

CHAP. 111

ments, servants and slaves, carriages and horses, books, stationary, maps and prints, shall be entitled to demand or receive unless there shall be a previous agreement to the contrary, from any person directly or indirectly, for his services, a commission exceeding four dollars, clear of all duties, for every hundred dollars of the purchase money arising from such sale, and that no auctioneer licensed generally for the selling of any goods, wares and merchandise, shall be entitled to demand or receive, unless there be a previous agreement to the contrary, from any person or persons, directly or indirectly, a commission exceeding two dollars, clear of all duties, for every hundred dollars arising from sales made by him, except upon sales of furniture and wearing apparel, upon which they shall be entitled to receive four dollars, clear of all duties, for every hundred dollars arising from such sales; and except also upon sales of books, stationary, maps and prints, upon which they shall be entitled to receive seven dollars and fifty cents, clear of duties, for every hundred dollars arising from such sales; and every auctioneer who shall receive or accept any greater or higher reward for his services than is authorised by this act, shall forfeit the sum of five hundred dollars for every offence, to be recovered in the name of the state, by action of debt, or by indictment in a court of competent jurisdiction, one moiety of said penalty when recovered, to be for the use of the state, and the other moiety for the use of the party prosecuting for the same.

2 per cent for general articles.
Except.

Penalty for charging more.

Agents prohibited
—places stipulated
—penalty for violations.

Provisos.

Securities fading, removing, &c. must be replaced—otherwise license revoked

SEC. 14. *And be it enacted*, That no auctioneer licensed under this act, shall authorise or permit any person whatever to sell any property of any description, under or by virtue of his license, except the person so authorised or permitted, is actually and bona fide in the employment of such auctioneer, and the commissions on such sales are actually and bona fide for the benefit of such auctioneer, and no license granted under this act, shall be construed to authorise the person holding such a license, to sell at more than one regular establishment: *Provided*, That no part of this provision shall be construed to prevent such licensed auctioneer from selling public stocks, houses, lots and furniture, or ships or vessels on the premises where the same may be, or at the exchange; and every auctioneer offending against the provisions of this section, shall forfeit and pay twenty dollars for each and every offence, to be recovered for the use of the party prosecuting for the same, before any justice of the peace in the city of Baltimore, in like manner as small debts are recovered.

SEC. 15. *And be it enacted*, That in case any security or securities in any recognizance entered into by any auctioneer under this act shall die, remove from this state, or become insolvent, the treasurer of the Western Shore shall demand other security or securities in his, her or their place; and in case of neglect or refusal to give such other surety or sureties, within three days after such demand is made, the license of such auctioneer shall from thenceforth be null and void, to all intents and purposes, as if the same had never been granted