

THE JUDGMENT LIEN ACT

Cap. 185.

[1844.]

1. This Act may be cited as the Judgment Lien Act. Short title.

2. If any person against whom any judgment shall be entered up, has or is entitled to, any Government, Island or other stock, funds, or annuities or any stock or shares of or in any public company in this Island (whether incorporated or not) standing in his name in his own right or in the name of any person in trust for him, it shall be lawful for any Judge of the Supreme Court, on the application of any judgment creditor, to order that such stock, funds, annuities, or shares, or such of them or such part thereof respectively as he shall think fit, shall stand charged with the payment of the amount for which judgment shall have been so entered up, and all interest due thereon; and such order shall entitle the judgment creditor to all such remedies as he would have been entitled to if such charge had been made in his favour by the judgment debtor:

Judge may order judgment to be a charge upon government securities, etc.

Provided, that no proceedings shall be taken to have the benefit of such charge until after the expiration of three calendar months from the date of such order.

3. Every such order charging any Government or Island stock, funds, or annuities, or any stock or shares in any public company, under this Act shall be made in the first instance *ex parte*, and without any notice to the judgment debtor, and shall be an order to show cause only; and every such order shall restrain the directors of such bank or company, or the Accountant-General of this Island, from permitting a transfer of such stock, or making payment of

Effect of order.

any dividends or interest arising thereon, in the meantime, and until such order shall be made absolute or discharged; and if, after notice of such order to the person or persons to be restrained thereby, or in case of a corporation, to any authorized agent of such corporation, and before the same order shall be discharged or made absolute, such corporation, or person or persons, shall permit any such transfer to be made, then and in such case the corporation, or person or persons so permitting such transfer, shall be liable to the judgment creditor for the value or amount of the property so charged and so transferred, or such part thereof as may be sufficient to satisfy his judgment; and no disposition of the judgment debtor in the meantime shall be valid or effectual as against the judgment creditor; and unless the judgment debtor shall, within a time to be mentioned in such order, show to a Judge of the Supreme Court sufficient cause to the contrary, *the said order shall, after proof of notice thereof to the judgment debtor, his procuracy attorney or agent, be made absolute:*

Provided, that any such Judge shall, upon the application of the judgment debtor, or any person interested, have full power to discharge or vary such order in all cases, and to award such costs as he may think fit.