

P. L. L. (1860), Art. 4, sec. 157. P. L. L. (1888), Art. 4, sec. 73.

231. In case the said person is tried upon a presentment or indictment, it shall only be necessary to allege in the presentment or indictment that the offense was committed between the hours aforesaid, and that it was committed on a highway in the City of Baltimore, or at a place of public resort or amusement without setting forth said highway or place of public resort or amusement by name.

AUCTIONS.*

232. Repealed by Act of 1900, Chapter 208.

233. Repealed by Act of 1900, Chapter 208.

234. Repealed by Act of 1900, Chapter 208.

P. L. L. (1860), Art. 4, sec. 88. P. L. L. (1888), Art. 4, sec. 77.

235. The duties shall be calculated on the sums for which the property or goods so exposed to sale shall be respectively struck off, and shall in all cases be paid by the person making the sale.*

State v. Hoboken Bank, 84 Md. 325.

P. L. L. (1860), Art. 4, sec. 89. P. L. L. (1888), Art. 4, sec. 78.

236. No duties shall be chargeable upon any goods, wares, merchandise or other property sold by any auctioneer at private sale on the days of his public auction, or unless the same be part of what was offered for sale at said public auction or was advertised to be sold thereat.

P. L. L. (1860), Art. 4, sec. 90. P. L. L. (1888), Art. 4, sec. 79.

237. The duty imposed on all sales of lands, tenements and hereditaments, or of any interest therein, at public auction in the City of Baltimore, shall be a lien on the said property when sold as aforesaid.

State v. Hoboken Bank, 84 Md. 325.

P. L. L. (1860), Art. 4, sec. 91. P. L. L. (1888), Art. 4, sec. 80.

238. Every purchaser of lands, tenements or hereditaments, or of any interest therein, purchased at public auction in the City of Baltimore, shall be bound to pay the auction duty on such sale and be entitled to claim the said payment as a credit on his purchase as aforesaid.

State v. Hoboken Bank, 84 Md. 325.

*Sections 235, 236, 237, 238, 266, 267, 268, 269, 270, 274, 275, 276 and 277 were attempted to be repealed and sections 239, 240, 241, 243, 244, 245, 246, 248, 249, 253, 255, 257, 263 and 272 were attempted to be amended by Ord. 105 (1923-24), to provide for the appointment of auctioneers by the Mayor and the payment of license fees to Baltimore City. The ordinance was held invalid, it being held that the Home Rule Amendment did not give the city power to change local laws affecting state revenues. Gaither v. Jackson, 147 Md. 655.