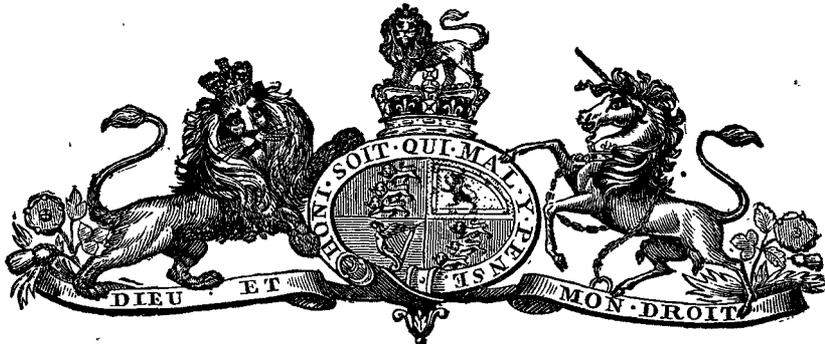


NEW ZEALAND.



ANNO TRICESIMO SECUNDO

VICTORIÆ REGINÆ.

No. XXXI.

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ANALYSIS.

<p>Title. Preamble. 1. Short Title. 2. "Provincial Lawsuits Act Amendment Act 1867" repealed. 3. Within fourteen days after judgment in an action Superintendent to issue his warrant for satisfaction thereof. 4. Within fourteen days after judgment on certain</p>	<p>contracts Superintendent to recommend appropriation. 5. When moneys appropriated for satisfying any judgment Superintendent to issue his warrant to Treasurer for payment thereof. 6. Judgment heretofore obtained to be recoverable under the Act of 1867 notwithstanding repeal thereof. 7. Judgment of Court of Appeal.</p>
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AN ACT to repeal "The Provincial Lawsuits Act Amendment Act 1867" and to make other provision in lieu thereof. Title.  
[16th October 1868.]

WHEREAS it is expedient to repeal "The Provincial Lawsuits Act Amendment Act 1867" and to make other provision in lieu thereof Preamble.

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

1. The Short Title of this Act shall be "The Provincial Lawsuits Act 1868." Short Title.

2. "The Provincial Lawsuits Act Amendment Act 1867" is hereby repealed. "Provincial Lawsuits Act Amendment Act 1867" repealed.

3. Whenever any sum of money shall become payable to any person under and by virtue of any judgment or decree against the Superintendent of any Province in any action brought by or against such Superintendent under the provisions of "The Provincial Lawsuits Act 1858" in respect of any contract duly made by such Superintendent pursuant to any Act of or authority in that behalf given by the Provincial Council of the Province for the performance of any works or services for which provision has been made by any Appropriation Act of the Province such judgment or decree not being under appeal it shall be the duty of such Superintendent within fourteen days after such judgment or decree shall have been entered up of record in the Within fourteen days after judgment in an action Superintendent to issue his warrant for satisfaction thereof.

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said action to issue his warrant to the Treasurer of the Province directing the payment to the person entitled to receive the same of the sum of money not being in excess of such appropriation payable under and by virtue of such judgment or decree and it shall be the duty of the Treasurer of the said Province to pay the amount of such warrant out of the first moneys coming to his hands as part of the revenues of the said Province.

Within fourteen days after judgment on certain contracts Superintendent to recommend appropriation.

4. Whenever any sum of money shall have been adjudged to be paid to any person under and by virtue of any judgment or decree against the Superintendent of any Province in any action brought by or against such Superintendent under the provisions of "The Provincial Lawsuits Act 1858" in respect of any contract duly made by such Superintendent as such for the performance of any works for the public service of the Province for which provision has not been made by any Appropriation Act of the Province such judgment or decree not being under appeal it shall be the duty of such Superintendent within fourteen days after such judgment or decree shall have been entered up of record in the said action in case the Provincial Council shall be in session or within fourteen days after the commencement of the session of such Council next ensuing if such Council shall not be in session to recommend to such Provincial Council the appropriation of a sufficient sum of money to satisfy and pay such judgment or decree.

When moneys appropriated for satisfying any judgment Superintendent to issue his warrant to Treasurer for payment thereof.

5. In case the Provincial Council shall appropriate a sum of money for the purpose of discharging or satisfying the amount payable under or by virtue of such last-mentioned judgment or decree it shall be the duty of the Superintendent to issue his warrant to the Treasurer of the Province directing the payment to the person entitled to receive the same of the sum of money so appropriated and it shall be the duty of the Treasurer of the said Province to pay the amount of such warrant out of the moneys appropriated for that purpose.

Judgment heretofore obtained to be recoverable under the Act of 1867 notwithstanding repeal thereof.

6. Where before the coming into operation of this Act any action has been commenced against any Superintendent under the provisions of "The Provincial Lawsuits Act 1858" the judgment or decree to be given or made in any such action shall be dealt with and enforced and the moneys payable under and by virtue of any such judgment or decree shall be recoverable in the same manner as if "The Provincial Lawsuits Act Amendment Act 1867" were not repealed.

Judgment of Court of Appeal.

7. For the purposes of this Act the judgment or decree of any Court of Appeal shall be deemed to be a judgment or decree in the action giving rise to such judgment or decree in appeal.

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