

# AN ACT

## To amend the Law as to Imprisonment for Debt.

WHEREAS, persons about to leave Vancouver Island and its Dependencies, are frequently arrested for debt for frivolous or vexatious reasons, and it is expedient that such a practice should be abolished ;

Be it therefore enacted by the Governor, by and with the advice and consent of the Legislative Council and Assembly of Vancouver Island and its Dependencies, as follows :

I. From and after the passage of this Act, the Writs of *Capias ad respondendum*, and *Capias ad satisfaciendum* are abolished.

II. Previous to the arrest of any Person or Persons under a Writ of *ne exeat regno*, the Plaintiff or Plaintiffs shall give a Bond, with one or more Sureties, to the satisfaction of the Chief Justice of the Supreme Court of Civil Justice, and deposit the same with the Registrar of the said Court, in which the Plaintiff or Plaintiffs shall be obligee or obligees conditioned to pay to the Defendant or Defendants so arrested, such costs as the Court or a Judge shall direct to be paid, in the event of his ordering that the Defendant or Defendants shall be discharged out of custody, that the Bonds should be given up to be cancelled, or that the money deposited with the Sheriff or paid into Court should be restored to the Defendant or Defendants.

III. The bail or security required to be taken under a writ of *ne exeat regno* shall not be that the person arrested or intended to be arrested, will not go or attempt to go out of the Colony of Vancouver Island and its Dependencies, but shall merely be to the effect that the person arrested will perform and abide by the orders and decrees made or to be made in the suit, or will personally appear for the purposes of the suit at such times and places as the Court may from time to time order, and will, in case he becomes liable by law to be committed to close custody, render himself, if so ordered, into the custody of the Sheriff when and as the Court may from time to time direct.

IV. Process of contempt for non-payment of any sum of money or for non-payment of any costs, charges or expenses, payable by any decree or order of the Supreme Court of Civil Justice in equity, or of a Judge thereof, or by any rule or order of the said Court, in its common law jurisdiction, or of a Judge thereof, or by any decree, order or rule of the said Inferior Court, or of a Judge thereof is abolished.

V. This Act may be cited as " An Act to amend the Law as to Imprisonment for Debt."