

over \$1,000 and up to and including \$5,000, a commission of two per cent.; over \$5,000 and up to and including \$10,000, a commission of one and one-half per cent.; on all over \$10,000 a commission of one per cent.; provided that in no case of a sale of real estate, leasehold and other interests in real property shall an auctioneer be required to accept a commission amounting to less than \$10. Auctioneers shall also be entitled to demand and receive a fee of \$10 in cases where real estate, leasehold or other interest in real property is advertised and offered for sale, but no sale is made; and a like fee of \$10 in cases where real estate, leasehold or other interest in real property is advertised for sale but is withdrawn before the day of sale.

Auctioneers shall also be entitled, unless a previous agreement to the contrary is made, to demand and receive on sales of personal property whether under an order of court or otherwise a commission of 10 per cent. up to and including \$1,000, and 5 per cent. on all sales over \$1,000.*

260. Repealed by Act of 1918, Chapter 338.

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P. L. L. (1860), Art. 4, sec. 116. P. L. L. (1888), Art. 4, sec. 105.

263. Any auctioneer who shall receive or accept any greater or higher reward for his services than is authorized by this subdivision of this Article, shall forfeit the sum of five hundred dollars for every offense, to be recovered in the name of the State by suit, or by indictment in the Criminal Court, one-half to the use of the State and the other half to the use of the party prosecuting for the same.

P. L. L. (1860). Art. 4, sec. 117. 1872, ch. 249. P. L. L. (1888), Art. 4, sec. 106

264. No auctioneer shall authorize or permit any person whatever to sell any property of any description whatever, under and by virtue of his license, unless the person so authorized or permitted is actually and *bona fide* in the employment of such auctioneer, and is actually and *bona fide* a resident of Baltimore City at the time of such employment, and the commissions on such sales are actually and *bona fide* for the benefit of such auctioneer; and no license shall be construed to authorize the holder to sell at more than one regular establishment, but an auctioneer may sell public stocks, houses, lots and furniture, or ships or vessels, on the premises where the same may be, or at the exchange, or goods in the original form and packages as imported, and bulky articles, such as have been usually sold in warehouses or in the public streets or on the wharves, at such other places within the city as shall be desired by the owner or importer of such bulky articles or imported goods.

*Section 3 of chapter 338 of the Acts of 1918 repeals all laws or parts of laws and all rules inconsistent with the provisions of said Act.