

the Licences as aforesaid, in writing, of the total amount of the Money bid at each Sale, and of the several Articles, Lots or Parcels which shall have been there sold, and the price of each and every such Article, Lot or Parcel, and at the same time, make payment of all such Sum and Sums of Money as shall be due and payable to His Majesty, in pursuance of, and according to the true, intent and meaning of this Act, which sum or sums of money he is hereby authorised and empowered to retian out of the produce arising by such Sale, or deposit made at such Sale or otherwise, recover the same by action of Debt or on the Case, against the person or persons by whom such Auctioneer shall be employed, or on whose account such Goods, Wares and Merchandise shall be so sold, and every Person so acting as Auctioneer, or the Person who acted as his Clerk, at such Sale, if any, shall make Oath to the Truth of each and every such Account before the Person or Persons issuing such Licence, as aforesaid, or before some one of His Majesty's Justices of the Peace for the District in which such Auctioneer shall reside; which Oath, the said Person or Persons issuing such Licence as aforesaid, and such Magistrate, is and are hereby authorised and empowered to administer.

Accounts to be sworn to.

VII. *Provided also, and it is hereby further enacted by the authority aforesaid,* That nothing in this Act contained, shall extend or be construed to extend to charge with the said Rate or Duty, any Goods, Wares and Merchandise sold at Auction under the authority of any Sheriff, Under Sheriff or Constable. *And provided also,* That nothing in this Act contained shall extend or be construed to extend to affect any sale of Farming Stock, or Utensils of Husbandry, or Household Furniture that have been in use, any thing to the contrary hereof notwithstanding.

Not to extend to Sheriff's Sales, &c.

Other exceptions!

VI. *Provided always, and it is hereby further enacted by the authority aforesaid,* That nothing herein contained, shall extend or be construed to extend to restrain any Seller by Auction, or Person acting as Auctioneer at any Sales by way of Auction, from making it a condition of Sale, that the Pound Rate granted by this Act, or any certain portion thereof, shall be paid by the Purchaser, over and above the price bidden at such Sale by Auction: and in such case, the Person so acting as Auctioneer is hereby authorised and required to demand payment of the said Duty from such Purchaser or Purchasers, or such portion thereof as expressed in such Condition or Agreement, and upon neglect or refusal to pay the same, such Bidding shall be null and void to all intents and purposes.

It may be made a Condition at any sale, that the Purchaser shall pay the Auction Duties.

On his failing to pay his bidding to be void.

IX. *And be it further enacted by the authority aforesaid,* That the 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 use of His Majesty His Heirs and Successors for the public uses of this Province, and towards the support of the Civil Government thereof, to be accounted for to His Majesty through the Lords Commissioners of his Treasury for the time being, in such manner and form as it shall please His Majesty to direct; and the other Moiety thereof to the Informer or Person who shall sue for the same.

Distribution of Penalties imposed by this Act.

Informer.

X. *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 pains and penalties as Inspectors and Collectors now are by virtue of any Law now in force in this Province.

Collectors, how and when to render accounts.

And transmit Monies.

XI. *And be it further enacted by the authority aforesaid,* That the said Collector shall retain and take at the rate of Five Pounds, for every Hundred Pounds, which he shall so collect as aforesaid, during the continuance of this Act, and all Monies so paid by the said Collector into the hands of the Receiver General, shall be by him accounted for to His Majesty, his Heirs and Successors, through the Lords Commissioners of his Treasury for the time being, in such manner and form as His Majesty, his Heirs and Successors shall be graciously pleased to direct.

Collectors may retain £5 per cent.

Appropriation of Monies paid to the Receiver General under this Act.

XII. *And be it further enacted by the authority aforesaid,* That if any Action or Suit shall be brought or commenced against any Person or Persons, for any thing done in pursuance of this Act, such Action or Suit shall be commenced within Six Months next after the matter or thing done, and not afterwards.

Limitation of Actions brought for any thing done under this Act.