

Legislative Council.

No. , 1918.

A BILL

To make provision with regard to the discharge of bills of sale; to remove certain anomalies in regard to the protection afforded by a bill of sale; and to amend the Bills of Sale Act of 1898, and the Small Debts Recovery Act, 1912.

[MR. GARLAND;—10 *October*, 1918.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of
5 the same, as follows:—

1. This Act may be cited as the "Bills of Sale Short title. (Amendment) Act, 1918."

Amendment
of Principal
Act.

Discharge of
bill of sale.

2. (1) The Bills of Sale Act of 1898 is amended by repealing section thirteen thereof and inserting the following section in lieu thereof:—

13. (1) A bill of sale may be discharged, or partly discharged, by a receipt indorsed on the bill of sale, or copy thereof, held by the grantee or person claiming through him, in the form set out in Part I of the Third Schedule hereto, or to the like effect. 5

(2) If the Prothonotary is satisfied that a bill of sale, or copy, held by the grantee or person claiming through him, for some good reason cannot be produced, such bill of sale may be discharged by a receipt in the form set out in Part II of the Third Schedule hereto. 10

(3) The signature to any such receipt shall be witnessed by a solicitor of the Supreme Court or by a Justice of the Peace. 15

(4) The Prothonotary, if required so to do, and if satisfied that the receipt for the money is duly acknowledged, shall register any such discharge by noting the same upon the bill of sale or copy filed. 20

(2) The same Act is amended by adding the following Schedule after Schedule Two:—

SCHEDULE THREE.

PART I.

25

Received this day of , 19 , from the
within-named , the sum of £ , in full (or part)
satisfaction and discharge of the within security.

(Signed)

(Witnessed)

30

PART II.

Received this day of , 19 ,
from , the sum of £ , in full (or part)
satisfaction and discharge of the (here set out description of bill
of sale). 35

Small Debts Recovery Act, 1912.

Repeal of
s. 51.

3. Section fifty-one of the Small Debts Recovery Act, 1912, is hereby repealed.

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

W. L. S. COOPER,
Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 17th October, 1918.*

New South Wales.



ANNO NONO

GEORGII V REGIS.

Act No. , 1918.

An Act to make provision with regard to the discharge of bills of sale ; to remove certain anomalies in regard to the protection afforded by a bill of sale ; and to amend the Bills of Sale Act of 1898, and the Small Debts Recovery Act, 1912.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same, as follows :—

1. This Act may be cited as the " Bills of Sale Short title. (Amendment) Act, 1918."

Bills of Sale (Amendment).

2. (1) The Bills of Sale Act of 1898 is amended by repealing section thirteen thereof and inserting the following section in lieu thereof:—

Amendment of Principal Act.

5 13. (1) A bill of sale may be discharged, or partly discharged, by a receipt indorsed on the bill of sale, or copy thereof, held by the grantee or person claiming through him, in the form set out in Part I of the Third Schedule hereto, or to the like effect.

Discharge of bill of sale.

10 (2) If the Prothonotary is satisfied that a bill of sale, or copy, held by the grantee or person claiming through him, for some good reason cannot be produced, such bill of sale may be discharged by a receipt in the form set out in Part II of the Third Schedule hereto.

15 (3) The signature to any such receipt shall be witnessed by a solicitor of the Supreme Court or by a Justice of the Peace.

20 (4) The Prothonotary, if required so to do, and if satisfied that the receipt for the money is duly acknowledged, shall register any such discharge by noting the same upon the bill of sale or copy filed.

(2) The same Act is amended by adding the following Schedule after Schedule Two:—

SCHEDULE THREE.

25

PART I.

Received this day of , 19 , from the within-named , the sum of £ , in full (or part) satisfaction and discharge of the within security.

30

(Witnessed)

(Signed)

PART II.

35

Received this day of , 19 , from , the sum of £ , in full (or part) satisfaction and discharge of the (here set out description of bill of sale).

Small Debts Recovery Act, 1912.

3. Section fifty-one of the Small Debts Recovery Act, 1912, is hereby repealed.

Repeal of s. 51.