

BY-LAW

PROVIDING FOR THE LICENSING, REGULATING AND GOVERNING

AUCTIONEERS,

IN THE UNITED COUNTIES OF LANARK AND RENFREW.

PASSED 25th June, 1859.

WHEREAS it is necessary to provide for the Licensing and Governing Auctioneers and other persons Selling or putting up for Sale, Goods, Wares, Merchandise, or effects by Public Auction, within the limits of the United Counties of Lanark and Renfrew, in the Province of Canada, and for fixing the sum to be paid for such License, and the time that the same shall be in force,

Be it therefore enacted by the County Council, of the United Counties of Lanark and Renfrew, by virtue of and under the authority of an Act of the Parliament of Canada, entitled; "An Act respecting the Municipal Institutions of Upper Canada;" and it is hereby enacted, by the authority of the same, that it shall not be lawful for any person or persons to Sell or put up for Sale any Goods, Wares, Merchandise, or effects by Public Auction to the highest or best bidder therefor, within the said United Counties, unless that such person or persons shall have first procured a License therefor to sell as aforesaid, within the limits of the said United Counties, from the person or persons appointed to grant such License, as hereinafter stated.

And be it enacted that any person or persons wishing to procure a County License so as to be entitled to the privilege of Selling by Auction within the limits of these United Counties, for the purpose aforesaid, shall and they are hereby required to pay to the Treasurer of the United Counties of Lanark and Renfrew, for the general use and benefit of the said United Counties, the sum of Twenty-five Pounds for each such License, and the said Treasurer is hereby required and authorized to receive the same and to grant his receipt therefor to the person or persons paying the same.

And be it enacted that any person or persons wishing to procure a License for to Sell by Auction for the purpose hereinafter stated, and to have the privilege of Selling by Auction within the limits of any Town, Village, or Township Municipality in these United Counties, and for the single Municipality for which such License is granted, shall pay into the Treasurer of such Municipality, for the benefit of said Municipality, the sums hereinafter named, for such License, and the Fees required to be paid for such License: For the Municipality of the Town of Perth, the sum of Ten Pounds; for the Village of Smith's Falls, the sum of Ten Pounds; and for each of the other Municipalities within these United Counties, the sum of Two Pounds: and upon the person applying for such License producing the Treasurer's receipt for such sum the Clerk of such Municipality shall procure from the Clerk of these United Counties a License for such person or persons applying for the same, the said Clerk of these United Counties shall be entitled to charge for his trouble the sum of Five Shillings for granting such License.

And be it enacted that each License so granted by the County Clerk shall be signed and sealed by him, and the County Licenses to be countersigned by the County Treasurer, and for the inferior Municipalities that each and every License so granted shall be sealed and signed by the County Clerk and countersigned by the Clerk or Treasurer of the Municipality for which they are granted, and shall then be in full force and effect for the purpose aforesaid, for the term of One Year from the date of the granting thereof and for no longer period; and the Clerk of the said United Counties is hereby required to keep a record of all Licenses so granted by him under the authority of this By-Law, and such Licenses shall not be transferable to any person or persons to act under the authority of the same, other than the person to whom the said License shall have been granted.

And be it enacted that any person or persons acting as such Auctioneers, and Selling or putting up for Sale any Goods, Wares, Merchandise, or effects within the limits of the said United Counties of Lanark and Renfrew, by Public Auction, without having first obtained a License therefor, as hereinbefore provided, such person or persons shall be liable to a penalty of not exceeding Twenty Dollars nor less than Two Dollars for each and every offence or time that such person or persons shall act or continue to act, without such License as aforesaid.

And be it enacted that any person or persons offending against the Provisions of this By-Law, upon complaint thereof duly made before any Justice of the Peace, having jurisdiction within the limits of the said United Counties: and upon conviction thereof, shall be liable to the penalty hereinbefore stated, and said penalty with the costs incurred thereon may be recovered by distress and sale of the goods and chattels of the person or persons so offending; or unless the said penalty and costs be forthwith paid, or paid within such time as the convicting Justice shall decide, such person or persons may be imprisoned in the Common Gaol of the United Counties of Lanark and Renfrew, for any period not exceeding thirty days, unless that the amount of such penalty and costs shall be sooner paid.

And be it enacted that all Fines and Penalties imposed and collected under the authority of this By-Law shall when so collected be paid over by the convicting Justice to the Treasurer of the Municipality in which the offence or breach of the provisions of this By-Law shall have been convicted for the general use and benefit of the said Municipality.

RICHARD SHAW,
Warden.