

REPRINTED BILL

Bill No. 24 of 1935.

A BILL RESPECTING THE SALE BY AUCTION OF GOODS AND CHATTELS.

NOTE.

This Bill requires every person who causes goods and chattels to be offered for sale by auction to deliver to the auctioneer a sworn statement of all mortgages, charges, etc., on the same (section 2).

An auctioneer is prohibited from offering any goods and chattels for sale unless he has in his possession the said statement (section 3).

The auctioneer is required to retain the statement for two years and produce it to persons having any interest in any goods and chattels to which the same relates and to keep a record of all auction sales and to retain in his possession the original record for two years (section 4).

Penalties are provided for contraventions of the Act.

The Act does not apply to sales by auction under *The Seizures Act*, or under court orders, or to sales by auction of goods and chattels taken in distress for taxes or to auction sales of pure-bred stock or fat stock of an agricultural society or exhibition association.

R. ANDREW SMITH,
Legislative Counsel.

(This note does not form any part of the Bill and is offered merely as a partial explanation of some of its provisions.)

REPRINTED BILL

BILL

No. 24 of 1935.

An Act respecting the Sale by Auction of Goods and Chattels.

(Assented to _____, 1935.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as "*The Auction Sales of Chattels Act*."

2. It shall be the duty of every person who causes any goods and chattels to be offered for sale by auction to deliver to the auctioneer before the sale is held a statutory declaration made by him or by some other person authorized by him who has knowledge of the facts, setting out whether or not any of the goods and chattels are subject to any mortgage, charge, lien or encumbrance, and if so, the full particulars thereof.

3. No auctioneer shall offer for sale by auction any goods or chattels unless he has then in his possession a statutory declaration relating to the goods and chattels so offered for sale delivered to him pursuant to section 2 of this Act.

4. Every auctioneer shall—

- (a) retain in his possession every statutory declaration delivered to him pursuant to section 2 of this Act relating to any goods or chattels which he has offered for sale by auction for two years from and after the day when the goods and chattels were so offered for sale; and
- (b) produce the same on demand at any reasonable time to any person having any interest in any goods and chattels to which the same relates; and
- (c) keep a record of every auction sale held by him and shall retain each original record so kept in his possession for two years after the date of the sale to which the record relates.

5. Every person who contravenes any of the provisions of this Act shall be guilty of an offence and shall be liable therefor on summary conviction to a fine of not less than

ten dollars and not more than two hundred dollars, together with costs, and in default of payment to imprisonment for a term of not less than seven days and not more than ninety days.

6. This Act shall not apply to any sale by auction to which *The Seizures Act* applies, or to any sale by auction held by the order of any court of competent jurisdiction, or to any sale by auction of goods and chattels taken in distress under the authority of any statute for the recovery of any tax, rate or imposition made or levied in pursuance thereof or to the sale by auction of live stock held in connection with any regular pure-bred stock or fat stock show or exhibition of any agricultural society or exhibition association if such live stock have been entered and accepted for exhibition or sale at that show or exhibition.

7. This Act shall come into force on the first day of May, 1935.

REPRINTED BILL

No. 24.

FIFTH SESSION
SEVENTH LEGISLATURE
25 GEORGE V
1935

B I L L

An Act respecting the Sale by Auction
of Goods and Chattels.

Received and read the

First time

Second time

Third time

HON. MR. LYMBURN.

EDMONTON:
W. D. McLEAN, KING'S PRINTER
1935