

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

Legislative Assembly Chamber,
Sydney, 5 April, 1870. }

STEPHEN W. JONES,
Clerk of Legislative Assembly.

New South Wales.



ANNO TRICESIMO TERTIO

VICTORIÆ REGINÆ.

No. .

An Act to amend and extend the provisions of the Small Debts Act 10 Vic. No. 10.

WHEREAS it is expedient to amend in certain particulars an Act Preamble. passed in the tenth year of the reign of Her Majesty Queen Victoria intituled "*An Act to amend the Law respecting the Recovery* 10 Vic. No. 10. of Small Debts in all parts of the Colony" and to extend the operation of the Courts of Petty Sessions Be it therefore enacted by the Queen'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:—

- 10 1. So much of the proviso of section eight in the said recited Act as enacts that the granting of new trials in certain cases shall be conditional upon the defendant paying the costs of the first trial and giving such security for the costs of the new trial as the Court of Petty Sessions shall think fit to require is hereby repealed. Repeal of part of 10 Vic. No. 10. And in substitution thereof it is hereby enacted that the said Court may upon sufficient cause being shown for that purpose set aside any judgment and grant a new trial upon such terms as such Court may think fit.
- 15 2. The thirty-seventh section of the said recited Act is hereby repealed and that the decisions of such Courts as aforesaid shall be Repeal of sec. 37 10 Vic. No. 10. subject to prohibition by the Supreme Court or a Judge thereof as summary convictions and orders of Justices in Petty Sessions now are or may hereafter be by any law in force in that behalf.

Small Debts Recovery.

3. The thirty-second section of the said recited Act is hereby repealed. Repeal of section 32
10 Vic No 10.

4. In any case in which a claim shall be made by a third person to any goods levied upon under the provisions of the said recited Act it shall be lawful for a Justice on application of the bailiff to summon before two or more Justices in Petty Sessions assembled both the claimant and the execution creditor and such Justices shall adjudicate on such claim and make an order either for the execution to proceed or the goods to be delivered to such claimant and such further order as to costs as such Justices shall see fit. Claims of third
persons to goods
levied upon.

5. The Court shall not dismiss any action under section nine of ten Victoria number ten if the plaintiff shall sign a memorandum to be filed with the Registrar undertaking to accept such sum of money as the Court is by the said recited Act empowered to adjudge in full of the whole of his demand in respect of the cause of action so split or divided and thereupon the plaintiff shall upon proving his case recover to an amount not exceeding that which the Court is by the said Act empowered to adjudge and such judgment shall be a full discharge of all demands of such plaintiff against the defendant for the same cause of action in all Courts whatsoever. Abandonment of
excess above £10.

6. The said recited Act amended as hereinbefore provided shall be in force and apply to all parts of the Colony. Operation of 10 Vic.
No. 10 extended.

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

Legislative Assembly Chamber,
Sydney, 5 April, 1870. }

STEPHEN W. JONES,
Clerk of Legislative Assembly.

New South Wales.



ANNO TRICESIMO TERTIO

VICTORIÆ REGINÆ.

No. .

(As amended in Committee of the Whole Council.)

An Act to amend and extend the provisions of the Small Debts Act
10 Vic. No. 10.

WHEREAS it is expedient to amend in certain particulars an Act Preamble.
passed in the tenth year of the reign of Her Majesty Queen
Victoria intituled "*An Act to amend the Law respecting the Recovery* 10 Vic. No. 10.
of Small Debts in all parts of the Colony" and to extend the operation
of the Courts of Petty Sessions Be it therefore enacted by the
Queen'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:—

- 10 1. So much of the proviso of section eight in the said recited Act as enacts that the granting of new trials in certain cases shall be conditional upon the defendant paying the costs of the first trial and giving such security for the costs of the new trial as the Court of Petty Sessions shall think fit to require is hereby repealed. Repeal of part of 10 Vic. No. 10. And in substitution thereof it is hereby enacted that the said Court may upon sufficient cause being shown for that purpose set aside any judgment and grant a new trial upon such terms as such Court may think fit.
- 15 2. The thirty-seventh section of the said recited Act is hereby repealed and that the decisions of such Courts as aforesaid shall be Repeal of sec. 37 10 Vic. No. 10. subject to prohibition by the Supreme Court or a Judge thereof as summary convictions and orders of Justices in Petty Sessions now are or may hereafter be by any law in force in that behalf.

Small Debts Recovery.

3. The thirty-second section of the said recited Act is hereby repealed. Repeal of section 32
10 Vic. No 10.

4. In any case in which a claim shall be made by a third person to any goods levied upon under the provisions of the said recited Act it shall be lawful for a Justice on application of the bailiff to summon before two or more Justices in Petty Sessions assembled both the claimant and the execution creditor and such Justices shall adjudicate on such claim and make an order either for the execution to proceed or the goods to be delivered to such claimant and such further order as to costs as such Justices shall see fit. Claims of third persons to goods levied upon.

5. The Court shall not dismiss any action under section nine of ten Victoria number ten if the plaintiff shall sign a memorandum to be filed with the Registrar undertaking to accept such sum of money as the Court is by the said recited Act empowered to adjudge in full of the whole of his demand in respect of the cause of action so split or divided and thereupon the plaintiff shall upon proving his case recover to an amount not exceeding that which the Court is by the said Act empowered to adjudge and such judgment shall be a full discharge of all demands of such plaintiff against the defendant for the same cause of action in all Courts whatsoever. Abandonment of excess above £10.

6. The said recited Act amended as hereinbefore provided shall be in force and apply to all parts of the Colony **except the Police District of Sydney.** Operation of 10 Vic. No. 10 extended.

VICTORIÆ REGINÆ

No.

(As amended in Council of the West of England)

An Act to amend and extend the provisions of the Small Debts Act 10 Vic. No. 10.

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SMALL DEBTS RECOVERY BILL.

*SCHEDULE of the Amendments made by the Legislative Council in the Bill, intituled
"An Act to amend and extend the provisions of the Small Debts Act 10 Vict No 10,"
returned to the Legislative Assembly, with Message of 22nd April, 1870.*

R. O'CONNOR,
Clerk of the Parliaments.

Page 1, Title. *Omit " amend and "*
 " clause 1. *Omit clause 1.*
 " clause 2. *Omit clause 2.*
Page 2, clause 3. *Omit clause 3.*
 " clause 4. *Omit clause 4.*
 " clause 5. *Omit clause 5.*
 " clause 6, line 21. *Omit " amended as hereinbefore provided"*
 " clause 6, line 22. *After " Colony " add " except the Police District of
 " Sydney."*

SMALL DISTRICT GOVERNMENT

VICTORIA
1871

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

Legislative Assembly Chamber,
Sydney, 5 April, 1870. }

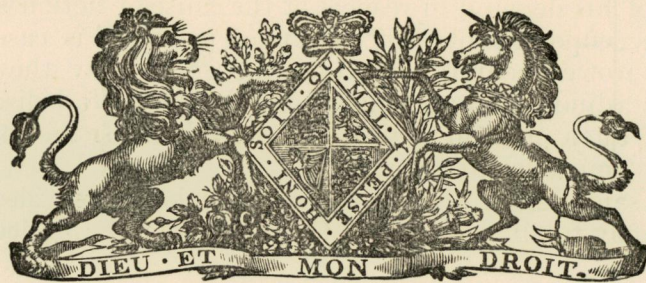
STEPHEN W. JONES,
Clerk of Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

Legislative Council Chamber,
Sydney, 22nd April, 1870. }

R. O'CONNOR,
Clerk of the Parliaments.

New South Wales.



ANNO TRICESIMO TERTIO

VICTORIÆ REGINÆ.

No. .

An Act to amend and extend the provisions of the Small Debts Act
10 Vic. No. 10.

WHEREAS it is expedient to amend in certain particulars an Act Preamble.
passed in the tenth year of the reign of Her Majesty Queen
Victoria intituled "*An Act to amend the Law respecting the Recovery* 10 Vic. No. 10.
of Small Debts in all parts of the Colony" and to extend the operation
5 of the Courts of Petty Sessions Be it therefore enacted by the
Queen'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:—

- 10 1. So much of the proviso of section eight in the said recited Repeal of part of
Act as enacts that the granting of new trials in certain cases shall be 10 Vic. No. 10.
conditional upon the defendant paying the costs of the first trial and
giving such security for the costs of the new trial as the Court of
Petty Sessions shall think fit to require is hereby repealed And in sub-
15 stitution thereof it is hereby enacted that the said Court may upon
sufficient cause being shown for that purpose set aside any judgment
and grant a new trial upon such terms as such Court may think fit.
- 20 2. The thirty-seventh section of the said recited Act is hereby Repeal of sec. 37
repealed and that the decisions of such Courts as aforesaid shall be 10 Vic. No. 10.
subject to prohibition by the Supreme Court or a Judge thereof as
summary convictions and orders of Justices in Petty Sessions now are
or may hereafter be by any law in force in that behalf.

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3.

NOTE.—The words and clauses to be omitted are ruled through; the words to be inserted are printed in black letter.

Small Debts Recovery.

3. The thirty-second section of the said recited Act is hereby repealed. Repeal of section 32 10 Vic. No 10.

4. In any case in which a claim shall be made by a third person Claims of third persons to goods levied upon. to any goods levied upon under the provisions of the said recited Act it shall be lawful for a Justice on application of the bailiff to summon 5 before two or more Justices in Petty Sessions assembled both the claimant and the execution creditor and such Justices shall adjudicate on such claim and make an order either for the execution to proceed or the goods to be delivered to such claimant and such further order 10 as to costs as such Justices shall see fit.

5. The Court shall not dismiss any action under section nine of Abandonment of excess above £10. ten Victoria number ten if the plaintiff shall sign a memorandum to be filed with the Registrar undertaking to accept such sum of money as the Court is by the said recited Act empowered to adjudge in full 15 of the whole of his demand in respect of the cause of action so split or divided and thereupon the plaintiff shall upon proving his case recover to an amount not exceeding that which the Court is by the said Act empowered to adjudge and such judgment shall be a full discharge of all demands of such plaintiff against the defendant for the same cause 20 of action in all Courts whatsoever.

6. The said recited Act amended as hereinbefore provided shall be Operation of 10 Vic. No. 10 extended. in force and apply to all parts of the Colony except the Police District of Sydney.

New South Wales.



ANNO TRICESIMO TERTIO

VICTORIÆ REGINÆ.

No. XI.

An Act to extend the provisions of the Small Debts Act 10 Vic. No. 10. [Assented to, 3rd May, 1870.]

WHEREAS it is expedient to amend in certain particulars an Act Preamble. passed in the tenth year of the reign of Her Majesty Queen Victoria intituled "*An Act to amend the Law respecting the Recovery* 10 Vic. No. 10. of Small Debts in all parts of the Colony" and to extend the operation of the Courts of Petty Sessions Be it therefore enacted by the Queen'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. The said recited Act shall be in force and apply to all parts Operation of 10 Vic. No. 10 extended. of the Colony except the Police District of Sydney.

