

Vice-Admiralty Vexatious Arrests.

Act No. 3, 1902.

An Act to consolidate the law relating to frivolous and vexatious arrests by process issuing out of the Vice-Admiralty Court. [15th January, 1902.]

VICE-ADMIRALTY
VEXATIOUS
ARRESTS.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Vice-Admiralty Vexatious Arrests Act, 1901." Short title.

2. The Act mentioned in the Schedule to this Act is, to the extent therein expressed, hereby repealed. Repeal.

3. If any ship or vessel, or the master or commander thereof, is arrested by any process issuing out of the Vice-Admiralty Court of New South Wales for any matter or thing not within the jurisdiction of the said Court, the complainant or promovent in any such proceedings, and the proctor of such complainant or promovent, shall be liable to pay the costs of all such proceedings, both in the said Court and in the Supreme Court, in case a writ of prohibition is granted, to be taxed as between attorney and client. Liability for costs where vessel or master arrested without jurisdiction. 11 Vic. No. 46, s. 1.

4. In default of payment of such costs, a writ of attachment may be issued out of the Supreme Court against the party at whose suit such ship or vessel, or master or commander, has been arrested, and the proctor of such party. Attachment on non-payment of costs. Ibid.

5. The master or commander of every such ship or vessel so arrested in any such proceeding, or any other person who may directly or indirectly be injured, or sustain any damage, through or by means of any such ship or vessel, or master or commander, being arrested in any such proceeding, may, in an action on the case in any Court of competent jurisdiction, sue for and recover of and from the party causing such ship or vessel, or master or commander, to be arrested as aforesaid, or the proctor of such party in such proceeding, all such damages as he may have sustained or have been put to by such arrest. Damages recoverable by person injured by such arrest. Ibid. s. 2.

SCHEDULE.

Act No. 4, 1902.

Government Railways (Commissioner's Salary).

SCHEDULE.

Reference to Act.	Title.	Extent of repeal.
11 Vic. No. 46 ...	An Act to prevent frivolous and vexatious arrests of ships and vessels, or the masters or commanders thereof, by process issuing out of the Vice-Admiralty Court of New South Wales.	The unrepealed portion.