A BILL

To Restrain the Issue in certain cases of Writs of Capias ad respondendum and Ne exeat regno.

Preamble.

WHEREAS it is expedient to put an end to vexatious arrests made under and by force of certain Writs of Capias ad respondendum and Ne exeat regno, issuable within the jurisdiction of Vancouver Island and its Dependeecies, upon debts or causes of action contracted or accruing out of the said jurisdiction;

Be it therefore enacted by the Governor, on Her Majesty's behalf, by and with the consent of the Legislative Council and Assembly of Vancouver Island and its Dependencies, as follows:

No Writ shall issue unless defendant has been resident within the colony for thirty days.

1. That from and after the passing of this Act no Writ or Writs of "capias ad respondendum" or "Ne exeat regno" shall issue out of the Courts of Law or Equity, in Vancouver Island or its Dependencies, in respect of any debt or money, demand upon any contract, or of any claim directly or indirectly for money or damages arising from any breach or breaches of any contract or contracts made out of the jurisdiction of the said Courts, or in respect of any foreign or colonial judgment, or of any suit or suits in equity arising from any contract matter or thing out of the said jurisdiction, any law heretofore existing to the contrary notwithstanding, unless the defendant or defendants in any or either of such case or cases shall have been resident within the jurisdiction of the said Courts of Vancouver Island or its Dependencies for the space of thirty days next immediately preceding the application for such Writ or Writs.

Short Title.

2. This Act may be cited for all purposes as "The Writ of Capias Restriction Act, 1863."