

or due proof by Witness or Witnesses, other than the Informer, upon Oath, which Oath they are hereby empowered to administer, that the Person or Persons so brought before them had so traded as aforesaid without a Licence, and in case no such Licence shall be produced by such Offender or Offenders, before such Justices, the said Justices by Warrant under their Hands and Seals, directed to a Constable or other Peace Officer, shall cause a Sum, not exceeding Twenty Pounds nor less than Five Pounds, with reasonable Costs, to be forthwith levied by Distress and Sale of the Goods, Wares and Merchandise of such Offender or Offenders, or of the Goods with which such Offender or Offenders shall be found trading as aforesaid; rendering the overplus (if any there be) to the Owner or Owners thereof, after deducting the reasonable charges for taking the said Distress; and for want of sufficient Distress, the Offender or Offenders shall be sent to the nearest Gaol of such District, for a time not exceeding six months, nor less than one month; as such Justices of the Peace shall think most proper.

Amount of Penalty.

Imprisonment in default of distress.

IV. *And be it further enacted by the authority aforesaid,* That the Collectors acting by virtue of and under the authority of this Act, shall and they are hereby required to make returns to the Inspector General of this Province, and transmit all such monies as may come to their hands, to the Receiver-General of the Province, in like manner and subject to the same penalties as Inspectors and Collectors now are by virtue of any Law now in force in this Province.

Collectors to account,

and pay over Monies.

V. *And be it further enacted by the authority aforesaid,* That the Duties levied, collected and paid by virtue of this Act, and one moiety of every pecuniary penalty or satisfaction by this Act imposed shall belong to His Majesty, His Heirs and Successors, and shall also be paid by the person or persons respectively receiving the same, into the hands of the Receiver-General, to and for the uses of His Majesty, His Heirs and Successors, for the public uses of this Province, and towards the support of the Government thereof, to be accounted for to His Majesty through the Lords Commissioners of His Majesty's Treasury for the time being, in such manner as it shall please His Majesty to direct, and the other moiety of such pecuniary penalty or satisfaction, shall belong to the person or persons who shall sue for the same.

Appropriation of Penalties.

Informer.

VI. *And be it further enacted by the authority aforesaid,* That this Act shall continue and be in force Four Years, and from thence to the end of the then next ensuing Session of Parliament.

Continuance of this Act.

CHAP. VI.

An Act Granting to His Majesty a Duty on Licences to Auctioneers, and on Goods, Wares and Merchandise sold by Auction.

[Passed 1st April, 1818.]

MOST GRACIOUS SOVEREIGN,

WHEREAS it is expedient to increase the Revenue of this Province, to meet the increased Expenditure of the same, and whereas it would be for the advantage of the said Province if all Persons using or exercising the Trade or Business of an Auctioneer, should be obliged to take out a Licence for that purpose, specifying their Names and Places of Abode respectively, and to grant unto Your Majesty a certain Rate upon all Sales of Goods, Wares and Merchandise whatsoever, sold by way of Auction, as herein-after mentioned: We Your Majesty's Dutiful and Loyal Subjects, the Commons of Upper-Canada, in Provincial Parliament assembled, do most humbly Beseech your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper-Canada, constituted and assembled by

Preamble.