

68

A BILL INTITULED

AN ACT to amend "The Crown Debts Act 1866."

Title.

**BE IT ENACTED** by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows—

Preamble.

1. The Short Title of this Act shall be "The Crown Debts Act Amendment Act 1868."

Short Title.

2. This Act shall be read and construed as part of "The Crown Debts Act 1866."

Act to be read as part of "Crown Debts Act, 1866."

3. Satisfaction of any debt duty damages sum or sums of money due or claimed to be due to Her Majesty in respect of which any proceedings have been commenced under "The Crown Debts Act 1866" and satisfaction made whether judgment in respect thereof shall or shall not have been obtained may be entered up in the office of the Supreme Court in which such proceedings shall have commenced Provided that satisfaction shall in no case be entered except upon an order of the Supreme Court or a judge thereof for that purpose first obtained Provided further that no such order shall be made except upon a rule nisi or summons calling upon the Attorney-General to show cause nor unless the Attorney-General's consent on the part of Her Majesty to such order shall have been obtained and filed in the office of the Supreme Court (which consent may be in the form contained in Schedule A to this Act) or unless it shall be proved by affidavit to the satisfaction of such Court or judge either that the said debt duty damages claim sum or sums of money have or has been satisfied or that according to equity and good conscience and the real merits and justice of the case the defendant ought not to be required to satisfy the same.

Satisfaction may be entered.

4. A memorandum of the entry of satisfaction of any debt duty damages claim sum or sums of money under the provisions of this Act may be filed with every Registrar of Deeds and District Registrar of Lands with whom any memorandum of the commencement of proceedings under "The Crown Debts Act, 1866," may have been filed and such memorandum of entry of satisfaction may be in the form contained in Schedule B to this Act and shall be certified by the Registrar of the Supreme Court and the Registrar of Deeds or District Registrar of Land shall enter the particulars of such memorandum in the Registry of Crown Debts and such memorandum being duly filed shall effectually release and discharge the lands of the defendant from the lien created by the filing of a memorandum of commencement of proceedings under "The Crown Debts Act 1866."

Memorandum of entry of satisfaction may be registered.

5. A memorandum of such entry of satisfaction in the form contained in Schedule B to this Act certified by the Registrar of the Supreme Court in which satisfaction shall have been so entered may also be filed in the office of every Registrar of the Supreme Court in whose office a memorandum of commencement of proceedings under "The Crown Debts Act 1866" may have been filed And such memorandum of entry of satisfaction being duly filed shall effectually discharge the personal estate of the defendant from the lien created on the filing of a memorandum of commencement of proceedings under "The Crown Debts Act 1866."

Memorandum may also be filed in Supreme Court office.

SCHEDULE A.

FORM OF CONSENT BY THE ATTORNEY-GENERAL.

In the Supreme Court of New Zealand                      District.

THE QUEEN against

The claim of Her Majesty against the abovenamed defendant in respect of which proceedings were commenced on the                      day of                      being satisfied I hereby consent to an order being made to enter satisfaction accordingly.

SCHEDULE B.

In the Supreme Court of New Zealand                      District.

THE QUEEN against

I hereby certify that on the                      day of                      satisfaction of the claim of Her Majesty against the abovenamed defendant in respect whereof proceedings were