

AN ACT to repeal "The Provincial Lawsuits Act Amendment Act 1867" and to make other provision in lieu thereof. Title.

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 "The Provincial Lawsuits Act Amendment Act 1867" is hereby repealed. Provincial Lawsuits Act Amendment Act 1867 repealed.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 judgment or decree shall be recovered or obtained against the Superintendent of any Province in any action brought by or against such Superintendent under the provisions of "The Provincial Lawsuits Act 1858" by which judgment or decree any sum of money shall be adjudged or decreed to be paid by such Superintendent to any party to such action such judgment or decree not being under appeal it shall be the duty of such Superintendent within fourteen days after the giving of such judgment or the making of such decree in case the Provincial Council of the Province shall be in session at the time of the giving of such judgment or making of such decree or within fourteen days after the commencement of the session of such Council next ensuing if such Council shall not be in session at the time of the giving of such judgment or making of such decree to recommend to such Provincial Council the appropriation of a sufficient sum of money to satisfy and pay such judgment or decree. Superintendent to recommend appropriation to satisfy judgment.

4. In case the Provincial Council shall appropriate the amount recommended to them by the Superintendent as aforesaid or some other amount to pay the moneys so decreed or adjudged to be paid it shall be the duty of the Superintendent to issue his warrant to the Treasurer of the Province directing the payment to the party entitled to receive the same of the sum of money so appropriated to the person entitled to receive the same 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. Superintendent to issue warrant for amount of judgment.

5. 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. Judgment of Court of Appeal.