

No. XVI.

An Act to regulate the licensing of Auctioneers and the collection of Duties on Property sold by them. [31st August, 1847.]

LICENSED
AUCTIONEERS.

WHEREAS by a certain Act of the Governor and Council of New Preamble,
South Wales passed in the ninth year of the reign of His late
Majesty King George the Fourth intituled "An Act to regulate the ^{9 Geo. IV. No. 13}
licensing of Auctioneers and the collection of Duties on Property sold
by Auction" certain duties were imposed on all licenses thereby
required to be taken out by persons who should exercise the trade or
business of an auctioneer and on the purchase-money of things sold
by auction. And whereas it is expedient to repeal the said Act and to
make other provision for the better regulation of sales by auctioneers
Be it therefore enacted by His Excellency the Governor of New South
Wales with the advice and consent of the Legislative Council thereof
That from and after the thirty-first day of December one thousand
eight hundred and forty-seven the said recited Act shall be and the
same is hereby repealed.

2. And be it enacted That from and after the first day of January one thousand eight hundred and forty-eight no person whatever
who at any time or times thereafter shall exercise the trade or business
of an auctioneer or seller by commission at any sale of any estate
goods or effects whatever by outcry knocking down of hammer candle
lot

No person after 1st
January 1848 shall
act as an auctioneer
without taking out a
General License or a
District License.

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lot parcel or any other mode of sale by auction or whereby the highest bidder is deemed to be the purchaser or who shall act in the capacity of an auctioneer or seller by commission as aforesaid shall deal in sell or put up to sale or re-sale any estate goods or effects whatsoever by public sale or by way of auction as aforesaid without previously having taken out a license in manner and form hereinafter directed in which shall be set forth the true name and real place of abode of the person taking out the same and every such license shall either be a General License which shall be in the form in the Schedule marked A for all parts whatever of the Colony including the City of Sydney and Town of Melbourne and for which the sum of fifteen pounds shall be paid by the person taking out the same or a District License in the form in the Schedule marked B which shall be in force for the police district only for which the same shall be taken out and for which the sum of two pounds shall be paid Provided always that no person shall be allowed under the provisions of this Act to act as auctioneer in the police districts of Sydney and Melbourne respectively who shall not have taken out a general license as aforesaid and that all such licenses respectively shall be in force until the first day of January next after the time the same shall have been taken out unless sooner forfeited and that no greater sum be payable upon such licenses respectively than for the proportionate period of the year the same may have to run calculating for the whole of the year at the respective rates herein-before mentioned.

Manner of applying for license.

3. And whereas it is expedient that the character of every person applying for a license under this Act should be carefully ascertained Be it enacted That every person who shall be desirous of obtaining an auctioneer's license shall on or before the first Tuesday in the month of November in every year deliver to the Clerk or the person officiating as Clerk of the Petty Sessions for the city town place or police district within which such person shall reside a notice in writing of his intention to apply for the same which notice shall be in the form or to the effect of the form in the Schedule to this Act annexed marked C and shall contain the names residences and additions of two or more sufficient sureties.

Clerks of Petty Sessions to cause lists of applicants to be posted up.

4. And be it enacted That the Clerk of every such Petty Sessions as aforesaid or the person officiating as such shall cause a list of the names of all such applicants together with their places of abode respectively and the names of their proposed sureties together with their respective places of abode to be posted up on or before the third Tuesday in the said month of November in some conspicuous place inside and also outside every Police Office at which such Petty Sessions shall be held and the same to be kept so posted up until after the day of the annual licensing meeting hereafter mentioned.

Clerks of Petty Sessions to cause previous notice of licensing meeting to be given.

5. And be it enacted That the Clerk of Petty Sessions acting for such licensing district shall cause a notice of each annual licensing meeting to be inserted at least one calendar month before the holding thereof in the *New South Wales Government Gazette* and the *Port Phillip Government Gazette* respectively and also to be affixed to the door of the Court House in which the same is appointed to be held but no omission or irregularity in any such notice shall affect the authority vested in any annual licensing meeting held conformably in other respects to the provisions of this Act.

Annual licensing meeting.

6. And be it enacted That a general meeting to be called the annual meeting for the licensing of auctioneers of the Justices for or usually residing in each police district of the Colony in which Petty Sessions shall be held shall be held in their respective Court Houses or usual places of meeting on the fourth Tuesday in the month of November in every year for the special purpose of taking into consideration

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sideration applications for such licenses as aforesaid and any two Justices shall be sufficient to constitute such meeting Provided always that whenever there shall not be two Justices resident in any district where such meeting shall be held then any one Justice so resident shall be sufficient to constitute such meeting.

7. And be it enacted That it shall be lawful for the Justice or Justices attending such meeting to adjourn the consideration of all or any of the applications before them from the day of such annual licensing meeting to such other day or days as the said Justice or Justices shall from time to time agree upon Provided always that such adjournments do not in the whole exceed one calendar month from the day appointed for the said annual licensing meeting.

8. And be it enacted That whenever at any annual licensing meeting to be holden in any police district as aforesaid or any adjournment thereof two Justices usually residing in such district shall not be present by one of the clock of that day at the Court House or other place appointed for the meeting it shall be lawful for any one Justice resident in such district being present to adjourn or further adjourn the said meeting for one week (any limitation hereinbefore prescribed to the contrary notwithstanding) and to give notice of such adjournment to all other Justices resident in such district and if at such adjourned meetings there shall not be present by one of the clock of the day fixed for the adjournment two Justices usually resident in such district it shall be lawful for such Justice to do all such acts as an annual licensing meeting is by this Act empowered to do.

9. And be it enacted That every such annual licensing meeting and every adjournment thereof shall be held in open Court and every consideration of any application thereat shall be deemed and taken to be a judicial proceeding and that it shall be the duty of the Justice or Justices attending such meeting to refuse a license to any applicant of bad or doubtful character.

10. And be it enacted That it shall be lawful for the Justice or Justices assembled at and forming such annual licensing meetings to grant to such persons as shall be approved by such Justice or Justices or the majority of them certificates authorizing such licenses as aforesaid in the form in the Schedule hereunto annexed marked D Provided always that before the Justice or Justices shall deliver to any applicant for a license any certificate to authorize the issue thereof every applicant shall enter into a bond in the form or to the effect of the form in the Schedule hercunto annexed marked E to Her Majesty Her Heirs and Successors with two or more sufficient sureties to the satisfaction of such Justice or Justices in manner following (that is to say) himself in the sum of five hundred pounds and his sureties in the sum of two hundred and fifty pounds each that he shall and will deliver every account of the sales by him made and also make payment of all and every sum and sums of money arising or becoming due for the duty payable for or in respect of all such sales in the manner herein-after directed and otherwise duly conform to all the enactments conditions and provisions of this Act on his behalf to be observed.

11. And be it enacted That the Justice or Justices by whom any such certificates as aforesaid shall be granted by virtue of this Act shall within fourteen days after the granting thereof transmit to the Colonial Treasurer for the time being or to such other person or persons as may be appointed by the said Governor for the purpose of issuing licenses under this Act a list signed by the Justice or Justices granting the same specifying the names and residences of all the persons to whom any such certificates shall have been so granted and of their respective sureties.

List of certificates to be sent to the Colonial Treasurer.

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Certificates to be void unless lodged and money paid thereon as herein provided.

Governor may authorize a license for a defaulter upon any additional payment.

Majority of resident Justices may specially recommend licenses at any time.

Colonial Treasurer to publish lists of licensed auctioneers.

A duty of half per cent. on the proceeds of all sales by auction.

12. And be it enacted That every such certificate as aforesaid shall be null and void unless the same and the sum required to be paid for such license be lodged in the office of the Colonial Treasurer or of such other person or persons aforesaid as may be appointed by the said Governor in that behalf on or before the thirty-first day of December next ensuing each annual licensing meeting and the said Colonial Treasurer or other person as aforesaid shall and he is hereby authorized and required forthwith after the receipt of every such certificate to issue and register in his office a general or district license as aforesaid upon payment being made to the said Colonial Treasurer or other person as aforesaid of the sums hereinbefore respectively mentioned.

13. Provided however and be it enacted That notwithstanding default in lodging any such certificate or in payment of the sum required as aforesaid whereby such certificate shall become void it shall nevertheless be lawful for the Governor of the Colony upon representation to him made of the circumstances occasioning such default to direct the issue of the license for which such certificate shall have been granted on payment of not more than five pounds in addition to the sum payable as hereinbefore mentioned Provided always that such payment be made within one calendar month of the time hereinbefore limited for payment of the money for such license as aforesaid.

14. And be it enacted That whenever it shall appear to a majority of the entire number of Justices residing within any city town or police district in Petty Sessions assembled or any three of them if such majority shall be more than three that any injustice or material injury of a public nature will be occasioned by delay in the granting of any license under this Act until the next annual meeting for the licensing of auctioneers it shall be lawful for such Justices if they shall in their discretion think fit to grant at any period of the year the certificate required under this Act signed by all the Justices as aforesaid authorizing the issue of a license and upon the recognizances required by this Act being duly entered into the Colonial Treasurer or other person authorized as aforesaid shall issue the license applied for to continue in force until the first day of January next ensuing unless sooner forfeited.

15. And be it enacted That the Colonial Treasurer of the said Colony or such other person or persons as may be appointed for the purpose of issuing licenses under this Act as aforesaid shall cause a list of the names of all persons duly licensed under the authority of this Act together with their places of abode respectively and the names of their sureties and specifying also the description of license granted and in the case of district licenses the police districts for which licenses have been granted to them to be published in the *Government Gazette* or the *Port Phillip Gazette* respectively within one month after such person or persons shall be so duly licensed as aforesaid.

16. And be it enacted That from and after the commencement of this Act there shall be raised levied collected and paid in such manner as hereinafter is mentioned to Her Majesty Her Heirs and Successors for the purposes of the General Revenue of the said Colony for and upon all manner of sales by way of auction as aforesaid within the said Colony the rate and duty of ten shillings for each and every one hundred pounds of the purchase money arising by sale by auction of all property of every description whether real or personal and the said rate and duty shall be paid by every such auctioneer or seller by commission out of the moneys arising at each and every such sale by auction as aforesaid and the said rate and duty shall be chargeable in proportion to the rate aforesaid for any lesser or greater sum than one hundred

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hundred pounds of the purchase money arising or to arise by sales by auction.

17. Provided always and be it enacted That all sales effected by any licensed auctioneer or by any agent or other person acting for or under the authority of such auctioneer during the time his license shall be in force shall be deemed to be sales by auction within the meaning of this Act so as to render the same liable to the payment of duty thereon and to all other the provisions of this Act applicable to sales by auction and notwithstanding that any such sales may be effected by private bargain or contract.

18. And be it enacted That the said rate and duty by this Act imposed shall be and is hereby declared to be a charge upon every auctioneer or seller by commission immediately from and after the knocking down of the hammer or other closing of every sale by auction or by private bargain or contract as aforesaid and that the said rate and duty so charged shall be paid by every such auctioneer or seller by commission in manner and at the times hereinafter mentioned.

19. And be it enacted That each and every auctioneer as aforesaid shall and he is hereby required within thirty days after the expiration of every calendar month to deliver or cause to be delivered to the said Colonial Treasurer for the time being or at his office or to such other officer as shall from time to time be appointed as aforesaid to receive the same an exact and particular account in writing of the total amount of each and every sale whether by auction or private bargain or contract as aforesaid and of the several articles lots or parcels with the price at which every such article lot or parcel shall have been sold at all such sales respectively which shall have been had and holden or effected by such auctioneer or by his agent or other person acting for or under his authority as aforesaid during the said month together with the time or times when and the place or places where such sale or sales shall have been had and holden or effected and every such auctioneer shall at the same time make payment to the said Colonial Treasurer or other officer appointed as aforesaid of all such sum and sums of money as shall be due and payable to Her Majesty in pursuance of and according to the true intent and meaning of this Act which sum or sums of money such auctioneer is hereby

Sales effected by licensed auctioneers by private bargain or contract to be liable to the payment of duty.

The aforesaid duties shall be a charge upon the auctioneer immediately after the closing of every sale.

Accounts of all sales to be rendered.

authorized and empowered to retain out of the proceeds arising by such sale or deposit made at such sale or otherwise to recover the same by action of law against the person or persons by whom such auctioneer shall have been employed or on whose account such goods shall have been so sold and every such auctioneer or person acting as an auctioneer at any such sale or sales shall make oath to the truth of each and every such account before the said Colonial Treasurer or other officer appointed as aforesaid or before any Justice of the Peace who are hereby respectively authorized to administer the same and in case any such auctioneer shall neglect to deliver in his account at the time and in the manner aforesaid or to make payment of the rates and duties as herein directed or if it shall appear that the account delivered in by such auctioneer is not a true and just account or that the said auctioneer has acted contrary to the true intent and meaning of this Act it shall and may be lawful for the said Treasurer or other officer appointed as aforesaid to cause the bond or bonds of such auctioneer and his sureties to be put in suit and in case of a judgment being thereupon had against the defendant such license shall thenceforth become void to all intents and purposes and such auctioneer shall be and he is hereby declared to be for ever after disqualified for holding any license as an auctioneer unless it should appear to the satisfaction of the Court

Auctioneers authorized to retain the above duties from the proceeds of sale.

To make oath to the truth of his account.

In case of judgment being had against an auctioneer his license shall become void.

Exception.

or

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or Judge before whom the trial of such bond shall have been had that no fraud or wilful delay contrary to the true meaning of this Act was intended by such auctioneer and a certificate to such effect shall be granted by such Court or Judge respectively.

If sales by auction are rendered null and void the duty paid thereon shall be refunded.

20. And whereas it may sometimes happen that sales of estates or goods whether effected by auction or private bargain or contract as aforesaid may be rendered null and void by reason that the person or persons for whose benefit the same shall be sold had no title to or no right to dispose of the same Be it therefore enacted That if any such sale of any estate goods or effects shall be rendered void by reason that the person for whose benefit the same was or shall be sold had no title to the same or no right to dispose thereof then and in every such case it shall and may be lawful for the auctioneer who shall have paid the duty for the estate goods or effects so sold or for the person or persons for whose benefit the same was so sold to apply to the said Colonial Treasurer for the time being or other officer appointed as aforesaid to refund the duty so paid and provided such application be made within one year from the date of the sale by auction then the said Colonial Treasurer or officer so appointed as aforesaid shall and is hereby required to hear and investigate all such applications and examine the witnesses upon oath who shall or may be produced on the part of the party or parties making such application which oath the said Colonial Treasurer or other officer appointed as aforesaid is hereby empowered to administer and thereupon to report the case to the said Governor or acting Governor who upon being satisfied as to the justness of the application may order the amount of duty which shall have been so paid as aforesaid to be refunded and paid to such auctioneer or such other person on whose behalf the same shall have been originally paid to such Colonial Treasurer or other officer appointed as aforesaid anything in this Act to the contrary notwithstanding.

This Act not to alter any contract between buyer and seller by auction.

21. Provided also and be it enacted That nothing in this Act contained shall be construed to alter change determine or make void any other condition contract covenant or agreement whatever between any buyer or seller by auction or any other person touching the payment of any of the rates or duties hereby respectively imposed so as the same do not extend to the lessening or abatement of the full sum appointed by this Act to be raised levied collected and paid as is hereinbefore mentioned and directed anything contained in this Act or in such contract covenant or agreement to the contrary notwithstanding.

As to sales made for the benefit of creditors under decrees in Equity of the Supreme Court of animals impounded and under distress for rent.

22. And provided further and be it enacted That nothing in this Act shall extend or be construed to extend to charge with the said duties any property sold by auction by order of the Governor of the Colony or of the Superintendent of Port Phillip for the time being respectively or any estate goods or chattels sold at auction by or under the authority of the Sheriff or Under Sheriff of the said Colony or of the Commissioner of any Court of Requests or Court of Petty Sessions for the recovery of small debts for the benefit of creditors in execution of any judgment had or obtained or to be had or obtained nor to any sale or sales by way of auction of estates or chattels made by or under any rule order or decree of the Supreme Court of the said Colony in pursuance of its equitable jurisdiction nor to the sale by auction of any animal impounded in terms of law or of any goods distrained for rent or arrears of rent anything in this Act contained to the contrary notwithstanding.

Mode of rendering the amounts of sales made under the authority of the Sheriff.

23. And for the better and more effectual prevention of frauds which may be practised by auctioneers selling estates goods or chattels under the authority of the Sheriff of the said Colony the Commissioner of any Court of Requests or Court of Petty Sessions for the recovery of Small Debts or under the order or decree of the said Supreme Court

Be

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Be it enacted That every auctioneer who shall sell any estate goods or chattels that have been or shall be seized by the Sheriff or by his authority and by him taken for the benefit of creditors in execution of any judgment had and obtained or to be had and obtained whether such sale be effected by auction or private bargain or contract as aforesaid shall specify and enumerate in the catalogue as well as in the monthly accounts by him to be delivered under the provisions of this Act the exact sum to be levied under such execution as also the particular estates and effects to be sold together with the time and place when and where such effects were sold and the exact amount bid or offered at all such sales respectively and the Sheriff or his Under Sheriff the Master in Equity of the Supreme Court and the Registrars of the Courts of Requests and Small Debts Courts shall and are hereby required to subscribe and sign every such catalogue and to certify at the foot thereof that all and every the estate goods and effects sold at such sale and in such catalogue respectively specified and enumerated were really and truly the property of the person against whom such judgment was had and obtained and that the same and every part thereof were actually seized in execution of the same judgment which catalogue so signed and certified as aforesaid shall be produced by every such auctioneer to the Colonial Treasurer or other officer appointed as aforesaid before such auctioneer shall be permitted to pass his accounts or have the same allowed and if the said Sheriff or Under Sheriff respectively the Master in Equity of the Supreme Court or the Registrars of the Courts of Requests or Small Debts Courts shall insert or suffer or permit to be inserted in any such catalogue so to be subscribed signed and certified as aforesaid any sum or sums as bidden or offered for any estate goods chattels or effects whatsoever other than such as were really and truly the property of the above debtor or debtors or if the Sheriff or Under Sheriff the Master in Equity of the Supreme Court or the Registrars of the Courts of Requests or Small Debts Courts shall omit or neglect to certify on such catalogue the true sum to be levied or shall certify thereon any false sum then and in every such case the party offending shall for every such offence forfeit and pay a penalty or sum of not less than five pounds nor Penalty £5 to £20. more than twenty pounds.

24. And whereas many frauds are committed and stolen articles disposed of by means of auctions carried on at night Be it enacted That from and after the commencement of this Act no person whatever who at any time or times thereafter shall exercise the trade or business of an auctioneer or seller by commission at any sale of any estate goods or effects whatsoever by outcry knocking down of hammer candle lot parcel or any other mode of sale by auction or whereby the highest bidder is deemed to be the purchaser or who shall act in the capacity of any such auctioneer or seller by commission as aforesaid shall deal in sell or put up to sale or resale any estate goods or effects whatsoever by public sale or by way of auction as aforesaid after sunset or before sunrise of any day throughout the year and every such auctioneer or seller by commission or person acting in such capacity who shall in anywise offend against this enactment shall for every such offence forfeit and pay a penalty or sum of not less than two pounds nor more than fifty pounds and every such penalty Penalty. or sum shall and may be recovered in manner hereinafter provided.

25. And be it enacted That if any person shall vend or offer to vend or sell by way of auction as aforesaid without having obtained in manner and form hereinbefore directed a license in manner aforesaid such person shall forfeit and pay for every such offence the sum of two hundred pounds.

Auctions after sunset or before sunrise prohibited.

Penalty for selling by auction without license.

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Any sum above £20 to be recovered by action at law and any sum not exceeding £20 before two or more Justices.

All fines penalties and forfeitures to be paid half to the Colonial Treasurer and half to the person informing or suing for the same.

26. And be it enacted That all fines penalties and forfeitures imposed by this Act which shall exceed the sum of twenty pounds shall be recovered by action of debt bill or information in the Supreme Court of the said Colony and that all fines penalties and forfeitures imposed by this Act which shall not exceed the sum of twenty pounds shall be recovered before any two or more Justices of the Peace in a summary manner and every such fine penalty and forfeiture respectively shall if not paid within six days after judgment or conviction be levied by distress and sale of the offender's goods and chattels and for want of sufficient distress by imprisonment of such offender for any time not exceeding six calendar months or until such fine be paid and the money arising by all such fines penalties and forfeitures respectively when recovered shall be paid the one moiety thereof to Her Majesty Her Heirs and Successors for the public uses of the said Colony and in support of the Government thereof as may be appointed by any Act of the said Governor and Legislative Council and the other moiety to and for the use of such persons as shall inform or sue for the same Provided always that nothing herein contained shall be deemed or construed to prevent Her Majesty Her Heirs and Successors from pardoning the offender and from remitting the whole or any part of any such fine penalty or forfeiture as to Her or Them shall seem meet.

SCHEDULES REFERRED TO.**A.***Form of an Auctioneer's General License.*

WHEREAS A. B. of _____ hath deposited in this office a certificate from the Justices of the Peace assembled in Petty Sessions at _____ on the _____ day of _____ in the year of our Lord one thousand eight hundred and _____ [or a single Justice as the case may be] authorizing the issue to the said A. B. [under and by virtue of the Act of the Governor and Council passed in the eleventh year of the reign of Her present Majesty intituled "An Act to regulate the licensing of Auctioneers and the collection of Duties on Property sold by them"] of the License in the said Act called an Auctioneer's General License for all parts of the Colony in New South Wales including the Police Districts of the City of Sydney and Town of Melbourne and stating that the said Justices or Justice have taken from the said A. B. and two sureties the recognizance required by the said Act And whereas the said A. B. hath paid into my office the sum of fifteen pounds sterling or the sum proportionate to the period of the year for which the License shall have to run as the duty on such License Now I the Colonial Treasurer of the said Colony [or other person appointed by the said Governor for the purpose of issuing Licenses under the said Act as the case may be] in virtue of the powers vested in me by the said Act do hereby license the said A. B. to act as an Auctioneer for all parts of the Colony of New South Wales including the Police Districts of the City of Sydney and Town of Melbourne and this License shall continue in force until the first day of January next provided it be not forfeited in the meantime according to the provisions of the said Act.

Given under my hand and seal at Sydney this
day of _____ one thousand eight hundred and _____

A. B. (L.S.)
Colonial Treasurer

Registered

C. D.

(or other person as the case may be.)

B.*Form of an Auctioneer's District License.*

WHEREAS A. B. of _____ hath deposited in this office a certificate from the Justices of the Peace assembled in Petty Sessions at _____ on the _____ day of _____ in the year of our Lord one thousand eight hundred and _____ [or a single Justice as the case may be] authorizing the issue to the said A. B. [under and by virtue of the Act of the Governor and Council passed in the eleventh year of the reign of Her present Majesty intituled

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intituled "An Act to regulate the licensing of Auctioneers and the collection of Duties on Property sold by them" of the License in the said Act called an Auctioneer's District License for the Police District of _____ only and stating that the said Justices or Justice have taken from the said A. B. and two sureties the recognizance required by the said Act And whereas the said A. B. hath paid into my office the sum of two pounds sterling or the sum proportionate to the period of the year for which the License shall have to run as the duty on such License Now I the Colonial Treasurer of the said Colony [or other person appointed by the said Governor for the purpose of issuing Licenses under the said Act as the case may be] in virtue of the powers vested in me by the said Act do hereby license the said A. B. to act as an Auctioneer for the Police District of _____ and not elsewhere and this License shall continue in force until the first day of January next provided it be not forfeited in the meantime according to the provisions of the said Act.

Given under my hand and seal at Sydney this
day of one thousand eight hundred and

A. B. (L.S.)
Colonial Treasurer

Registered (or other person as the case may be)
C. D.

C.

Form of Notice of Application for an Auctioneer's License.

To the Worshipful the Justices of the Peace acting in and for the District of _____ in the Colony of New South Wales.

I A. B. now residing at _____ (in the Parish Town or District of _____) do hereby give notice that it is my intention to apply to the next Annual Meeting for the Licensing of Auctioneers to be holden for this District for an Auctioneer's General License [or District License as the case may be] I further give notice that I propose C. D. of _____ and E. F. of _____ as my sureties to enter with me into the required bond.

Given under my hand this day of 18 E. F.

D.

Form of Certificate by Justices to authorize the granting of a License.

At the Annual Meeting for the Licensing of Auctioneers (or an adjournment of the Annual Licensing Meeting or Special Meeting as the case may be) of Her Majesty's Justices of the Peace acting in and for the District of _____ holden at _____ on the day of _____ in the year of our Lord one thousand eight hundred and pursuant to the Act of the Governor and Council passed in the eleventh year of the reign of Her present Majesty Queen Victoria intituled "An Act to regulate the licensing of Auctioneers and the collection of Duties on Property sold by them" for the purpose of considering applications made to us for Licenses pursuant to the said Act we being the majority of the Justices assembled at the said Sessions (or I being the only Justice present after such adjournment of the said Sessions and notice as required by the said Act or we being the majority of the entire number of the Justices resident in the said District as the case may be) do in virtue of the power vested in us (or me) hereby authorize the Colonial Treasurer or other proper officer to issue to A. B. of _____ an Auctioneer's General License (or District License as the case may be) for the year ending on the thirty-first day of December 18 _____. And we do hereby certify that the said A. B. is a fit and proper person to be licensed as aforesaid and also that we have taken from the said A. B. and his sureties C. D. of _____ and E. F. of _____ a bond to Her Majesty Her Heirs and Successors himself in the sum of five hundred pounds and his sureties in the sum of two hundred and fifty pounds each according to the form prescribed in the said Act of the Governor and Council.

Given under our hands (or hand) the day of at the
place aforesaid.

G. H. J.P. (L.S.)
I. K. J.P. (L.S.)

E.

Melbourne Corporation.

E.

Form of Bond.

Know all men by these presents That we _____ of
 in the Colony of New South Wales _____ and
 are severally held and firmly bound unto our Sovereign Lady the Queen in the several
 sums hereinafter respectively mentioned and expressed that is to say the said
 in the sum of five hundred pounds of good and lawful money of Great Britain and the said
 in the sum of two hundred and fifty pounds each of like lawful money
 to be paid to our Sovereign Lady the Queen and Her Successors for which payments well
 and truly to be made we bind ourselves jointly and each and every of us by himself severally
 and respectively our and each and every of our heirs executors and administrators firmly by
 these presents sealed with our respective seals and dated this _____ day of
 in the year of our Lord one thousand eight hundred and

Whereas the above bounden _____ has applied for an Auctioneer's
 General License (or District License as the case may be) and the said
 and _____ have agreed to become his sureties during the time the said License
 when issued shall remain in force for his duly delivering over all and every account of sales
 made by him and also for his faithfully accounting for and paying over every and all sum
 and sums of money received by him as duties on sales for and on account of Her said
 Majesty in the manner and at the times and place or places mentioned and required in and
 by a certain Act of the Governor and Council passed in the eleventh year of the reign of
 Her Majesty Queen Victoria intituled "*An Act to regulate the licensing of Auctioneers and
 the collection of Duties on Property sold by them*" and also for his duly and faithfully
 performing and keeping all and every other order rule and regulation mentioned in and
 required by the said Act Now therefore the condition of this obligation is such that if the
 said _____ do and shall duly and faithfully deliver all and every account of
 sales made by him and well and truly account for and pay over every and all sum and sums
 of money received by him as duties as aforesaid in the manner and at the times and at the
 place or places specified in and required by the said Act and also do and shall well and
 faithfully perform and keep all and every such order rule and regulation mentioned and
 required in and by the said Act then this obligation to be void otherwise to be and remain
 in full force and virtue.

Signed sealed and delivered in the presence of