



ANNO QUADRAGESIMO NONO ET QUINQUAGESIMO

VICTORIÆ REGINÆ.

A.D. 1886.

No. 389.

An Act to repeal an Act, No. 364, intituled “The Bills of Sale Act, 1885,” and for other purposes.

[*Assented to, November 17th, 1886.*]

WHEREAS it is desirable to repeal an Act, No. 364, intituled “The Bills of Sale Act, 1885,” and to make other provisions in lieu thereof—Be it therefore Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said province, in this present Parliament assembled, as follows:

Preamble

1. This Act may be cited as “The Bills of Sale Act, 1886.”

Short title.

2. In this Act the following words shall have the meanings in this section assigned to them, unless there be something in the subject or context repugnant to such construction—

Interpretation of terms.

“Bill of sale” shall include bills of sale, assignments, transfers, declarations of trust without transfer, inventories of goods, with receipt thereto attached, or receipts for purchase-moneys of goods and other assurances of personal chattels, and also powers of attorney, authorities, or licences to take possession of personal chattels as security for any debt, and also any agreement, whether intended or not to be followed by the execution of any other instrument by which a right in equity to any personal chattels, or to any charge or security thereon shall be conferred, but shall not include the following documents:—Assignments for the benefit of creditors made pursuant to any statutory provision, marriage settlements, transfers

Bill of sale.

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transfers or assignments of any ship or vessel, or any share thereof, transfers of goods in the ordinary course of business of any trade or calling, bills of sale of goods in foreign parts or at sea, bills of lading, warehouse-keepers' certificates, dock warrants, warrants or orders for the delivery of goods, or any other documents used in the ordinary course of business, as proof of the possession or control of goods, or authorising or purporting to authorise, either by indorsement or by delivery, the possessor of such document, to transfer or receive goods thereby represented:

- Advance.** "Contemporaneous advance" shall include as well a contemporaneous advance of money by the grantee to the grantor as the sale of goods or property upon credit, or the drawing, accepting, indorsing, making, or giving of any bill of exchange, promissory note, or guarantee, or other matter or thing by the grantee to, for, or on behalf of the grantor on the security of any bill of sale, and contemporaneously with the giving thereof:
- Grantor.** "Grantor" shall mean the person giving the bill of sale, and shall include his executors, administrators, and assigns:
- Grantee.** "Grantee" shall mean the person to whom such bill of sale is given, and shall include his executors, administrators, and assigns:
- Personal chattels.** "Personal chattels" shall mean horses, cattle, sheep, furniture, goods, chattels, and other articles capable of complete transfer by delivery, and (when separately assigned or charged) fixtures or growing crops; but shall not include chattel interests in real estate, nor fixtures (except trade machinery, as hereinafter defined), when assigned together with a freehold or leasehold interest in any land or building to which they are affixed, nor growing crops when assigned together with any interest in the land on which they grow, nor debentures, shares, or interests in the stock, funds, or securities of any government, or in the capital or property of any loan, mortgage, or incorporated or joint-stock company, nor choses in action:
- Prescribed.** "Prescribed" shall mean prescribed by rules made under the provisions of this Act:
- Registrar.** "Registrar" shall mean the Registrar-General and every acting Registrar-General and Deputy Registrar appointed under the provisions of an Ordinance, No. 8 of 1841, intituled "An Act to provide for the Registration of Deeds, Wills, Judgments, Conveyances, and other Instruments," and shall include the Deputy Registrar appointed under the provisions of the Northern Territory Registration Act, No. 135, 1879:
- Registry.** "Registry" shall mean the General Registry Office, at Adelaide, established under the said Ordinance, No. 8, 1841, and the branch

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branch registration office, established at Palmerston, in the Northern Territory, under the said Act, No. 135, 1879:

“Trade machinery” shall, for the purposes of this Act, be deemed to be personal chattels, and mean the machinery used in or attached to any factory or workshop, exclusive of—

Trade machinery.

- (1) Fixed motive powers, such as water wheels, steam engines, donkey engines, and gas engines, together with the boilers and other fixed appurtenances of the said motive powers; and
- (2) Fixed power on machinery, such as shafts, wheels, drums, and their fixed appurtenances, which transmit the action of the motive powers to the other machinery fixed and loose; and
- (3) Pipes for steam, gas, or water in the factory or workshop.

No fixtures or growing crops shall be deemed to be separately assigned or charged by reason only that they are assigned by separate words, or that power is given to sever them from the land or building to which they are affixed, or from the land on which they grow, if by the same instrument any freehold or leasehold interest in the land or building to which such fixtures are affixed, or in the land on which such crops grow, is also conveyed, mortgaged, or assigned to the same persons or person.

Fixtures and crops not to be deemed separately assigned when land passes by the same instrument.

3. The subject-matter of this Act shall be divided into the following parts—

Subject-matter of Act.

PART I.—Branch Office:

PART II.—Form of Bills of Sale and the contents thereof, the registration of which shall be necessary:

PART III.—Registration of Bills of Sale and other Dealings:

PART IV.—Disposition of Personal Chattels in case of Insolvency or Distress:

PART V.—Preferable Liens:

PART VI.—Miscellaneous.

PART I.
BRANCH OFFICE.

PART I.

4. It shall be lawful for the Governor, by Proclamation in the *Government Gazette*, to establish at Palmerston, in the Northern Territory, a public office for the registration of bills of sale, and such office shall be deemed to be a branch of the General Registry Office, at Adelaide; and, until any such Proclamation shall have been issued, the branch registration office established under the said Act No. 135, 1879, shall be the branch office, at Palmerston, for the registration of bills of sale under the provisions hereof.

Branch office at Palmerston.

5. The

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act at branch office.

5. The branch office shall be presided over by a Deputy Registrar, to be appointed by the Governor, and such Deputy Registrar shall, in the branch office, exercise and execute, in relation to the registration of bills of sale, the like powers and duties as are exercised and executed by the Registrar-General in the General Registry Office at Adelaide; and, until such appointment, the Deputy Registrar appointed under the said Act, No. 135, 1879, shall continue to act as the Deputy Registrar of the said branch office, at Palmerston.

Oath of Deputy
Registrar.

6. An oath of office, similar to that provided for by section 11. of the said Act, No. 8, 1841, may be taken by such Deputy Registrar before the Government Resident of the Northern Territory, or any Special Magistrate there, who are hereby empowered to administer the same.

PART II.**PART II.**

**FORM OF BILLS OF SALE AND THE CONTENTS
THEREOF, THE REGISTRATION OF WHICH
SHALL BE NECESSARY.**

Form of bill of sale.

7. Every bill of sale, the registration of which shall be necessary, shall be executed in duplicate, and may be in the form in the First Schedule hereto.

Bill of sale to have
effect of a deed.

8. Every bill of sale, when registered, shall have the effect of and be deemed and taken to be a deed duly executed by the parties who have signed the same.

Contents of bill of
sale.

9. Every bill of sale shall contain or state—

- (1) The names of the grantor and grantee, their residences or places of business and occupations: Provided that it shall be sufficient to state the names by which the grantor or grantee is usually known, and, in the case of a corporation, it shall be sufficient to state the corporate name, with the place or one of the places where the business of the corporation is usually carried on:
- (2) The consideration, and what portion (if any) of the consideration, is for an antecedent debt or contemporaneous advance: Provided that the consideration for any bill of sale shall be deemed to have been sufficiently stated, notwithstanding that the commission, interest, or costs relative to such consideration shall have been deducted from or added to the amount of the consideration expressed in such bill of sale:
- (3) A description of the personal chattels comprised therein; and in case of horses, cattle, sheep, or other animals, the brands or some other distinctive marks thereof:
- (4) Where such personal chattels (other than after-acquired property) are situated:
- (5) The

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- (5) The sums (if any) thereby secured, or in the case of a running account or proposed further advances, the maximum amount of the credit balance or advances to be covered by the bill of sale.

And such bill of sale shall not be registered unless it shall contain the above particulars.

10. The classes of property in this section hereinafter specified may be assigned by bill of sale, and shall be deemed to have been assigned at law as well as in equity, that is to say:—

Property assignable.

- (1) Crops (separately assigned) growing at the time of the execution of the bill of sale, but without prejudice to the rights of a *bonâ fide* purchaser or mortgagee of the land on which any such crops shall grow:

- (2) The progeny coming into existence during the operation of any bill of sale, of any horses, cattle, or sheep comprised therein:

The assignment by bill of sale of all other after-acquired property shall, subject to the other provisions of this Act, have the same effect as before the passing of the Bills of Sale Act, 1885.

11. The following covenants and powers shall, unless negatived and subject to any modification, be implied in favor of the grantee and as to sub-section 8 in this clause as an agreement between the parties in every bill of sale for securing money:—

Covenants to be deemed implied in bills of sale.

- (1) That the grantor will pay to the grantee the principal and interest money secured, or intended to be secured, by such bill of sale, at the time and in manner therein provided for payment thereof:

That he will pay principal and interest money.

- (2) That the grantor shall not, without the consent in writing of the grantee, sell, exchange, or fraudulently remove the personal chattels comprised in such bill of sale from the premises mentioned therein, and will at all times keep such personal chattels in good order and condition:

That he will not remove the goods and chattels.

- (3) That the grantor will not suffer the personal chattels comprised in such bill of sale to be distrained for any rent, rates, or taxes, nor suffer any execution to be levied against his goods or chattels, nor suffer himself to be taken in execution or become insolvent, call a meeting of his creditors, or make any statutory assignment for the benefit of his creditors:

That he will not suffer the goods to be taken in execution.

- (4) That the grantor will produce to the grantee, upon demand, the last receipt for all rent, rates, and taxes in respect of the premises wherein the personal chattels shall be:

To produce receipts for rent, &c.

- (5) That the grantee may, by himself or his agents, at all reasonable times, enter upon the grantor's premises whereon the personal chattels are kept, and view the state and condition thereof, and that the grantor will show forth and produce

To enter and view the goods, &c.

to

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to the grantee all and singular the personal chattels comprised in such bill of sale, and permit the grantee to take an inventory thereof:

Power of sale in case of default.

- (6) That, if the grantor shall make default in the payment of the principal or interest money thereby secured at the time provided for payment thereof, or in the observance or performance of any one of the covenants, terms, conditions, or agreements, whether expressed or implied, in such bill of sale, it shall be lawful for the grantee, without any further consent or concurrence on the part of the grantor, to enter into and upon the land, messuage, or tenement whereon the said personal chattels assigned are, or into or upon any other land, messuage, or tenement on or in which such personal chattels, or any other personal chattels comprised and included in such bill of sale respectively, may be, or may reasonably be supposed to be, and for that purpose to open or remove any outer or inner gate, door, fastening, or other obstruction, without liability to any action of trespass, or other proceeding for so doing; but with liberty to plead the leave and licence thereby given in bar to any such action or proceeding, if any such be brought or instituted, and to seize and take possession of all such personal chattels, and to remove the same to any other place or places for safety, convenience of sale, or otherwise, or suffer them to remain in the place or places where the same may be found, and to sell and dispose of such chattels and premises, or any of them, either together or in parcels, at such time or times, and place or places, and either by public auction or private contract, or partly by public auction and partly by private contract, to any person or persons, for such price or prices, either for cash or on credit, or partly for cash and partly on credit, and if either wholly or partly on credit, giving such time or times for payment, and taking or foregoing any security or securities for the payment of the unpaid purchase-money as the grantee may deem proper or expedient, with power for him to make any such other terms and conditions in regard to such sale or sales as he may think proper, and also to buy in all or any of the said chattels at any such sale or sales by auction, and rescind or vary any contract for sale thereof, and again to resell or offer for resale the same from time to time, without being answerable or accountable for any loss, diminution in price, costs, or expenses to be occasioned by any such bringing in rescission, variance, or actual or attempted resale:

To execute deeds for purpose of carrying out sale.

- (7) That it shall be lawful for the grantee, upon or after any such sale as aforesaid, to make, enter into, sign, and execute all such contracts, agreements, deeds, instruments, and writings as may be necessary or expedient for the purpose of making and effectuating any such sale, and which shall be as binding and conclusive upon and against the said grantor as

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as if he or they had joined therein, or assented thereto. And also that the receipt or receipts in writing of the grantee for all purchase-money or other property which shall be paid or delivered to him under or by virtue of the bill of sale, shall be a good and sufficient discharge or good and sufficient discharges to all purchasers or other persons paying or delivering the same, and that such purchaser or other persons shall not be required to see to the application, or be answerable for the misapplication or nonapplication thereof, or be bound or concerned to inquire into the propriety or expediency of any such sale or resale:

- (8) That the grantee shall out of the moneys which shall come to his hands by reason of any such sale or sales, in the first place, discharge the costs and expenses incurred or sustained in or about such sale or sales, and all other costs, charges, and expenses incurred or occasioned in or about the execution of the powers and authorities contained in the bill of sale, and shall retain the balance of such moneys, or so much thereof as may be necessary, in or towards payment and satisfaction of all moneys due and owing to him upon the security of such bill of sale, and shall pay to the grantor the surplus then remaining.

Purchase-money to be applied in satisfaction of security.

12. The words "That the grantor will insure" in any bill of sale shall imply—That the grantor will forthwith insure and, so long as any money shall remain due from him to the grantee on the security of the bill of sale, keep insured in some public insurance office, to be approved of by the grantee, against loss or damage by fire, in the name of the grantee, the personal chattels comprised in such bill of sale to the full amount then due thereon, and will hand over to the grantee the policy of such insurance and produce to him the receipts for the annual or other periodical premiums payable on account thereof, and that all moneys payable by virtue of such insurance shall be received by the grantee towards satisfaction of the moneys due on such security, and that if default shall be made by the grantor in effecting or keeping on foot such insurance it shall be lawful for, but not obligatory upon, the grantee (without prejudice to any other remedy) to insure the said personal chattels in manner aforesaid, and the money paid on account of such insurance shall be a charge on the said personal chattels.

Abbreviated form of word "insure."

13. The execution of a bill of sale, or any transfer, or discharge thereof, shall be attested by one or more credible witnesses, not being a party or parties thereto.

Witness.

14. The execution of any bill of sale, or of any transfer, or discharge thereof may be proved before any Registrar, Justice of the Peace, or Notary Public, by the declaration of one of the attesting witnesses thereto, which declaration shall be in the form of the Second Schedule hereto, or as near thereto as circumstances may require,

Execution may be proved by statutory declaration.

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require, and shall be taken in all courts of law as *prima facie* evidence of the due execution of such bill of sale, transfer, or discharge.

PART III.

PART III.

REGISTRATION OF BILLS OF SALE AND OTHER DEALINGS.

Bill of sale to be registered at Registry Office, Adelaide.

Except when executed in the Northern Territory.

15. All bills of sale (except such as may be registered in the branch registration office at Palmerston), and every subsequent dealing capable of being registered shall be registered in the General Registry Office, at Adelaide; and all bills of sale given or executed by any party thereto in respect of personal chattels in the Northern Territory, and every subsequent dealing with such bill of sale, capable of registration, may be registered in the said branch office at Palmerston, or at the General Registry Office at Adelaide.

Copy of bills of sale registered at Palmerston to be forwarded to General Registry Office.

16. Upon the registration of every bill of sale at the said branch office, at Palmerston, a copy thereof, for transmission to the General Registry Office, at Adelaide, shall be lodged with the Deputy Registrar, who shall, at the end of every month, or so soon thereafter as shall be practicable, forward the same with a copy of its registration to the Registrar, at Adelaide, to be filed, preserved, and kept open for public inspection, and, in case of the registration of any bill of sale in the General Registry Office, at Adelaide, of property in the Northern Territory, a copy thereof shall be sent to the Deputy-Registrar, at Palmerston, at the end of every month.

Bill of sale to be registered.

17. Every bill of sale shall be registered within twenty-one days from the making thereof, and no bill of sale shall thereafter be capable of registration.

To be registered in the order of production.

18. All bills of sale shall be registered in the order of time in which the same are produced for that purpose, and shall, in respect to the personal chattels comprised therein, be entitled to priority according to the date of registration.

Bill of sales, how to be registered.

19. For the purpose of such registration every bill of sale shall be lodged in duplicate with the Registrar, who shall indorse upon each duplicate a certificate of registration, stating the consecutive registration number of such bill of sale, and the day and hour of the production thereof for registration, and such certificate shall be in the form of the Third Schedule hereto, and be authenticated by the seal and signature of the Registrar, and one duplicate (hereinafter called the original) shall be filed in the registry, and the other (hereinafter called the duplicate) shall be delivered to the person entitled thereto, and the production of the original, or of the duplicate, with such certificate duly indorsed thereon, shall be *prima facie* evidence of the due registration of such bill of sale.

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20. A transfer or assignment of a registered bill of sale may be made by indorsement on the duplicate in the form of the Fifth Schedule hereto.

Form of transfer of bill of sale and registration thereof.

21. An extension of the time for the repayment of the moneys secured by a bill of sale may be effected by indorsing upon the duplicate bill of sale the word "Extended," signed by the grantor and grantee, and duly attested in the manner provided by section 14 hereof, which shall mean a further extension for the period of one year, and upon the terms in such bill of sale contained; or if such extension is for any other period or upon any other terms, such further words may be added as the circumstances may require. And the Registrar upon receiving such extension for registration, shall enter particulars and the date and hour of the production thereof on the original bill of sale, and authenticate such registration by his seal and signature.

Bill of sale may be extended.

22. A bill of sale may be discharged, or partly discharged, by a receipt indorsed on such bill of sale in the form in the Fourth Schedule hereto, and the Registrar, if required so to do, shall register such discharge by entering the same upon the original bill of sale, together with the date and hour of such entry, and authenticate such registration as aforesaid; and thereupon the personal chattels comprised in any such bill of sale shall be discharged from the payment of the principal and interest to the extent of any such receipt, and if such discharge shall be for the whole of the money thereby secured, the duplicate bill of sale shall be retained by the Registrar to be filed in the registry.

Bill of sale, how discharged.

23. If any person shall prove to the satisfaction of the Registrar that any duplicate bill of sale has been lost, he may permit any such receipt to be indorsed on the original bill of sale.

Discharge may be indorsed on original filed in registry.

24. The Registrar shall keep an alphabetical index of the names of every grantor and grantee of a bill of sale, together with the reference to the registrations.

Index to be kept by Registrar.

25. The Registrar, upon being satisfied that any omission or error has occurred in the registration of any bill of sale, transfer, renewal, or discharge, may summon the grantee or grantor, or other holder of such bill of sale, transfer, renewal, or discharge, to attend before him, at such time and place as he shall direct, to show cause why such error or omission should not be corrected, and in case such grantee or grantor shall not attend, or if he shall attend, and the Registrar shall be satisfied that such error or omission ought to be corrected, then the Registrar shall (unless prohibited by the Supreme Court, or a Judge thereof) proceed to make such correction accordingly.

Omissions and errors in the registry may be corrected.

26. Whenever there shall be any difference or variation between the contents of any original bill of sale and of the duplicate, the original shall prevail.

In case of variance, original to prevail.

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Search allowed.

27. Every person shall have access to any bill of sale filed in the registry, for the purpose of inspection, during the hours and upon the days appointed for search.

PART IV.**PART IV.****DISPOSITION OF CHATTELS IN CASE OF INSOLVENCY OR DISTRESS.**

Bills of sale contrary to sec. 10 of this Act to be void against trustees in insolvency, &c.

28. Every bill of sale in which there shall be any material omission or misstatement of any of the particulars required by the ninth section hereof, or which shall not be registered within the time hereinbefore provided, shall be void, as against—

(a) The Official Receiver or the trustee in insolvency of the grantor:

(b) The trustee of the estate of such grantor under any statutory assignment for the benefit of his creditors:

so far as regards the property in or right to the possession of any personal chattels comprised in such bill of sale which within three months before the insolvency, or the meeting of creditors at which the resolution for the assignment was passed, are in the possession, or apparent possession, of the grantor, and shall be void as against—

(c) All sheriff's officers and other persons seizing any personal chattels comprised in such bill of sale in the execution of the process of any court against the goods of the grantor, and all judgment creditors on behalf of whom such process is executed, so far as regards the property in any such personal chattels as at the time of such seizure are in the possession or apparent possession of the grantor:

Provided that until the expiration of the period allowed for registration, every bill of sale shall be deemed to have been registered within such period.

Bill of sale valid security for further advance.

29. Where any bill of sale shall be given as security wholly or partly for a contemporaneous or further advance, the same shall, subject to the provisions of this Act, be a valid security to the extent of the advance made at the time of and subsequently to the making of such bill of sale.

Rates may be levied on goods comprised in bill of sale.

30. A bill of sale shall not protect the personal chattels therein comprised against any distress for any rates or taxes payable by the owner or occupier of any land under any Act of Parliament.

Distress not to be levied against goods in bill of sale except for a limited amount.

31. No distress for any rent made and levied upon any personal chattels comprised in any duly registered bill of sale shall be available except for four weeks' rent where the tenement is let by the week; for two terms of payment (but not exceeding three months) where the tenement is let for any other term less than six months; or for twelve months' rent where the tenement is let for any longer term, unless the landlord shall pay off the sum of money owing on such bill of sale.

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PART V.

PART V.

PREFERABLE LIENS.

32. Act No. 4 of 1855-6, so far as the same relates to preferable liens on wool, is hereby revived, and, except as in this clause provided, this Act shall not apply to preferable liens on wool.

Preferable liens on wool.

PART VI.

PART VI.

MISCELLANEOUS PROVISIONS.

33. The seal of the Registrar-General appointed and acting as Registrar-General under the provisions of the Real Property Act, 1861, shall be the seal of every Registrar under this Act.

Seal of Registrar.

34. It shall be lawful for the Registrar to demand and receive such fees as shall be appointed by the Governor, not in any case exceeding the several fees set forth in the Sixth Schedule hereof, to be accounted for by him and paid into the public treasury of the said province.

Fees to be taken by Registrar.

35. No practitioner of the Supreme Court or licensed land brokers shall recover any fees for preparing any document under this Act other than those set forth in the Seventh Schedule hereto.

Solicitors and brokers only to recover fees in schedule.

36. No personal chattels, except such as may be of a perishable nature, shall be sold until five days after seizure under a bill of sale.

Goods not to be sold until five days after seizure.

37. Any person who shall conceal, sell, pawn, kill, or destroy any personal chattels comprised in any bill of sale, with intent to deprive the grantee of his security, shall be guilty of a misdemeanor, and be liable to imprisonment, with or without hard labor, for a term not exceeding two years.

Fraudulently disposing of goods to be misdemeanor.

38. Any person guilty of making a false declaration concerning any matter or procedure to be done in pursuance of this Act shall be guilty of perjury, and liable to imprisonment not exceeding two years.

False declaration to be perjury.

39. The Governor may make such necessary regulations, not inconsistent with this Act, as may be desirable for the convenient administration and the objects and purposes thereof.

Governor may make regulations.

40. All regulations shall be published in the *Government Gazette*, and within fourteen days after making thereof shall be laid before both Houses of Parliament, if then sitting; and if Parliament be not then sitting, then within fourteen days after the beginning of the next session thereof, and shall have the force of law from the date of such publication.

Regulations to be published.

41. This

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Act not to apply to
chattels taken and
kept by grantee
within twenty-one
days.

41. This Act shall not apply to any bill of sale where the grantee shall *bonâ fide* take the personal chattels comprised therein out of the possession, or apparent possession, of the grantor within twenty-one days of the date of such bill of sale, and shall keep such possession.

Repeal.

42. The "Bills of Sales Act, 1885," is hereby repealed; but this repeal shall not affect—

- i. Anything done or suffered under such Act: nor
- ii. Any right, privilege, power, obligation, or liability acquired accrued, or incurred under such Act: nor
- iii. Any investigation, legal proceeding, or remedy in respect of such right, privilege, power, obligation, or liability:

And any rule, by-law, or regulation heretofore in force under the provisions of the Act hereby repealed, shall, so far as applicable, continue in force until cancelled or amended under the authority of this Act.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

WM. C. F. ROBINSON, Governor.

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SCHEDULES REFERRED TO.

FIRST SCHEDULE.

Bill of Sale.

I, (or we) [*state the full or usual Christian names of the grantor, his proper surname, residence or place of business, and occupation*] in consideration of the sum of, [*here state consideration*], lent to me (or us) by [*here state the full or usual Christian names of the grantee, his proper surname, residence or place of business, and occupation*] the receipt whereof I (or we) do hereby acknowledge, do hereby transfer and assign unto [*the grantee*] all and singular the personal chattels described at the foot hereof, which are situated [*describe the land or premises where the goods are situated*], and all my (or our) right, title, claim, and demand to the same, to have, hold, take, and receive the said personal chattels unto [*the grantee*], subject to the provisos, terms, covenants, conditions, and agreements herein expressed or implied: Provided that if I shall pay to the said [*grantee*] the sum of £ on the day of 18 (or on demand or at such other time as provided for by the bill of sale), and interest thereon, or on so much as may be due in respect thereof, at the rate of £ per centum per annum, payable in payments on

Sec. 10.

during this security then these presents shall become void.

[*Herein insert any other necessary condition.*]

And it is agreed that, upon payment of the moneys hereby secured, the said [*grantee*] will, at my cost and my request, execute a discharge to me (or us) of this security, and that it shall be lawful for me (or us) to retain possession of the said personal chattels until default shall be made in the expressed or implied terms, covenants, conditions, and agreements of this security. In witness whereof I have hereunto subscribed my name the day of 188 .

Signed by the said [*grantor*] in the }
presence of

Personal chattels comprised in this Bill of Sale.

[*Here give a description of the personal chattels assigned, and in case of horses, cattle, or sheep, state the brand or other distinctive mark.*]

SECOND SCHEDULE.

I, N. B. [*here state residence or place of business and occupation*], the person whose name appears as the attesting witness to the above bill of sale (or transfer, or discharge), do hereby declare that I was present and saw [*grantor*] sign the above instrument, and I thereupon signed my name as attesting witness thereto.

Declared before me at this day of 18 .

THIRD

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THIRD SCHEDULE.

Certificate of Registration to be indorsed by Registrar on each Bill of Sale.

No. This bill of sale was received into the Registry Office at
 this day of , 18 , at the hour of
 in the noon, and is registered as provided in the Bills of Sale
 Act, 1886.

Registrar.

FOURTH SCHEDULE.

Discharge of Bill of Sale (by indorsement).

Received this day of , 18 , from the within-named
 , the sum of £ , being in full (or part) satisfaction and
 discharge of the within security.

FIFTH SCHEDULE.

Transfer of Bill of Sale.

I, the within-named [*grantee*], in consideration of the sum of £
 [*state consideration*], paid to me by [*here state full or usual Christian names of the transferee, his proper surname, residence, place of business, and occupation*], do hereby transfer and assign to him the personal goods and chattels comprised in the within-written security, subject to the terms, provisoes, conditions, and agreements therein expressed or implied; and also the principal and interest money thereby secured, and all claims, demands, powers, rights, privileges, and authorities thereby conferred upon or vested in me, together with the said bill of sale. In witness whereof I have hereunto subscribed my name, this day of , 18 .
 Signed by the said, &c.

SIXTH SCHEDULE.

Fees Payable to the Registrar for the performances of the several acts, matters, and things set forth in this Act.

	£	s	d.
For registering any bill of sale or agreement for the hire of personal chattels when the consideration thereof shall be under £20	0	5	0
When the consideration shall not exceed £200	0	10	0
When the consideration shall exceed £200	1	0	0
For registering the discharge or the transmission or transfer of any bill of sale, half of the fees payable for the registration of a bill of sale.			
For every search	0	2	6
For registering any document not hereinbefore provided for.....	0	5	0

SEVENTH

The Bills of Sale Act.—1886.

SEVENTH SCHEDULE.

Fees Payable to Practitioners of Supreme Court or Licensed Land Brokers.

	£	s.	d.
For every bill of sale, in duplicate, when the consideration thereof shall not exceed £50	0	10	6
When the consideration exceeds £50	1	1	0
For every folio beyond the first ten folios	0	2	0
Or, if printed or partly printed, then beyond the first ten folios, per folio	0	0	6
For copying or engrossing schedules (if such bill of sale exceeds ten folios), per folio	0	1	0
For every transfer, transmission, or discharge of any bill of sale, half of the charges payable for a bill of sale.			

The above charges shall include all manner of attendances, searches, and letters in connection with the documents referred to, unless an agreement in writing setting forth the extra charges agreed to be paid shall have been signed by the person to be charged.