

SUPPLEMENTARY ORDER PAPER.

HOUSE OF REPRESENTATIVES.

Wednesday, the 25th day of July, 1883.

NOTICES RELATING TO ORDERS OF THE DAY.

AUCTIONEERS BILL.

1. Mr. WYNN-WILLIAMS, in Committee, to move the following, to be inserted after clause 17 :—

Notwithstanding anything contained in "The Licensing Act, 1881," a wholesale license to sell intoxicating liquors may be granted under the said Act to any person who may be a licensed auctioneer.

2. Mr. MUNRO to move,—

In clause 1, the insertion of the words "and Brokers" after "Auctioneers," as part of the Short Title.

Also, that the following additional clauses be inserted after clause thirty-three :—

Appraisers and Agents.

(A.) No person shall exercise the trade or business of an appraiser, valuator, commission agent, land broker, or sharebroker, or act as such, or value or appraise or sell by commission otherwise than by auction any estate or property, real or personal, or any interest therein, for or in expectation of hire, reward, or valuable consideration, without previously having obtained a license in that behalf under this Act.

- (1.) Every such license shall be applied for and be issued in the same manner in every respect as auctioneers' licenses are authorized to be issued, except that the fee to be paid in respect of every license under this section shall be *twenty pounds*.

- (2.) All the foregoing sections of this Act shall, *mutatis mutandis*, apply to licenses issued under this section, and to the holders of such licenses, and to the recovery of penalties in respect thereof, and in respect of offences against any of the succeeding sections of this Act; and the aforesaid sections shall be read with the necessary changes for the purpose of giving due effect to this enactment; and the forms in the Schedule may be varied to apply to licenses issued under this section.

(B.) All persons who shall be duly licensed to act as auctioneers shall and may act as appraisers, valutors, commission agents, land brokers, and sharebrokers, without taking out any separate license.

(C.) Every person who shall be licensed as a sharebroker—

- (1.) Shall keep a book to contain entries of all shares and the amount of every sale to every person, and the price at which the same shall be sold;
- (2.) Shall, every time he shall sell to any person any shares, give to the person for whom he sold the same an account in writing, signed with his name, of the number of shares so sold, to whom the same were sold, and the true rate of purchase or price paid for the same, and shall enter in the said book to be kept by him a like account, together with the name of the person for whom he sold the same; and

(3.) Shall, at the request of the person for whom such shares shall have been sold, show to him or her the entry therein relative to the shares sold for such person.

(D.) If any person who shall be so licensed shall sell for any person any such shares, and shall not give such account in writing as aforesaid to the person for whom he shall have sold the same, or shall not keep such book and make such entries therein as aforesaid, or shall not, at such request as aforesaid, permit the person for whom he shall have sold such shares to inspect the entries therein of the account of shares so sold, or shall insert in the said account or in the said book any false account of the price at which such shares were sold or bought, or a false entry of any of the matters hereby required to be entered in the said book, every such person shall, for every such offence, be liable to a penalty not exceeding *one hundred* pounds nor less than *twenty* pounds, and be disqualified from ever after acting as a sharebroker in New Zealand.

(E.) No sharebroker licensed by authority of this Act shall, by virtue of one license, keep more than one office, house, or place of business; and for every separate office or place of business which any person shall keep for the purposes of his business a separate and distinct license shall be taken out.

(F.) No person, during the time he shall continue to be licensed as a sharebroker, shall buy or sell any shares for himself or on his own account, except through another broker.

Every person offending against this provision shall, for every such offence, be liable to a penalty not exceeding *one hundred* pounds, to be recovered by any person who may sue for the same.

Also to move the insertion of the following among the repeals in the Third Schedule:—

(2.) *Act of the General Assembly.*

“The Sharebrokers Act, 1871.”

1871, No. 41.

Also to amend the Title of the Bill by the addition of the following words:—
“and to regulate the Licensing of Appraisers, Sharebrokers, and Others.”

3. Mr. FISH to move,—

To strike out the word “forty,” in the sixth line of clause 7, and insert in lieu thereof the word “fifty.”

To strike out all the words after the word “pounds,” in the sixth line of clause 7.

To add the following words to clause 7, viz.:—

“Such license shall entitle the holder thereof to act as a valuator or appraiser without the payment of any additional fee.”

Also, that the following new clause be inserted:—

No person whatsoever, except as provided in the last preceding section, shall act as or carry on the business of a valuator or appraiser without a license so to do, and such license shall be obtained in the same manner as is herein provided for the obtaining an auctioneer's license, and the fee payable for such license shall be *twenty-five* pounds.

That all the words after the word “until,” in the second line of clause 12, be struck out, and the following inserted in lieu thereof: “the expiration of twelve months therefrom.”

That clause 16 be struck out, and the following inserted in lieu thereof:—

In the event of the illness or absence of any licensed auctioneer from the provincial district in which such person usually carries on his business it shall be lawful for him to notify publicly his intention to refrain from conducting auction sales for a limited period to be specified in such notice, not exceeding *six months*, and in such notice to nominate any partner or servant of his partnership firm to conduct auction sales for him as his substitute during such period; and on such person so nominated depositing with the Clerk of the Resident Magistrate's Court of the district a certificate of character in the form

attached to the First Schedule hereto, such person so nominated may lawfully conduct sales by auction for such period: Providing that the person so nominating such substitute shall not be capable of holding any sale by auction himself until the expiry of *fourteen* days after the publication of a notice intimating his intention of personally resuming the conduct of sales by auction; whereupon the right to conduct sales by auction, so far as regards his substitute, shall absolutely cease and determine.

That the following new clause be inserted:—

In the event of the death of any holder of an auctioneer's license his executors or administrators shall have power to transfer the license to any person, subject to the approval of the Resident Magistrate.

That clause 32 be struck out.

EIGHT HOURS BILL.

4. Mr. M. W. GREEN, on the recommittal of the Bill, to move the insertion of the following new clause:—

In all cases where claims for daily labour done may be lawfully recovered or allowed in any action, suit, or proceeding, but where the rate of hours per day of such labour has not been previously agreed upon by or between the parties, the party entitled to payment for labour shall be allowed to recover and receive payment for the same, and the day's labour shall be reckoned at the rate of eight hours per day, all hours of labour done over such eight hours being reckoned as parts of other days to be computed at the same rate of eight hours per legal day.

MASSEY FRAUDS INDEMNITY BILL.

5. Mr. FISH to move, in Committee, That clause 5 of said Bill be struck out, and the following inserted in lieu thereof:—

From and immediately after the adoption or redemption by the Council in manner aforesaid of any such B debentures as aforesaid, the said Joseph Morgan Massey shall be deemed in law to all intents and purposes to be, and upon and continuously from the twenty-first day of February, one thousand eight hundred and eighty-two, to have been, indebted to the Corporation in, and the Corporation shall be entitled forthwith to sue for and recover in an action against him, the amount of the principal sums mentioned in all and every such debentures or debenture so adopted or redeemed as aforesaid. Provided always that in any such action as aforesaid the claim of the plaintiffs shall be deemed to be sufficiently stated if in words to the following effect, *i.e.*, to say:—"That the defendant is indebted to the plaintiffs in the sum of pounds, being the aggregate amount of the principal sums mentioned in certain B debentures, specified in the particulars hereunder written, which the Council of the City of Dunedin have adopted (or redeemed, as the case may be) in pursuance of 'The Massey Frauds Indemnity Act, 1883.'"

Also, that the following new clause be added to the Bill:—

In case any person or persons who purchased any of the said stolen debentures directly or indirectly from the said Joseph Morgan Massey shall, before the passing of this Act, have commenced or permitted the Council to use his or their names for the purpose of commencing, an action or actions against the said Joseph Morgan Massey to recover damages for fraudulent misrepresentation in respect of the said stolen debentures, it shall be lawful for the Council to indemnify such purchaser or purchasers against, and, if necessary, to recoup to him or them out of the borough fund of the Corporation, any loss or damage, costs or expenses which such purchaser or purchasers may have incurred or sustained, or may incur or sustain by having commenced, or having permitted to be commenced, and by

continuing or allowing to be continued to judgment and execution, any such action or actions as aforesaid: Provided always that it shall be lawful for the Council to require and obtain from such purchaser or purchasers as aforesaid, as a condition of such indemnity as last aforesaid, an agreement or undertaking on the part of such purchaser or purchasers that the surplus of any damages recovered and actually received in any such action or actions as aforesaid from the defendant or his estate, after payment of all expenses (if any) incurred by such purchaser or purchasers in or about such litigation, over and above the costs recovered and actually received from the defendant or his estate, shall be paid to or retained by the Corporation for its own use and benefit.