

SUPPLEMENTARY ORDER PAPER.

LEGISLATIVE COUNCIL.

Wednesday, the 14th Day of September, 1898.

THE BANKRUPTCY ACT AMENDMENT BILL.

Hon. Mr. TWOMEY, in Committee, to move to insert the following new clause:—

A. Notwithstanding anything to the contrary contained in “The Chattels Transfer Act, 1889,” it is hereby declared that with respect to every deed of assignment for the benefit of creditors, or deed of composition with creditors, executed after the coming into operation of this Act the following provisions shall apply:—

- (1.) No such deed shall be valid unless it is registered as an instrument under the aforesaid Act, nor unless it is executed by all the unsecured creditors within the colony whose respective claims exceed *five* pounds each, nor unless it makes provision for the payment in full of every claim not exceeding *five* pounds.
- (2.) Any creditor having a claim of *thirty* pounds or upwards, or any two or more creditors whose joint claims amount to that sum, may, after obtaining judgment, and on proof that any such deed has been made without their consent, apply to any Stipendiary Magistrate for a certificate to that effect and that the judgment remains unsatisfied, and upon such certificate being lodged with the Registrar of the nearest Court having jurisdiction in bankruptcy it shall have the effect of an adjudication in bankruptcy.
- (3.) The accounts of the trustees under the deed shall in every case be audited by the Audit Office, in like manner in all respects as in the case of a bankrupt estate.