

1904.

(Enregistré sur les Records le 2 Mai 1904.)

AT THE COURT AT BUCKINGHAM PALACE,

The 21st day of April, 1904.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT

EARL OF KINTORE

SIR SAVILE CROSSLEY.

Loi portant
modification à
la Procédure
en Plaids
d'Héritage.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 11th day of April, 1904, in the words following, viz. :—

“YOUR MAJESTY having been pleased by Your General Order of Reference of the 24th day of January, 1901, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, dated the 12th March, 1904, setting forth :—1. that with a view to simplifying and improving the Procedure in the Court known as ‘Plaids d’Héritage,’ a Committee of the Royal Court, after consultation with the Crown Officers, reported to the Court that it was advisable to abolish a practice whereby a Creditor is obliged to allow a term of 40 days to elapse between the two stages of an Action known respectively as ‘Troisième Défaut’ and ‘Quatrième Acte,’ during which period he is debarred from taking any step whatever ; 2. that at the Court of Chief Pleas held on the 18th January, 1904, the Court, after hearing the Crown Officers and others, adopted the Bill or ‘Projet de Loi’ set forth in the Schedule to the Petition ; and the Bailiff was requested to submit the same to the States for their consideration with a view to its being presented, if approved, to Your Majesty for Your Royal Sanction ; 3. that the Bill or ‘Projet’ in question was duly

submitted to the States ; and at a meeting of that Body held on the 9th day of March, 1904, the same was approved and adopted without alteration ; and most humbly praying that Your Majesty would be graciously pleased to sanction the Bill or 'Projet de Loi' intituled 'Loi portant Modification à la Procédure en Plaids d'Héritage' as the same is set forth in the Schedule to the said Petition, and to order and direct that, as from the date of registration of the Order to be made thereon, the said Bill or 'Projet' might have the force of Law within the Island of Guernsey :

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“ THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have this day taken the said Petition into consideration, and do agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition, and to approve of and ratify the 'Projet de Loi' entitled 'Loi portant Modification à la Procédure en Plaids d'Héritage.' ”

HIS MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve of and ratify the said “Projet de Loi,” and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

And His Majesty doth hereby further direct that this Order and the said “Projet de Loi” (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly. And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other

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_____ A. W. FITZ ROY.

PROJET DE LOI referred to in the foregoing Order in Council.

LOI PORTANT MODIFICATION A LA PROCÉDURE
EN PLAIDS D'HÉRITAGE.

Après le troisième défaut en Plaids d'Héritage contre un débiteur, il ne doit plus s'écouler un terme de quarante jours avant que le saisi ne puisse procéder de nouveau et obtenir le quatrième Acte.
