



1848.

No. 6.

ORDINANCE enacted by the Governor of South Australia, with the advice and consent of the Legislative Council thereof.

To amend an Ordinance (1st November, 1843, No. 9.) "Further to Regulate Sales by Auction."

[2nd August, 1848.]

WHEREAS by an Ordinance enacted by the Governor of South Australia, with the advice and consent of the Legislative Council thereof, bearing date the First day of November, One Thousand Eight Hundred and Forty-three, "Further to Regulate Sales by Auction," it was *inter alia* enacted (Sec. 8.) That there should be Raised, Levied, Collected and Paid, in such manner as thereafter is mentioned, "To and for the use of HER MAJESTY, her Heirs and Successors, for and upon all manner of Sales by Auction within the said Province, the Rate and Duty herein after expressed, that is to say, the Sum of Four Pence for every Twenty Shillings, and so on in proportion for every greater or less Sum of the Purchase-Money arising from the Sale by Auction of any Estate, Goods, or Effects whatsoever, the said Rate and Duty to be paid by every such Auctioneer or Seller by Commission, out of the Moneys arising at each and every such Sale or Auction as aforesaid."

Preamble.

6 & 7 Vict. No. 9.

AND

AND WHEREAS it is expedient to Repeal the said Rate and Duty, and the Provisions of the said Ordinance, in so far only as they relate to the same :

BE IT THEREFORE ENACTED by THE GOVERNOR OF SOUTH AUSTRALIA, with the advice and consent of THE LEGISLATIVE COUNCIL thereof—**Repeal the Auction duty.** THAT the said Auction Rate and Duty, and so much of the said Ordinance only as imposes or relates to the same, shall be and are hereby repealed.

Ordinance in other respects to remain in force. II. PROVIDED ALWAYS AND BE IT ENACTED, that the Provisions of the said Ordinance requiring the Licensing of Auctioneers, and the rendering of Accounts of Sales, and all other the Provisions of the said Ordinance not strictly having reference alone to the said Rate and Duty, shall be and remain in full force.

Bonds to be for due behaviour of Auctioneer, and may be put in suit by party aggrieved. III. PROVIDED ALSO AND BE IT ENACTED, that the Bond to be given by every Auctioneer or Person licensed under the said Ordinance, shall be Conditioned well and duly to Demean himself in his Business as an Auctioneer, and to Account to the parties interested for all Moneys coming into his hands as such: And that every Bond heretofore, or hereafter to be given by any such Auctioneer or other Person may, on any Misconduct or Misbehaviour of such Auctioneer or person in such his business, be put in Suit by any party aggrieved, with the like effect as if such Bond had been put in Suit by the Collector of Internal Revenue, according to the provisions of the said Ordinance.

Commencement. IV. AND BE IT ENACTED, that this Ordinance shall commence and take effect from and after the Thirty-first day of March, One Thousand Eight Hundred and Forty-nine, and shall be construed with the recited Ordinance as one Act.

FREDK. H. ROBE,
Lieutenant-Governor.

Passed the Legislative Council, this Second day of August, One Thousand Eight Hundred and Forty-eight.

W. L. O'HALLORAN,
Clerk of Council.