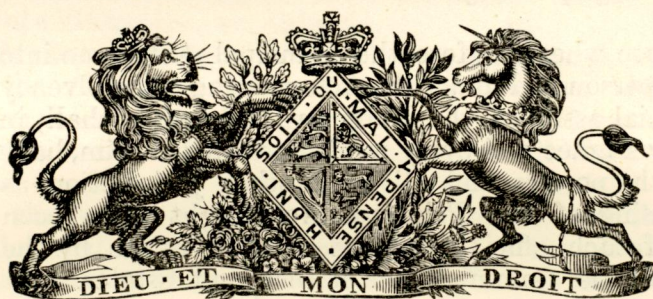


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 13 July, 1888.* }

F. W. WEBB,
Clerk of Legislative Assembly.

New South Wales.



ANNO QUINQUAGESIMO SECUNDO

VICTORIÆ REGINÆ.

No. .

An Act to amend the "Bankruptcy Act, 1887."

BE it 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:—

- 5 1. This Act may be cited as the "Bankruptcy Act Amendment Act, 1888." And the Bankruptcy Act, 1887 [hereinafter termed the 'Principal Act'], and this Act when referred to collectively may be cited as the "Bankruptcy Acts, 1887-1888." Short title.
- 10 2. The sections of the Principal Act herein specified and the Third Schedule are hereby respectively amended as follows, and the amendments hereby enacted shall have effect as from the passing of the Principal Act, that is to say,— Verbal amendments of Principal Act.
- 15 In section 4, subsection (e), the words "or otherwise" shall be omitted.
- In section 11, the words "debtors' summons" shall be omitted, and the words "bankruptcy notice" shall be substituted for the words so omitted.

Bankruptcy Act Amendment.

In section 19, subsection (15), the words "able to obtain his" shall be omitted, and the words "released by a" shall be substituted for the words so omitted.

In section 57, the words "and preferences" shall be omitted.

5 In section 133, the word "them" shall be omitted, and the word "him" shall be substituted for the word so omitted.

In the Third Schedule, the figures "£300," wheresoever they occur, shall be omitted, and the figures "£200" shall be substituted for the figures so omitted.

10 Provided always that nothing in this section shall affect any judgment or order of the Supreme Court or of the Judge in Bankruptcy given or made, or any proceedings pending, before or at the commencement of this Act.

3. (I) In any case where, before the Principal Act came into
15 force, the estate of any person had under the Acts relating to Insolvency been vested in any official assignee, the Judge in Bankruptcy shall, in respect of such official assignee and every estate so vested in him, have and may exercise all the powers and all such other jurisdiction as previously to the passing of the Principal Act might have been
20 exercised in respect of such official assignee or such estate by the Chief Justice or by the Chief Commissioner of Insolvent Estates.

Jurisdiction, &c., in respect of estates vested in official assignees before passing of Principal Act.

(II) The said Judge in Bankruptcy shall also have full power and authority to inquire into, and investigate, the dealings of such
25 official assignees with each estate vested in him or with any part thereof, whether such dealings took place before or since the passing of the Principal Act, or before his removal as hereafter provided for.

(III) The said Judge shall also have full power and authority to remove such official assignee from being the official assignee of any particular estate, and may appoint any other of the official assignees
30 to be the official assignee of such estate, and in case of such removal, the right, title, and interest of the official assignee so removed shall, by the order appointing the official assignee in his place vest in the official assignee so appointed as aforesaid.

(IV) The said Judge shall also have full power and authority
35 to order any official assignee to bring into Court any sums of money which he may find to be in the hands of such official assignee, and also may call upon any official assignee to account fully for all moneys which have come to his hands at any time and to show how the same were disposed of, and generally may exercise all necessary powers and
40 authorities to compel any official assignee fully to disclose all his dealings with all or any of the estates so vested in him.

(V) The said Judge may also, upon the application of the Colonial Treasurer or of any person interested, direct an investigation
45 by the Colonial Treasurer or by any person instructed by the Colonial Treasurer, or by the Registrar, of the books, accounts, vouchers, papers, and documents of any such official assignee, and may order such books, accounts, vouchers, papers or documents to be handed over to the Colonial Treasurer or to any person instructed by him, or to the Registrar; and may direct an inquiry as to the conduct, omissions, and dealings of
50 any such assignee, and may remove him from his office for misconduct or neglect.

(VI) Provided always that every official assignee appointed an official assignee of any estate under the provisions of this section shall be subject to all the provisions of this section, in respect of the estate
55 to which he is so appointed.

4. For the purpose of transferring any estate vested in an
official assignee or trustee (whether such estate were vested before or
after the passing of the Principal Act) to, and vesting the same in,
some other official assignee or trustee, the Judge in Bankruptcy may
make

Judge may make vesting order.

Bankruptcy Act Amendment.

make such vesting order as in his opinion will effectually carry out such transfer to, and the vesting of such estate in, the person named in such order. And such order when made shall have the effect of vesting in the person therein named the whole right, title, and interest of the official assignee or trustee from whom such right, title, and interest shall be intended to be divested or transferred.

5. Every Certificate of Discharge issued under the Principal Act shall have the re-vesting effect given by section thirty-six of the said Act to an Order of Release, but subject to the first proviso contained in that section in the words following, viz.: "Provided that all sales and dispositions of the property and payments made and acts theretofore done by the official assignee or trustee shall be valid."

6. Notwithstanding anything in the Principal Act, the fifteenth section of the Act seventh of Victoria number nineteen, and the third section of the Act tenth Victoria number fourteen shall, for the respective purposes mentioned in such sections, be deemed to be and to have always been in full force in respect to all titles to property belonging to or forming part of any insolvent estate within the meaning of the Acts relating to insolvency repealed by the Principal Act; provided that after the passing of this Act the certificate of the Judge in Bankruptcy shall have the same effect as the certificate of the Chief Commissioner mentioned in the said fifteenth section of the Act seventh of Victoria number nineteen; and provided also that in applying the provisions of the said sections to conveyances or transfers, executed by official assignees or trustees, of property forming part of any bankrupt estate, and to purchasers from such assignees or trustees, the expression "insolvent estate" shall include "bankrupt estate" within the meaning of the Principal Act, the expression "official assignee" shall include "an official assignee" within the like meaning, and the expression "elected assignee" and "trustee" shall include "a trustee" within the like meaning.

7. No action or proceeding of any kind to which an official assignee or trustee shall have been a party, shall be deemed to have abated by the death, or resignation, or vacation of, or removal from, office of any such official assignee or trustee; but in every such case such action or proceeding may be continued in the name of the official assignee or trustee appointed in the place of the official assignee or trustee who has died, resigned, or vacated, or been removed from, his office. Provided that a suggestion in the usual way be made of such death, resignation, removal, or vacation.

THE HISTORY OF THE

The history of the...
The first part of the...
The second part of the...
The third part of the...
The fourth part of the...
The fifth part of the...
The sixth part of the...
The seventh part of the...
The eighth part of the...
The ninth part of the...
The tenth part of the...
The eleventh part of the...
The twelfth part of the...
The thirteenth part of the...
The fourteenth part of the...
The fifteenth part of the...
The sixteenth part of the...
The seventeenth part of the...
The eighteenth part of the...
The nineteenth part of the...
The twentieth part of the...
The twenty-first part of the...
The twenty-second part of the...
The twenty-third part of the...
The twenty-fourth part of the...
The twenty-fifth part of the...
The twenty-sixth part of the...
The twenty-seventh part of the...
The twenty-eighth part of the...
The twenty-ninth part of the...
The thirtieth part of the...
The thirty-first part of the...
The thirty-second part of the...
The thirty-third part of the...
The thirty-fourth part of the...
The thirty-fifth part of the...
The thirty-sixth part of the...
The thirty-seventh part of the...
The thirty-eighth part of the...
The thirty-ninth part of the...
The fortieth part of the...
The forty-first part of the...
The forty-second part of the...
The forty-third part of the...
The forty-fourth part of the...
The forty-fifth part of the...
The forty-sixth part of the...
The forty-seventh part of the...
The forty-eighth part of the...
The forty-ninth part of the...
The fiftieth part of the...
The fifty-first part of the...
The fifty-second part of the...
The fifty-third part of the...
The fifty-fourth part of the...
The fifty-fifth part of the...
The fifty-sixth part of the...
The fifty-seventh part of the...
The fifty-eighth part of the...
The fifty-ninth part of the...
The sixtieth part of the...
The sixty-first part of the...
The sixty-second part of the...
The sixty-third part of the...
The sixty-fourth part of the...
The sixty-fifth part of the...
The sixty-sixth part of the...
The sixty-seventh part of the...
The sixty-eighth part of the...
The sixty-ninth part of the...
The seventieth part of the...
The seventy-first part of the...
The seventy-second part of the...
The seventy-third part of the...
The seventy-fourth part of the...
The seventy-fifth part of the...
The seventy-sixth part of the...
The seventy-seventh part of the...
The seventy-eighth part of the...
The seventy-ninth part of the...
The eightieth part of the...
The eighty-first part of the...
The eighty-second part of the...
The eighty-third part of the...
The eighty-fourth part of the...
The eighty-fifth part of the...
The eighty-sixth part of the...
The eighty-seventh part of the...
The eighty-eighth part of the...
The eighty-ninth part of the...
The ninetieth part of the...
The ninety-first part of the...
The ninety-second part of the...
The ninety-third part of the...
The ninety-fourth part of the...
The ninety-fifth part of the...
The ninety-sixth part of the...
The ninety-seventh part of the...
The ninety-eighth part of the...
The ninety-ninth part of the...
The hundredth part of the...

BANKRUPTCY ACT AMENDMENT BILL.

SCHEDULE of Amendment referred to in Message of 18th July, 1888.

Page 3, clause 5. *Omit* clause 5.



UNDO

GINNE

1887

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, 13 July, 1888. }

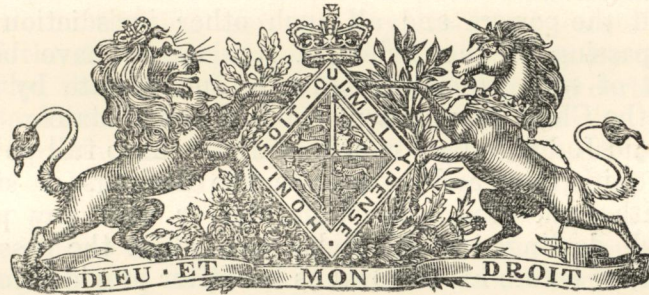
F. W. WEBB,
Clerk of Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with an Amendment.

Legislative Council Chamber,
Sydney, 18th July, 1888. }

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO QUINQUAGESIMO SECUNDO

VICTORIÆ REGINÆ.

No.

An Act to amend the "Bankruptcy Act, 1887."

BE it 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:—

5 1. This Act may be cited as the "Bankruptcy Act Amendment Act, 1888." And the Bankruptcy Act, 1887 [hereinafter termed the 'Principal Act'], and this Act when referred to collectively may be cited as the "Bankruptcy Acts, 1887-1888." Short title.

10 2. The sections of the Principal Act herein specified and the Third Schedule are hereby respectively amended as follows, and the amendments hereby enacted shall have effect as from the passing of the Principal Act, that is to say, — Verbal amendments of Principal Act.

In section 4, subsection (e), the words "or otherwise" shall be omitted.

15 In section 11, the words "debtors' summons" shall be omitted, and the words "bankruptcy notice" shall be substituted for the words so omitted.

910—

In

NOTE.—The words to be omitted are ruled through.

Bankruptcy Act Amendment.

In section 19, subsection (15), the words "able to obtain his" shall be omitted, and the words "released by a" shall be substituted for the words so omitted.

In section 57, the words "and preferences" shall be omitted.

5 In section 133, the word "them" shall be omitted, and the word "him" shall be substituted for the word so omitted.

In the Third Schedule, the figures "£300," wheresoever they occur, shall be omitted, and the figures "£200" shall be substituted for the figures so omitted.

10 Provided always that nothing in this section shall affect any judgment or order of the Supreme Court or of the Judge in Bankruptcy given or made, or any proceedings pending, before or at the commencement of this Act.

3. (I) In any case where, before the Principal Act came into
15 force, the estate of any person had under the Acts relating to Insolvency been vested in any official assignee, the Judge in Bankruptcy shall, in respect of such official assignee and every estate so vested in him, have and may exercise all the powers and all such other jurisdiction as previously to the passing of the Principal Act might have been
20 exercised in respect of such official assignee or such estate by the Chief Justice or by the Chief Commissioner of Insolvent Estates.

Jurisdiction, &c., in respect of estates vested in official assignees before passing of Principal Act.

(II) The said Judge in Bankruptcy shall also have full power and authority to inquire into, and investigate, the dealings of such
25 official assignees with each estate vested in him or with any part thereof, whether such dealings took place before or since the passing of the Principal Act, or before his removal as hereafter provided for.

(III) The said Judge shall also have full power and authority to remove such official assignee from being the official assignee of any particular estate, and may appoint any other of the official assignees
30 to be the official assignee of such estate, and in case of such removal, the right, title, and interest of the official assignee so removed shall, by the order appointing the official assignee in his place vest in the official assignee so appointed as aforesaid.

(IV) The said Judge shall also have full power and authority
35 to order any official assignee to bring into Court any sums of money which he may find to be in the hands of such official assignee, and also may call upon any official assignee to account fully for all moneys which have come to his hands at any time and to show how the same were disposed of, and generally may exercise all necessary powers and
40 authorities to compel any official assignee fully to disclose all his dealings with all or any of the estates so vested in him.

(V) The said Judge may also, upon the application of the Colonial Treasurer or of any person interested, direct an investigation
45 by the Colonial Treasurer or by any person instructed by the Colonial Treasurer, or by the Registrar, of the books, accounts, vouchers, papers, and documents of any such official assignee, and may order such books, accounts, vouchers, papers or documents to be handed over to the Colonial Treasurer or to any person instructed by him, or to the Registrar; and may direct an inquiry as to the conduct, omissions, and dealings of
50 any such assignee, and may remove him from his office for misconduct or neglect.

(VI) Provided always that every official assignee appointed an official assignee of any estate under the provisions of this section shall be subject to all the provisions of this section, in respect of the estate
55 to which he is so appointed.

4. For the purpose of transferring any estate vested in an official assignee or trustee (whether such estate were vested before or after the passing of the Principal Act) to, and vesting the same in, some other official assignee or trustee, the Judge in Bankruptcy may
make

Judge may make vesting order.

Bankruptcy Act Amendment.

make such vesting order as in his opinion will effectually carry out such transfer to, and the vesting of such estate in, the person named in such order. And such order when made shall have the effect of vesting in the person therein named the whole right, title, and interest of the official assignee or trustee from whom such right, title, and interest shall be intended to be divested or transferred.

5. Every Certificate of Discharge issued under the Principal Act shall have the re-vesting effect given by section thirty-six of the said Act to an Order of Release, but subject to the first proviso contained in that section in the words following, viz.: "Provided that all sales and dispositions of the property and payments made and acts theretofore done by the official assignee or trustee shall be valid."

Effect of certificate of discharge.

6. 5. Notwithstanding anything in the Principal Act, the fifteenth section of the Act seventh of Victoria number nineteen, and the third section of the Act tenth Victoria number fourteen shall, for the respective purposes mentioned in such sections, be deemed to be and to have always been in full force in respect to all titles to property belonging to or forming part of any insolvent estate within the meaning of the Acts relating to insolvency repealed by the Principal Act; provided that after the passing of this Act the certificate of the Judge in Bankruptcy shall have the same effect as the certificate of the Chief Commissioner mentioned in the said fifteenth section of the Act seventh of Victoria number nineteen; and provided also that in applying the provisions of the said sections to conveyances or transfers, executed by official assignees or trustees, of property forming part of any bankrupt estate, and to purchasers from such assignees or trustees, the expression "insolvent estate" shall include "bankrupt estate" within the meaning of the Principal Act, the expression "official assignee" shall include "an official assignee" within the like meaning, and the expression "elected assignee" and "trustee" shall include "a trustee" within the like meaning.

Revival of sec. 15 of 7 Vic. No. 19, and sec. 3 of 10 Vic. No. 14, and provisoes.

7. 6. No action or proceeding of any kind to which an official assignee or trustee shall have been a party, shall be deemed to have abated by the death, or resignation, or vacation of, or removal from, office of any such official assignee or trustee; but in every such case such action or proceeding may be continued in the name of the official assignee or trustee appointed in the place of the official assignee or trustee who has died, resigned, or vacated, or been removed from, his office. Provided that a suggestion in the usual way be made of such death, resignation, removal, or vacation.

Provision against abatement in certain cases.

1. The first part of the report deals with the general principles of the method of moments. It is shown that the method of moments is a powerful tool for the analysis of data from a wide variety of sources. The method is based on the assumption that the data are independent and identically distributed. The method of moments is a simple and efficient way to estimate the parameters of a distribution. It is particularly useful for the analysis of data from a wide variety of sources. The method is based on the assumption that the data are independent and identically distributed. The method of moments is a simple and efficient way to estimate the parameters of a distribution. It is particularly useful for the analysis of data from a wide variety of sources.

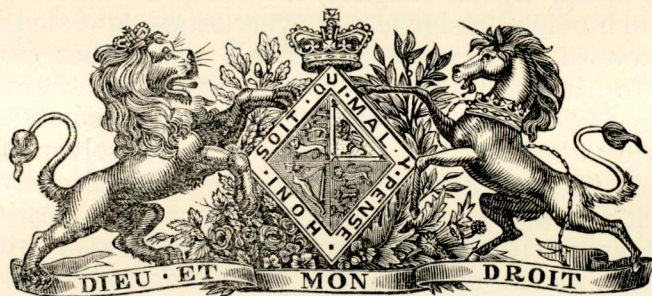
2. The second part of the report deals with the application of the method of moments to the analysis of data from a wide variety of sources. It is shown that the method of moments is a powerful tool for the analysis of data from a wide variety of sources. The method is based on the assumption that the data are independent and identically distributed. The method of moments is a simple and efficient way to estimate the parameters of a distribution. It is particularly useful for the analysis of data from a wide variety of sources.

3. The third part of the report deals with the application of the method of moments to the analysis of data from a wide variety of sources. It is shown that the method of moments is a powerful tool for the analysis of data from a wide variety of sources. The method is based on the assumption that the data are independent and identically distributed. The method of moments is a simple and efficient way to estimate the parameters of a distribution. It is particularly useful for the analysis of data from a wide variety of sources.

4. The fourth part of the report deals with the application of the method of moments to the analysis of data from a wide variety of sources. It is shown that the method of moments is a powerful tool for the analysis of data from a wide variety of sources. The method is based on the assumption that the data are independent and identically distributed. The method of moments is a simple and efficient way to estimate the parameters of a distribution. It is particularly useful for the analysis of data from a wide variety of sources.

5. The fifth part of the report deals with the application of the method of moments to the analysis of data from a wide variety of sources. It is shown that the method of moments is a powerful tool for the analysis of data from a wide variety of sources. The method is based on the assumption that the data are independent and identically distributed. The method of moments is a simple and efficient way to estimate the parameters of a distribution. It is particularly useful for the analysis of data from a wide variety of sources.

New South Wales.



ANNO QUINQUAGESIMO SECUNDO

VICTORIÆ REGINÆ.

No. XI.

An Act to amend the "Bankruptcy Act, 1887."
[Assented to, 23rd July, 1888.]

BE it 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. This Act may be cited as the "Bankruptcy Act Amendment Short title. Act, 1888." And the Bankruptcy Act, 1887 [hereinafter termed the 'Principal Act'], and this Act when referred to collectively may be cited as the "Bankruptcy Acts, 1887-1888."

2. The sections of the Principal Act herein specified and the Verbal amendments of Principal Act. Third Schedule are hereby respectively amended as follows, and the amendments hereby enacted shall have effect as from the passing of the Principal Act, that is to say,—

In section 4, subsection (e), the words "or otherwise" shall be omitted.

In section 11, the words "debtors' summons" shall be omitted, and the words "bankruptcy notice" shall be substituted for the words so omitted.

In

Bankruptcy Act Amendment.

In section 19, subsection (15), the words "able to obtain his" shall be omitted, and the words "released by a" shall be substituted for the words so omitted.

In section 57, the words "and preferences" shall be omitted.

In section 133, the word "them" shall be omitted, and the word "him" shall be substituted for the word so omitted.

In the Third Schedule, the figures "£300," wheresoever they occur, shall be omitted, and the figures "£200" shall be substituted for the figures so omitted.

Provided always that nothing in this section shall affect any judgment or order of the Supreme Court or of the Judge in Bankruptcy given or made, or any proceedings pending, before or at the commencement of this Act.

Jurisdiction, &c., in respect of estates vested in official assignees before passing of Principal Act.

3. (i) In any case where, before the Principal Act came into force, the estate of any person had under the Acts relating to Insolvency been vested in any official assignee, the Judge in Bankruptcy shall, in respect of such official assignee and every estate so vested in him, have and may exercise all the powers and all such other jurisdiction as previously to the passing of the Principal Act might have been exercised in respect of such official assignee or such estate by the Chief Justice or by the Chief Commissioner of Insolvent Estates.

(ii) The said Judge in Bankruptcy shall also have full power and authority to inquire into, and investigate, the dealings of such official assignees with each estate vested in him or with any part thereof, whether such dealings took place before or since the passing of the Principal Act, or before his removal as hereafter provided for.

(iii) The said Judge shall also have full power and authority to remove such official assignee from being the official assignee of any particular estate, and may appoint any other of the official assignees to be the official assignee of such estate, and in case of such removal, the right, title, and interest of the official assignee so removed shall, by the order appointing the official assignee in his place vest in the official assignee so appointed as aforesaid.

(iv) The said Judge shall also have full power and authority to order any official assignee to bring into Court any sums of money which he may find to be in the hands of such official assignee, and also may call upon any official assignee to account fully for all moneys which have come to his hands at any time and to show how the same were disposed of, and generally may exercise all necessary powers and authorities to compel any official assignee fully to disclose all his dealings with all or any of the estates so vested in him.

(v) The said Judge may also, upon the application of the Colonial Treasurer or of any person interested, direct an investigation by the Colonial Treasurer or by any person instructed by the Colonial Treasurer, or by the Registrar, of the books, accounts, vouchers, papers, and documents of any such official assignee, and may order such books, accounts, vouchers, papers or documents to be handed over to the Colonial Treasurer or to any person instructed by him, or to the Registrar; and may direct an inquiry as to the conduct, omissions, and dealings of any such assignee, and may remove him from his office for misconduct or neglect.

(vi) Provided always that every official assignee appointed an official assignee of any estate under the provisions of this section shall be subject to all the provisions of this section, in respect of the estate to which he is so appointed.

Judge may make vesting order.

4. For the purpose of transferring any estate vested in an official assignee or trustee (whether such estate were vested before or after the passing of the Principal Act) to, and vesting the same in, some other official assignee or trustee, the Judge in Bankruptcy may make

Bankruptcy Act Amendment.

make such vesting order as in his opinion will effectually carry out such transfer to, and the vesting of such estate in, the person named in such order. And such order when made shall have the effect of vesting in the person therein named the whole right, title, and interest of the official assignee or trustee from whom such right, title, and interest shall be intended to be divested or transferred.

5. Notwithstanding anything in the Principal Act, the fifteenth section of the Act seventh of Victoria number nineteen, and the third section of the Act tenth Victoria number fourteen shall, for the respective purposes mentioned in such sections, be deemed to be and to have always been in full force in respect to all titles to property belonging to or forming part of any insolvent estate within the meaning of the Acts relating to insolvency repealed by the Principal Act; provided that after the passing of this Act the certificate of the Judge in Bankruptcy shall have the same effect as the certificate of the Chief Commissioner mentioned in the said fifteenth section of the Act seventh of Victoria number nineteen; and provided also that in applying the provisions of the said sections to conveyances or transfers, executed by official assignees or trustees, of property forming part of any bankrupt estate, and to purchasers from such assignees or trustees, the expression "insolvent estate" shall include "bankrupt estate" within the meaning of the Principal Act, the expression "official assignee" shall include "an official assignee" within the like meaning, and the expression "elected assignee" and "trustee" shall include "a trustee" within the like meaning.

Revival of sec. 15 of 7 Vic. No. 19, and sec. 3 of 10 Vic. No. 14, and provisoes.

6. No action or proceeding of any kind to which an official assignee or trustee shall have been a party, shall be deemed to have abated by the death, or resignation, or vacation of, or removal from, office of any such official assignee or trustee; but in every such case such action or proceeding may be continued in the name of the official assignee or trustee appointed in the place of the official assignee or trustee who has died, resigned, or vacated, or been removed from, his office. Provided that a suggestion in the usual way be made of such death, resignation, removal, or vacation.

Provision against abatement in certain cases.

Faint, illegible text at the top of the page, possibly a header or title.

Main body of faint, illegible text, appearing to be a list or series of entries.