

quired so to do, he shall be deemed and taken to have forfeited his Appointment or Licence.

VI. *And be it further enacted*, That every Auctioneer or Vendue Master shall, at or within ten days after the expiration of every three Months, to be computed from the time at which this Act goes into operation, render a just, exact, and true Account in writing, upon oath, to the Treasurer of the Province for the time being, or to the Deputy Treasurer of the District within which the sales shall take place, of all and singular the Goods, Chattels, Wares, and Merchandise, with the amount thereof, which he or they may have sold within the period for which such Account is rendered, and which are made subject and liable to duty by this Act, and shall forthwith pay to the said Treasurer or Deputy Treasurer, as the case may be, the full amount of Duties on such sales; the oath required by this Section to be according to the form set forth in the Schedule to this Act, or to that effect: And if any Vendue Master or Auctioneer shall neglect or refuse to deliver such account on oath, and pay the duties as herein directed, he shall, for each and every offence, forfeit and pay the sum of Fifty Pounds.

VII. *And be it further enacted*, That any person or persons presuming to sell or dispose of any Lands, Tenements, Ships, Vessels, Goods, Wares, or Merchandise, by Public Vendue, Auction, or Outcry, without being thereunto duly Licensed and Appointed, and without having given Bond as directed by this Act, shall for every offence forfeit and pay the sum of one hundred pounds: *Provided always*, that nothing herein contained shall extend or be construed to affect sales made under the process, order, or decree of any Court of Justice, or by any public officer or officers, or by any Executor or Administrator of the Lands or effects of the Testator or Intestate, or of any property, real or personal, belonging to the Crown.

VIII. *And be it further enacted*, That the Penalties imposed by the sixth and seventh Sections of this Act, shall and may be recovered by information to be made and filed by His Majesty's Attorney-General, in the Supreme Court of Judicature; and the said Penalties, after deducting the costs and charges of prosecution, shall be paid into the Treasury of the Province for the use of the same.

IX. *And be it further enacted*, That it shall be the duty of the Treasurer of the Province, and the Deputy Treasurers within their respective Districts, to require the returns and accounts to be regularly made as directed by this Act; and to cause proceedings to be instituted against such Vendue Masters or Auctioneers as neglect or refuse to render the same; and it shall and may be lawful for such Treasurer and Deputy Treasurers respectively, to examine, upon oath, any Vendue Master or Auctioneer, as to any sales made by him, or touching the sale of any Goods by Auction, or which may be considered by the said Treasurer or Deputy Treasurer, subject to duty under this Act.

X. *And be it further enacted*, That every Vendue Master or Auctioneer, who may be Licensed or Appointed within any of the Counties of this Province, (the City of Saint John excepted,) shall pay to the Treasurer of the County, within ten days after the beginning of every Year, such Yearly sum as the Justices of the Peace of the County, at any General Sessions of the Peace, may direct and appoint, not exceeding Ten Pounds per annum, the same to be applied in like manner as other County Rates; and every Vendue Master or Auctioneer, neglecting or refusing to pay the same, shall forfeit and pay the sum of Twenty Pounds, to be sued for and recovered by the County Treasurer for the time being, in his own name by Action of Debt, in any Court of competent Jurisdiction, together with Costs of Suit; and the same, when recovered, to be applied as above mentioned, in which Action, any Inhabitant of the County shall be considered a competent Witness.

XI. *And whereas*, by the Charter of the City of Saint John, the Mayor of the said City for the time being, is authorized and empowered to Licence and appoint Vendue Masters and Auctioneers within the said City: *Be it further enacted*, That nothing in this Act contained, shall extend or be construed to interfere with the right so granted as aforesaid: *Provided always*, that no Vendue Master or Auctioneer, so Licensed or Appointed, shall presume to sell without having given Bond as herein before described: And *Provided also*, that every Vendue Master or Auctioneer, so Licensed or Appointed, within the said City, shall pay to the Chamberlain of the said City, for the use of the Mayor, Aldermen, and Commonalty, of the said City, such Yearly sum as they may direct and appoint, not exceeding Thirty Pounds in any one Year.

XII. *And be it further enacted*, That the said Province Treasurer and the Deputy Treasurers, shall keep exact and distinct Accounts of the Monies arising from time to time by virtue of this Act, which may be by them respectively received.

XIII. *And be it further enacted*, That no Auctioneer or Vendue Master shall knowingly sell or dispose of any contraband or Smuggled Goods, under the penalty of One Hundred Pounds, to be recovered and applied in the manner and to the uses directed in and by the eighth Section of this Act.

XIV. *And be it further enacted*, That if any person or persons shall be guilty of false swearing in any affidavit, or upon any examination taken under and by virtue of this Act, such person or persons, so offending; shall, on due conviction thereof, be liable to suffer the pains and penalties by Law imposed for wilful and corrupt perjury.

XV. *And be it further enacted*, That this Act shall commence and go into operation on the first day of May next.

SCHEDULE CONTAINING THE FORM OF AFFIDAVIT.

I, A. B., [or we A. B. and C. D.,] do solemnly Swear, in presence of Almighty God, that the Account now exhibited by me, [or us,] and to which I, [or we,] have subscribed my name, [or our names,] contains a just and true Account of all the Goods,

Wares, Merchandise, and Effects, sold by me, [or us,] or any person or persons under me, [or us,] within the time in the said Account mentioned, which are liable to the Duty imposed by an Act of the General Assembly, intituled "An Act for the better regulation of Sales by Auction," and that to the best of my, [or our,] knowledge and belief, none of the Goods mentioned in the said Account, or sold by me, [or us,] within the period aforesaid, were Contraband or Smuggled.

So help me God.

Sworn at
the day of
before
Treasurer, [or Deputy Treasurer.]

SHERIFF SALES.

COUNTY OF YORK.

To be Sold at Public Auction, to the highest bidder, on the 12th day of March next, between the hours of 12 and 5 o'clock in the afternoon, at the County Court House, in the Parish of Fredericton.

All the right and title of Charles Munro, of in and to that certain Lot or Tract of Land situate lying and being in the Parish of Kent, known by Lot No. 33, on the Eastern side of the river St. John, bounded Northerly by William Mann, and Southerly by George Fields, containing 100 acres more or less, situate in the Parish aforesaid, the same having been seized by me from the said Charles Munro, by virtue of an Execution issued out of the Supreme Court of this Province, at the suit of John Rielly. Dated at Fredericton the 5th day of September, 1828.

6mp

Sheriff of York.

To be sold by Public Auction, at the County Court House, in Fredericton, on the eighth day of April next, between the hours of 12 and 5 o'clock in the afternoon of the same day.

All the right and title of John M. Blair, of in and to that certain house and lot of Land, situate in the Parish of Fredericton, fronting on Kings and Westmorland Streets, now in the occupation of the said John M. Blair. The same having been taken by virtue of an Execution issued out of the Supreme Court at the suit of Joseph Gohier.

E. W. MILLER, Sheriff.

Fredericton, 7th October, 1828.

By Virtue of several Writs of VENDITIONI EXPOSAS to me directed will be sold by Public Auction, on the third Tuesday in July next, between the hours of 12 and 5 in the afternoon, at the Market House, in Fredericton;

All the real estate of Alexander Campbell, within my bailiwick, or so much thereof as will satisfy the aforesaid Writ.

E. W. MILLER, Sheriff.

Fredericton, Dec 29, 1828.

To be sold by Public Auction, on the 30th day of June next, between the hours of 12 and 5 o'clock, at the County Court House, in the Parish of Fredericton, and County of York, viz:—

ALL the right, title, property, claim, and demand whatsoever, of John Brown, of, in, and to that lot of land, situate, lying and being, on the Nashwalk, in the Parish of St. Marys, in the County of York, being the third of an undivided part of the estate of the late Alexander Brown: The same having been taken by Execution issued out of the Supreme Court at the suit of James Stout, and William Wilmut.

E. W. MILLER, Sheriff.

Fredericton, December 23, 1828.

KINGS COUNTY.

On the first Tuesday in June next, will be sold at Public Auction, at the Tavern of Mr. Xenophon Cogge, in Sussex Vale, Will be sold as above, all the right, title, claim, and demand of William Byrns, in, and to a certain lot or tract of land, situate in the parish of Sussex, now in the occupation of the said William Byrns, lying on the road leading from Mr. Duncan Campbell's to Sussex Vale: the same having been taken by virtue of an Execution at the suit of Jonah Dyer and Charles McDonald.

Also, at the same time and place,

Will be sold as above, all the real Estate of Abraham Perlee, in the Parish of Sussex, consisting of that well-known Farm, now in the occupation of the said Abraham Perlee, adjoining to the property owned & occupied by the Heirs of the late Sam. Hallett, Esq.: the same having been taken by virtue of an Execution against the said Abraham Perlee, issued out of the Supreme Court at the suit of William Jarvis.

WALTER BATES, Sheriff.
Kingston, Sheriff's Office, November 20, 1828.

COUNTY OF KENT.

To be Sold by Public Auction, at the Court-House, in Liverpool, in the County of Kent, on the fourth Tuesday in June next, between the hours of twelve and five of the same day;

ALL the real estate, right, title, interest, and demand of Humphrey Gilbert, in and to a certain tract of land, situate upon the Coeagne River, in the said County of Kent, originally Granted to the said Humphrey Gilbert and five others, containing thirteen hundred acres, more or less: the Grant of which being dated the twenty-sixth day of July 1809: The same having been taken by virtue of a Writ of Execution issued out of the Supreme Court, at the suit of James Evans, against the said Humphry Gilbert.

THOMAS LANSDOWN, Sheriff.

Liverpool, N. B. Dec. 19, 1828.

To be Sold by Public Auction, at the Court-House, in Liverpool, in the County of Kent, on the fourth Tuesday in June next, between the hours of 12 and 5 of the same day,

ALL the real estate, right, title, interest and demand of Silvester C. Hewes, Esq., in and to the following lots or tracts of Land, together with all and singular the buildings and improvements thereon. A lot of land, situate, lying, and being at the head of Richibucto River, granted to Lewis Anthony Nicheaux, containing two hundred acres, more or less. Also a lot of land, situate on the north side of the Richibucto, opposite the Saint Nicholas River, containing one hundred acres, granted to the said Silvester C. Hewes. Also, ten Acres of Land, situate on the South side of the Richibucto River, adjoining James Hutchinsons. Also, two small lots of land on the North side Richibucto River, containing seven acres more or less, situate on each side of what is called the lower Mill Creek. Also, a lot of land on the South side of Richibucto River, containing three hundred and fifty acres, more or less, originally granted to Solomon Powell, Senr., where the said Silvester C. Hewes now resides. Also, a lot of land situate on the North side of the River Richibouguack, containing one hundred and sixty acres. The same having been taken by virtue of a Writ of Venditioni Exponas, issued out of the Supreme Court, at the suit of Joseph Cunard, Samuel Cunard, and Edward Cunard, against the said Silvester C. Hewes.

THOMAS LANSDOWN,

Sheriff of Kent.

Liverpool, N. B., December 10, 1828.

To be sold on Wednesday the 6th day of May next, at the Court-House in Liverpool, in the County of Kent, between the hours of twelve and five of the same day;

All the real estate of William John Layton, situate, lying and being in the said County: The same having been taken by virtue of a writ of Fieri Facias, issued out of the Supreme Court, at the suit of Robert and John Jardine, against the said William John Layton.

Dated at Liverpool, the eighteenth day of October 1828.

THOMAS LANSDOWN, Sheriff.

QUEENS COUNTY.

By Virtue of a Writ of Fieri Facias to me directed, will be Sold on Monday the 24th August next, between the hours of 12 and 5, of the afternoon, at Blizzard's Tavern, in Gagetown;

ALL the right and title of Francis McGork, to that certain tract of land, situate on the West side of the Nerepis Road, known and distinguished as lot No. 26. The same having been taken by Execution at the suit of Bryan Brady.

Dated the 10th Feb. 1829.

N. H. DE VEBER,

6mp.

Sheriff of Queens County.

FOR SALE AT PUBLIC AUCTION,

On the fourth Tuesday in April, next, at James Blizzard's Tavern, in Gagetown between the hours of 12 and 5 o'clock, of the afternoon of the same day;

ALL the estate, right, title, interest, claim, and demand of William Peters, of, in, and to, all that certain tract, or parcel of land, situate, lying, and being in the Parish of Hampstead, and known and distinguished as lots No. 24, 25, 26, 27, 28, 29, and the half of lot No. 23, on a grant to Lawrence Buskerk, and others, containing one thousand seven hundred and sixty acres, more or less; seized and taken in and by virtue of an Execution issued out of the Supreme Court of this Province, against the said