

Auctioneers.

No. XIII.

AN ORDINANCE for Licensing Auctioneers.

AUCTIONEERS.

[15th March, 1842.]

BE IT ENACTED by the Governor of New Zealand, with the Preamble.
advice and consent of the Legislative Council thereof, as follows:—

1. No person shall after the twenty-fifth day of April, one thousand eight hundred and forty-two, sell any estate goods or effects by way of auction, or in any way whereby the highest bidder shall be the purchaser, either by public sale or otherwise, unless he shall be duly licensed in manner hereinafter provided. No person to sell by auction without license.

2. There shall be levied and paid in respect of all estates goods and effects so sold as aforesaid a duty of one pound for every hundred pounds arising from such sale, which duty shall be paid by the auctioneer for the use of Her Majesty, her heirs and successors, for the public uses of the Colony and the support of the Government thereof, and may be retained by him out of the proceeds of any such sale, or recovered by him by action at law from the person by whom he shall have been employed. Auction duty.

3. Every auctioneer shall within fourteen days after the expiration of every calendar month render to the Treasurer of his county or district a full and true account in writing of the price at which every lot or article shall have been sold by such auctioneer during such calendar month, together with a statement of the time and place of any such sale, and shall verify every such account and statement by oath before such Treasurer, who is hereby authorized to administer the same. Account of sales.

4. Every such license as aforesaid shall be in the form in the Schedule hereunto annexed, and shall commence on the twenty-fifth day of April, and shall be in force for one year. Form of license.

5. Such license shall be issued by the Colonial Treasurer or Treasurers of any county or district to any person who shall apply for the same, on payment of the sum of thirty pounds. Amount of auctioneer's license.

6. No such license shall be granted until the person applying for the same shall have given security by bond, with two sureties, to be approved by such Treasurer, himself in the sum of two hundred pounds and each of the sureties in the sum of one hundred pounds, the condition of which bond shall be that the person to be licensed shall render a true account of all sales made by him, and shall duly pay all sums of money which may be payable by him in respect of such auction duty as hereinbefore mentioned. Bond to be given.

7. In case any person shall hold any auctioneer's license which shall have been issued before the passing of this Ordinance, the Treasurer shall on application allow to such person a proportionate part of any sum which he may have already paid for such license in respect of the unexpired period of the same. To be diminished in certain cases.

8. Every such Treasurer shall within ten days after the said twenty-fifth day of April cause a list of the persons to whom he shall have granted such license, setting forth their names places of abode and callings, to be published in one of the newspapers of his county or district. List of licensed auctioneers to be published.

9. No person so licensed shall exercise his business of an auctioneer by any artificial light, or after the hour of five o'clock in the
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Land Claims.

the afternoon from April to September inclusive, or after the hour of seven o'clock in the evening during the residue of the year.

Penalty for selling by auction without license.

10. If any person not being duly licensed shall sell any estate goods or effects by way of auction or tender or in any way whereby the highest bidder shall be deemed to be the purchaser, either by public sale or otherwise, he shall forfeit and pay for every such offence the sum of one hundred pounds, to be recovered in a summary way.

Non-production of license.

11. In all proceedings against any person for having acted as an auctioneer without license, such person, unless he shall produce his license or bring other satisfactory proof of his having been licensed at the time at which the offence shall have been committed, shall be deemed to have been unlicensed.

License to be forfeited

12. If such bond as aforesaid shall have been successfully put in suit against any auctioneer, such auctioneer shall upon final judgment being given in such suit be for ever after disqualified to hold any license under the provisions of this Ordinance.

Penalty for selling at illegal hours.

13. If any licensed auctioneer shall exercise his business at any time or in any manner contrary to the provisions of this Ordinance, he shall forfeit and pay for every such offence any sum not exceeding fifty pounds, to be recovered in a summary way.

Ordinance not to extend to Government sales.

14. Provided that nothing herein contained shall extend to any sale by order of His Excellency the Governor, or of any Collector or Sub-Collector of Customs, or to any sale of any vessel or the apparel or stores or cargo of any vessel which may be taken and condemned as a prize and sold for the benefit of the captors.

Commencement.

15. This Ordinance shall come into operation on the twenty-fifth day of April, one thousand eight hundred and forty-two.

SCHEDULE.

FORM OF LICENSE.

KNOW all men by these presents that [name] of [place and county], [trade or business], is hereby licensed to exercise the business or calling of an Auctioneer from the twenty-fifth day of April next, for the term of one year, the said _____ having this day paid the sum of thirty pounds.

Dated _____

Treasurer.

No. XIV.

LAND CLAIMS.

AN ORDINANCE to amend an Ordinance enacted by the Governor of New Zealand, with the advice and consent of the Legislative Council thereof (Session I., No. 2). [25th February, 1842.]

Preamble.

WHEREAS by an Ordinance enacted by the Governor of New Zealand, with the advice and consent of the Legislative Council thereof, (Session I., No. 2,) intituled "*An Ordinance to repeal within the said Colony of New Zealand a certain Act of the Governor and Legislative Council of New South Wales, made and passed in the fourth year of the reign of Her present Majesty and adopted under an Ordinance of the Governor and Legislative Council of New Zealand,*"

for