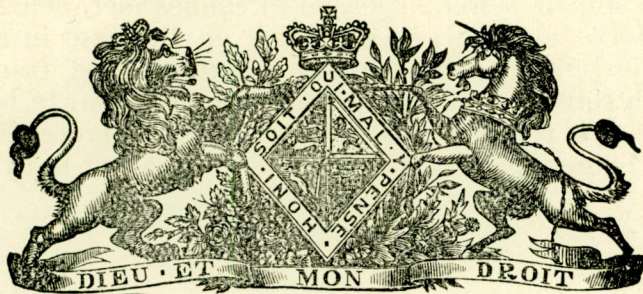


New South Wales.



ANNO PRIMO

EDWARDI VII REGIS.

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. [Assented to, 15th January, 1902.]

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."

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 The Act mentioned in the Schedule to this Act is, to the extent therein expressed, hereby repealed.

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

Liability for costs where vessel or master arrested without jurisdiction.
of 11 Vic. No. 46, s. 1.

Vice-Admiralty Vexatious Arrests.

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.

Attachment on
non-payment of
costs.

11 Vic. No. 46, s. 1.

Damages recoverable
by person injured by
such arrest.

Ibid. s. 2.

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.

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.

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.

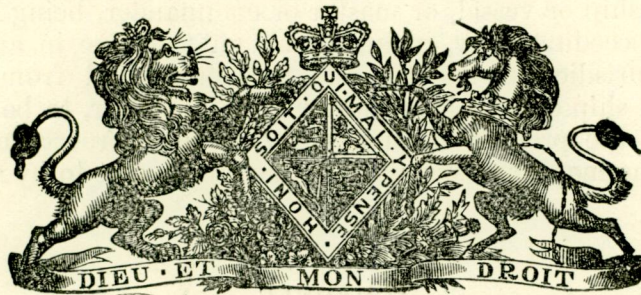
By Authority: WILLIAM APPELEGATE GULLICK, Government Printer, Sydney, 1902.
[3d.]

I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE COUNCIL, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Legislative Council Chamber,
Sydney, 5th December, 1901.* }

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO PRIMO

EDWARDI VII REGIS.

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.
[Assented to, 15th January, 1902.]

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

Liability for costs where vessel or master arrested without jurisdiction.

of 11 Vic. No. 46, s. 1.

Vice-Admiralty Vexatious Arrests.

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.

Attachment on non-payment of costs.
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.

Damages recoverable by person injured by such arrest.
Ibid. s. 2.

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.

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.

*In the name and on the behalf of His Majesty I assent to this Act.
By Deputation from His Excellency the Lieutenant-Governor.*

*State Government House,
Sydney, 15th January, 1902.*

WM. OWEN.

Certificate to accompany the Vice-Admiralty
Vexatious Arrests Bill.

I CERTIFY that this Bill solely consolidates, and in no way alters, adds to, or amends the law as contained in the enactments therein consolidated.

CHAS. G. HEYDON,
Commissioner for the Consolidation of the Statute Law.

Vice-Admiralty Vexatious Arrests Bill.

TABLE showing how the sections of the Act consolidated have been dealt with.

Section of Repealed Act.	Section of Consolidated Act.	Remarks.
	11 VICTORIA NO. 46.	
1	3, 4	
2	5	
3	Dealt with in Evidence Act.

Vice-Admiral's Vexatious Arrests Bill

Table showing how the results of the last consolidated bill have been

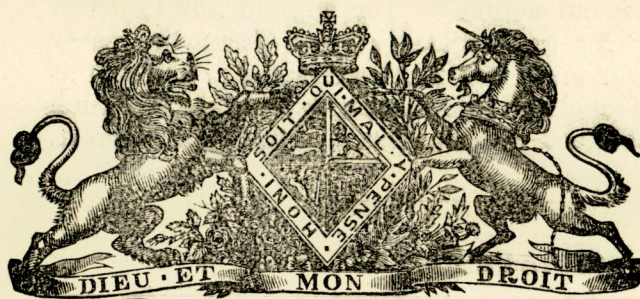
Period	Number of Arrests	Number of Cases
1870-71	1,234	567
1871-72	1,123	543
1872-73	1,012	521
1873-74	901	498
1874-75	890	487
1875-76	789	476
1876-77	678	465
1877-78	567	454
1878-79	456	443
1879-80	345	432
1880-81	234	421
1881-82	123	410
1882-83	112	409
1883-84	101	408
1884-85	90	407
1885-86	89	406
1886-87	78	405
1887-88	67	404
1888-89	56	403
1889-90	45	402
1890-91	34	401
1891-92	23	400
1892-93	12	399
1893-94	11	398
1894-95	10	397
1895-96	9	396
1896-97	8	395
1897-98	7	394
1898-99	6	393
1899-00	5	392
1900-01	4	391
1901-02	3	390
1902-03	2	389
1903-04	1	388
1904-05	1	387
1905-06	1	386
1906-07	1	385
1907-08	1	384
1908-09	1	383
1909-10	1	382
1910-11	1	381
1911-12	1	380
1912-13	1	379
1913-14	1	378
1914-15	1	377
1915-16	1	376
1916-17	1	375
1917-18	1	374
1918-19	1	373
1919-20	1	372
1920-21	1	371
1921-22	1	370
1922-23	1	369
1923-24	1	368
1924-25	1	367
1925-26	1	366
1926-27	1	365
1927-28	1	364
1928-29	1	363
1929-30	1	362
1930-31	1	361
1931-32	1	360
1932-33	1	359
1933-34	1	358
1934-35	1	357
1935-36	1	356
1936-37	1	355
1937-38	1	354
1938-39	1	353
1939-40	1	352
1940-41	1	351
1941-42	1	350
1942-43	1	349
1943-44	1	348
1944-45	1	347
1945-46	1	346
1946-47	1	345
1947-48	1	344
1948-49	1	343
1949-50	1	342
1950-51	1	341
1951-52	1	340
1952-53	1	339
1953-54	1	338
1954-55	1	337
1955-56	1	336
1956-57	1	335
1957-58	1	334
1958-59	1	333
1959-60	1	332
1960-61	1	331
1961-62	1	330
1962-63	1	329
1963-64	1	328
1964-65	1	327
1965-66	1	326
1966-67	1	325
1967-68	1	324
1968-69	1	323
1969-70	1	322
1970-71	1	321
1971-72	1	320
1972-73	1	319
1973-74	1	318
1974-75	1	317
1975-76	1	316
1976-77	1	315
1977-78	1	314
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1979-80	1	312
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1981-82	1	310
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1987-88	1	304
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1989-90	1	302
1990-91	1	301
1991-92	1	300
1992-93	1	299
1993-94	1	298
1994-95	1	297
1995-96	1	296
1996-97	1	295
1997-98	1	294
1998-99	1	293
1999-00	1	292
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2001-02	1	290
2002-03	1	289
2003-04	1	288
2004-05	1	287
2005-06	1	286
2006-07	1	285
2007-08	1	284
2008-09	1	283
2009-10	1	282
2010-11	1	281
2011-12	1	280
2012-13	1	279
2013-14	1	278
2014-15	1	277
2015-16	1	276
2016-17	1	275
2017-18	1	274
2018-19	1	273
2019-20	1	272
2020-21	1	271
2021-22	1	270
2022-23	1	269
2023-24	1	268
2024-25	1	267
2025-26	1	266
2026-27	1	265
2027-28	1	264
2028-29	1	263
2029-30	1	262
2030-31	1	261
2031-32	1	260
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2038-39	1	253
2039-40	1	252
2040-41	1	251
2041-42	1	250
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2046-47	1	245
2047-48	1	244
2048-49	1	243
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2053-54	1	238
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2063-64	1	228
2064-65	1	227
2065-66	1	226
2066-67	1	225
2067-68	1	224
2068-69	1	223
2069-70	1	222
2070-71	1	221
2071-72	1	220
2072-73	1	219
2073-74	1	218
2074-75	1	217
2075-76	1	216
2076-77	1	215
2077-78	1	214
2078-79	1	213
2079-80	1	212
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2082-83	1	209
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2097-98	1	194
2098-99	1	193
2099-00	1	192
2100-01	1	191
2101-02	1	190
2102-03	1	189
2103-04	1	188
2104-05	1	187
2105-06	1	186
2106-07	1	185
2107-08	1	184
2108-09	1	183
2109-10	1	182
2110-11	1	181
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2133-34	1	158
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2135-36	1	156
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2139-40	1	152
2140-41	1	151
2141-42	1	150
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2143-44	1	148
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2163-64	1	128
2164-65	1	127
2165-66	1	126
2166-67	1	125
2167-68	1	124
2168-69	1	123
2169-70	1	122
2170-71	1	121
2171-72	1	120
2172-73	1	119
2173-74	1	118
2174-75	1	117
2175-76	1	116
2176-77	1	115
2177-78	1	114
2178-79	1	113
2179-80	1	112
2180-81	1	111
2181-82	1	110
2182-83	1	109
2183-84	1	108
2184-85	1	107
2185-86	1	106
2186-87	1	105
2187-88	1	104
2188-89	1	103
2189-90	1	102
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2191-92	1	100
2192-93	1	99
2193-94	1	98
2194-95	1	97
2195-96	1	96
2196-97	1	95
2197-98	1	94
2198-99	1	93
2199-00	1	92
2200-01	1	91
2201-02	1	90
2202-03	1	89
2203-04	1	88
2204-05	1	87
2205-06	1	86
2206-07	1	85
2207-08	1	84
2208-09	1	83
2209-10	1	82
2210-11	1	81
2211-12	1	80
2212-13	1	79
2213-14	1	78
2214-15	1	77
2215-16	1	76
2216-17	1	75
2217-18	1	74
2218-19	1	73
2219-20	1	72
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2252-53	1	39
2253-54	1	38
2254-55	1	37
2255-56	1	36
2256-57	1	35
2257-58	1	34
2258-59	1	33
2259-60	1	32
2260-61	1	31
2261-62	1	30
2262-63	1	29
2263-64	1	28
2264-65	1	27
2265-66	1	26
2266-67	1	25
2267-68	1	24
2268-69	1	23
2269-70	1	22
2270-71	1	21
2271-72	1	20
2272-73	1	19
2273-74	1	18
2274-75	1	17
2275-76	1	16
2276-77	1	15
2277-78	1	14
2278-79	1	13

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

Legislative Council Chamber,
Sydney, 27th November, 1901. }

JOHN J. CALVERT,
Clerk of the Parliaments,

New South Wales.



ANNO PRIMO

EDWARDI VII REGIS.

Act No. , 1901.

An Act to consolidate the law relating to frivolous and vexatious arrests by process issuing out of the Vice-Admiralty Court.

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 Short title. Arrests Act, 1901."

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

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

Liability for costs where vessel or master arrested without jurisdiction.
of 11 Vic. No. 46, s. 1.

Vice-Admiralty Vexatious Arrests.

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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.

11 Vic. No. 46, s. 1.

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.

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.