 2.

**27.** Any hawker or peddler who may be found trading, bartering or selling, or offering to trade, barter or sell any goods, wares or merchandise without a license may be apprehended by any sheriff or constable within