

CHAP. 111

Penalty for selling
without appointment.

SEC. 3. *And be it enacted*, That if any person or persons, not appointed and authorised in the manner by this act directed, nor by or under the authority of the United States, shall sell, or attempt to sell any goods, wares, merchandizes or effects whatsoever, liable to duty under this act, by way of public auction or vendue, in the city of Baltimore, he shall be considered guilty of a misdemeanor, and be subject to presentment and trial by indictment, and shall on conviction, be fined in a sum not exceeding five hundred dollars, or imprisoned for a term not exceeding three months, or both at the discretion of the court, before whom such conviction shall take place.

Auctioneer to bond

SEC. 4. *And be it enacted*, That no person so to be appointed an auctioneer by virtue of this act, except as hereinafter provided, shall enter upon the execution of his office, until he shall have entered into a recognizance to this state, with two sufficient sureties in the sum of thirty thousand dollars, conditioned for the payment of the duties hereinbefore mentioned, to the treasurer of the Western Shore, and for the payment and satisfaction of all just claims, that may be against him as auctioneer, and also that he shall in all things, well, truly and faithfully behave, and conform himself according to the true intent and meaning of this act; and until he shall also first have paid to the treasurer of the Western Shore, the sum of seven hundred and fifty dollars as a license fee, which recognizance shall be taken by the clerk of Baltimore county court, and duplicates shall be made of the record of every such recognizance by the said clerk, one whereof shall be delivered or cause to be delivered by such auctioneer, within ten days after the date of such record, to the said treasurer, and the other shall be retained by the said clerk, who shall be entitled to demand for the same, from the auctioneer, one dollar, and every auctioneer who shall sell any goods, wares, merchandizes or effects, liable to duty under this act, by way of public auction, without having entered into recognizance under this act, and also having paid the license fee required by this act, shall forfeit the sum of fifty dollars, for each and every article exposed to sale, to be recovered by any person suing for the same, before any justice of the peace of the city of Baltimore.

Pay \$750 for license.

Recognizance.

Penalty for selling
without license or
recognizance.

Auctioneer of
Books &c. recognizance—\$150
license.

SEC. 5. *And be it enacted*, That if any of the persons appointed by the Governor and Council as aforesaid, shall be desirous of pursuing the business of an auctioneer, for the sole purpose of selling books, maps or prints, he shall be entitled so to do by first entering into a recognizance to this state, with two sufficient sureties in the sum of five thousand dollars, with like condition with the recognizance mentioned in the fourth section of this act, and also by first paying to the said treasurer the sum of one hundred and fifty dollars as a license fee, which said recognizance shall be taken by the same clerk, and his duties and compensation in relation thereto, shall be the same as is provided in regard to the recognizance mentioned in the said fourth section of this act.