

P. L. L. (1860), Art. 4, sec. 92. P. L. L. (1888), Art. 4, sec. 81.

239. All goods and property, of what kind soever, shall in all cases be struck off to the highest bidder; and where the auctioneer or owner, or any person employed by them or either of them, shall be such bidder, the goods or property shall be subject to the same duties as if struck off to any other person; but this section shall not be construed to render valid any sale that would otherwise be deemed fraudulent and void.

Warehime v. Graf, 83 Md. 98.

P. L. L. (1860), Art. 4, sec. 93. P. L. L. (1888), Art. 4, sec. 82. 1894, ch. 350.

240. The Governor, by and with the advice and consent of the Senate, shall biennially appoint as many auctioneers in the City of Baltimore as he may think proper, not to exceed thirty.

P. L. L. (1860), Art. 4, sec. 94. P. L. L. (1888), Art. 4, sec. 83.

241. Each person so appointed, the amount of whose sales of goods, wares, merchandise and personal property of every kind, exclusive of his real estate sales and sales of houses, shall not exceed the sum of one hundred and fifty thousand dollars, shall, before entering upon the duties of his office, enter into a recognizance to the State, with two sufficient securities, in the sum of five thousand dollars, conditioned for the payment of the duties hereinbefore mentioned to the Treasurer of Maryland, and that he shall in all things well, truly and faithfully behave and conform himself according to the true intent and meaning of this law; and shall also pay to the Treasurer of Maryland the sum of four hundred and fifty dollars, as a license.

McMechin v. Mayor, 2 H. & J. 41. McMechin v. Mayor, 3 H. & J. 534.

P. L. L. (1860), Art. 4, sec. 95. 1872, ch. 249. P. L. L. (1888), Art. 4, sec. 84.

242. Any auctioneer paying the license fee, and executing the bond prescribed in the preceding section, may make sales of every description of goods, wares and merchandise of every kind, and real estate, and may exercise all the rights and privileges of a general auctioneer to the extent and amount of the sum prescribed in said section; and he shall make, under oath, quarterly returns to the Comptroller of the City of Baltimore, showing the full amount of his sales of every kind, distinguishing his sales of goods, wares and merchandise, and personal effects of every kind, from his sales of real estate and houses; and if any auctioneer under said license shall sell any amount exceeding the sum named in the last preceding section, he shall be subject to all the penalties hereinafter imposed upon auctioneers who shall sell without license.

This section has been modified to conform to the changes in the law made necessary by the repeal of section 233 of this Article, by Act 1900, ch. 208

P. L. L. (1860), Art. 4, sec. 96. P. L. L. (1888), Art. 4, sec. 85.

243. Each auctioneer so appointed whose sales of goods, wares and merchandise, and personal effects of every kind, exclusive of his real estate sales and sales of houses, shall exceed the sum of one hundred and