

VICTORIA.



ANNO VICESIMO NONO

VICTORIÆ REGINÆ.

CCXCII.

An Act to amend the Act numbered Two hundred and eighty-four. [28th November, 1865.]

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows :—

1. The first section of the Act of the Parliament of Victoria numbered CCLXXXIV. shall be and the same is hereby repealed and in lieu thereof the following shall be and be deemed to have been from the time of the commencement of the said Act (save as regards any arrest or order for imprisonment made between the time of the commencement of the said Act and the passing hereof) the first section of the said Act that is to say—

Repeal of s. 1 Act No. CCLXXXIV.

2. Except as is hereinafter provided no person after the commencement of this Act shall be arrested or imprisoned or detained in prison upon any writ of *capias ad satisfaciendum* issued out of the Supreme Court after or before the passing of this Act any law or practice of such court to the contrary notwithstanding and no defendant shall be arrested or imprisoned for or in satisfaction of any order made by justices under any law empowering justices to make an order for the payment of calls due by any shareholder in a company formed for mining purposes to such company (provided such defendant shall before or at the time of the making of such order relinquish and effectually transfer the shares in respect of which payment of such calls is demanded and deliver the scrip thereof if any to the manager of such company for the use of the company)

Imprisonment for debt abolished except in certain cases.

First Schedule.

company) or for the payment of any contribution in the event of such company being wound up and no defendant shall be arrested or imprisoned for or in satisfaction of any order made by justices under any law authorising justices to make an order for the payment of any sum not exceeding twenty pounds in respect of any one or more cause or causes of action or the cause of complaint mentioned in the First Schedule hereto. It shall not be lawful after the passing of this Act for the clerk of any county court to issue a warrant of commitment upon a return made to any warrant of execution that the bailiff or officer could find no sufficient property of the person against whom such warrant shall have issued liable to satisfy such execution and no person shall be arrested or imprisoned in execution upon or in satisfaction of any judgment or order recovered or obtained in any county court save in the special cases where such court is empowered by law to make an order of commitment and in no such case shall any person be committed for a longer period than four months.

MELBOURNE:

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