

CHAP. 283.

spectively believe the said account to be correct and true in every particular; and every such auctioneer shall, within thirty days after the rendering such account, and taking such oath or affirmation, pay the amount of duty upon such account of sales to the treasurer; and if any such auctioneer shall neglect to render the account above prescribed, or to pay the amount of duty as aforesaid, he shall be liable to the penalties and disabilities provided for such neglect by the ninth section of the act to which this is a supplement.

Make affidavit

SEC. 6. *And be it enacted*, That every such auctioneer as aforesaid, who, within the period limited for his accounting, shall have made no sales of goods or property of any kind, liable to auction duties, shall make and subscribe an affidavit of those facts, before one of the judges of the city court aforesaid; and shall transmit a copy of said affidavit, certified by said judge, to the treasury within the same time that an account is required to be rendered by the preceding section of this act; and the penalties and disabilities for neglecting to make such affidavit, shall be the same as for the neglect to make the return, provided for in the preceding section of this act.

Governor not to nominate delinquents.

SEC. 7. *And be it enacted*, That it shall not be lawful for the Governor to nominate to the Senate for auctioneer, any person who shall not have settled in full at the treasury office for all amounts due from said person on account of auction duties, under the act regulating sales by public auction and its supplements; and this section shall be in force from and after the passage of this act.

Upon neglect to bond, commission to be null and void.

SEC. 8. *And be it enacted*, That in case any person who may be commissioned to act as auctioneer, under the said act and its supplements, shall neglect to take out a license within twenty days after his commission shall have been forwarded to him by the Governor, such commission shall be deemed null and void, and it shall be the duty of the Governor to appoint some other person to supply the vacancy in the number of auctioneers occasioned by such neglect.

Penalty for violation.

SEC. 9. *And be it enacted*, That every auctioneer who shall sell any goods or property other than such as he is authorised to sell by the terms of his license, shall forfeit, for every such article so sold, the sum of fifty dollars, to be recovered by any person suing for the same before any justice of the peace of the city of Baltimore, or by indictment in Baltimore city court.

Boots, shoes and hats.

SEC. 10. *And be it enacted*, That the right to sell wearing apparel, given by the sixth section of the act