

fusal, in one or more of the public newspapers published in this state, and from the time of publishing such advertisement, such delinquent auctioneer shall be deemed to have forfeited his appointment, and shall thereby be disqualified from acting as an auctioneer under the same, and every such person so neglecting or refusing, shall also for every such offence, forfeit seven hundred and fifty dollars, which forfeiture the said treasurer shall direct the attorney-general to cause to be sued for and recovered in the name and for the use of this state, in any court of record, having cognizance thereof; *Provided however*, that it shall be competent for such auctioneer, at the trial of such suit, to give in evidence every matter or thing, going to shew a satisfactory excuse for such neglect on his part, and that if the jury before whom such suit shall be tried, shall think such excuse satisfactory, they shall return a verdict for the defendant. Proviso.

SEC. 10. *And be it enacted*, That all lands and tenements, goods, belonging to this state, or the United States, all goods and chattels which shall be seized by any public officer for or on account of any forfeiture or penalty, ships and vessels, goods and effects of deceased persons, or goods distrained for rent, or sold by order or decree of any court, or taken in execution, effects of any bankrupt, or insolvent debtor, transferred or conveyed to assignees by a general assignment for the benefit of all his creditors, utensils of husbandry, and all articles of the growth or produce of this state, shall in no wise be subject to, but are hereby exempted and declared free from the duty aforesaid, and may be sold by any person in any part of this state. Articles
exempted

SEC. 11. *And be it enacted*, That every auctioneer in said city shall designate in writing, his partner or partners, if any are engaged with him in his said business, and the houses or stores occupied by him for the transaction of auction business, which said writing shall be deposited by such auctioneer with the treasurer of the western shore; and if any auctioneer in said city shall enter upon the execution of his office, or shall permit any person to act in his behalf, without designating his said house or store, or his said partner or partners, if any, in the manner and form herein prescribed, he shall be deemed guilty of misdemeanor, and on conviction shall be fined in a sum not exceeding five hundred dollars; and it shall be the duty of the court before whom such conviction is had, to transmit forthwith a particular report thereof to the governor and council of this state, who are hereby authorized in their discretion, to inhibit the person so convicted from acting as auctioneer during their pleasure; *Provided always*, that the mayor of the said city shall be, and hereby is authorized to Partners
and stand
to be de-
signated.

Penalty for
neglect.

Mayor and
city council