

PAPUA.



No. 15 of 1924.

AN ORDINANCE

To Amend the "Mercantile Ordinance, 1912."

J. H. P. MURRAY.

[L.S.]

30th July, 1924.

BE it enacted by the Lieutenant-Governor of the Territory of Papua with the advice and consent of the Legislative Council thereof as follows:—

1. (1) This Ordinance may be cited as the *Mercantile Ordinance, 1924.* Short title and citation.

(2) The *Mercantile Ordinance, 1912*, is in this Ordinance referred to as the Principal Ordinance.

(3) The Principal Ordinance as amended by this Ordinance may be cited as the *Mercantile Ordinance, 1912-1924.*

Assignment of
debts and
choses in
action.
Q. 40 Vic.
No. 6, s. 5 (6).

2. After Section Two of the Principal Ordinance the following new section is inserted :—

“2A. Any absolute assignment by writing under the hand of the assignor (not purporting to be by way of charge only) of any debt or other legal chose in action of which express notice in writing shall have been given to the debtor trustee or other person from whom the assignor would have been entitled to receive or claim such debt or chose in action shall be and be deemed to have been effectual in law (subject to all equities which would have been entitled to priority over the right of the assignee if this Ordinance had not passed) to pass and transfer the legal right to such debt or chose in action from the date of such notice and all legal and other remedies for the same and the power to give a good discharge for the same without the concurrence of the assignor :

Debtor may
interplead or
pay money
into Court.

Provided always that if the debtor trustee or other person liable in respect of such debt or chose in action shall have had notice that such assignment is disputed by the assignor or any one claiming under him or of any other opposing or conflicting claims to such debt or chose in action he shall be entitled if he think fit to call upon the several persons making claim thereto to interplead concerning the same in the manner provided by the *Interdict Act of 1867* (Queensland Adopted) in like cases or he may if he think fit pay the same into Court under and in conformity with the provisions of the Ordinances for the relief of trustees.”

Passed in Council this thirtieth day of July, in the year of Our Lord One thousand nine hundred and twenty-four.