No. 343.

An Act to amend the Law relating to the Lien of Unpaid Vendors, and for other purposes.

[Assented to, November 11th, 1885.]

Be it Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said province, in this present Parliament assembled, as follows:

1. The delivery of a warrant for goods, endorsed by the person or persons to whom the same has been issued, or by the lawful holder or holders thereof, or by his or their attorney or agents, to a bonâ fide assignee for valuable consideration, shall hereafter be deemed to pass the possession as well as the property in the goods, wares, or merchandise, described and mentioned in such warrant; and no unpaid vendor of such goods, wares, or merchandise shall have any right to resume the possession of, or to exercise any lien in respect of the same, or any part thereof, after such endorsement and delivery of any such warrant for goods.

Delivery of warrant to pass possession as well as property in goods therein mentioned.

2. From and after the passing of this Act no goods, wares, or merchandise in the possession of or under the control of any warehouse-keeper or wharfinger as bailee thereof, shall be deemed to be in the possession, order, or disposition of any insolvent debtor by reason only of the same being or remaining in the name of such insolvent debtor in the books of the warehousekeeper or wharfinger, or by reason only of no notice of any change of ownership in the said goods, wares, or merchandise having been given to such warehousekeeper or wharfinger.

Goods in possession of a warehouse-keeper not to be deemed in disposition of any insolvent merely because standing in his name, or because no notice given of change of ownership.

3. In
3. In the construction of this Act the expression, "Warrant for goods," shall include every warehouse-keeper's certificate, wharfinger's certificate, dock warrant, bonded certificate, storage receipt, holding order, and also all warrants or orders for the delivery of goods or other document used in the ordinary course of business, and given by such warehousekeeper in respect of goods held by him as bailee thereof, as proof of the possession or control of goods, and authorising or purporting to authorise by endorsement the possessor of such document to transfer or receive the goods thereby represented.

4. This Act may be cited for all purposes as the "Lien of Unpaid Vendors Act, 1885."

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

JAS. P. BOUCAUT, Deputy Governor.