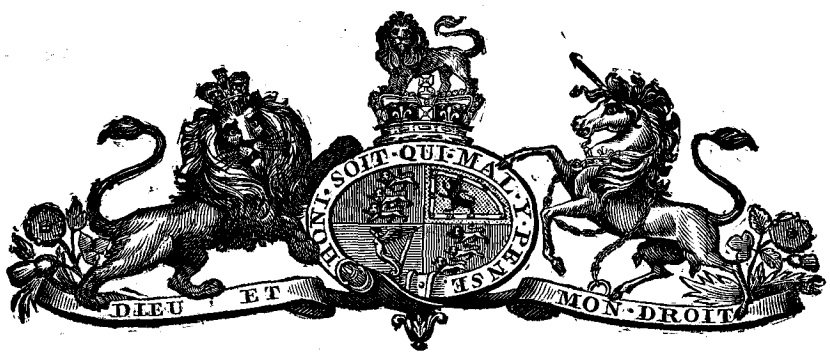

SUPPLEMENT

TO THE

NEW ZEALAND GAZETTE

OF THURSDAY, OCTOBER 29, 1874.

Published by Authority.

WELLINGTON, FRIDAY, OCTOBER 30, 1874.

Appointing Rules for Resident Magistrates' Courts under "Imprisonment for Debt Abolition Act, 1874."

JAMES FERGUSSON, Governor.

WHEREAS by "The Imprisonment for Debt Abolition Act, 1874," (hereafter referred to as "the said Act,") it is enacted that in the said Act the term "prescribed" means, as respects Resident Magistrates' Courts and Courts of Petty Sessions and Justices of the Peace acting under "The Resident Magistrates Act, 1867," or any Acts amending the same, prescribed by general rules or orders to be made by the Governor in like manner as he is now authorized under the said Acts to frame and establish general rules for the purposes thereof; and it is also by the said Act provided that general rules and orders may, as respects the said Courts, Petty Sessions, and Justices so acting as aforesaid, be made by the Governor for the purpose of carrying the said Act into effect:

And whereas by "The Resident Magistrates Act, 1867," it is provided that in all cases not therein specially provided for, the Governor may from time to time frame and establish general rules and orders regulating the practice and forms of all proceedings in Courts under the said last-mentioned Act; and that such rules and orders shall be published in the *New Zealand Gazette*, and when so published shall have the force of law:

Now therefore I, Sir James Fergusson, Baronet, the Governor of the Colony of New Zealand, in pursuance and exercise of the powers and authority conferred upon me by the said hereinbefore recited provisions of the said Acts, do hereby make the general rules and orders and prescribe the fees set forth in the First and Second Schedules hereto respectively.

As witness the hand of His Excellency the Governor, this thirtieth day of October, one thousand eight hundred and seventy-four.

DANIEL POLLEN.

FIRST SCHEDULE.

RULES FOR RESIDENT MAGISTRATES' COURTS UNDER "THE IMPRISONMENT FOR DEBT ABOLITION ACT, 1874."

Interpretation.

In the following Rules, the words "the Act" shall mean "The Imprisonment for Debt Abolition Act, 1874;" and the words "clear days" shall mean that in all cases in which any particular number of days is prescribed for the doing any act, or for any other purpose, the same shall be reckoned exclusive both of the first day and of the last day; and in the interpretation of these Rules, unless there be something in the context inconsistent therewith, the word "person" shall include a body politic or corporate, and every word importing the singular number only shall include the plural number, and words importing the plural number only shall include the singular number, and words importing the masculine gender only shall include females, unless the contrary as to number or gender is expressly provided.

"Magistrate's Court" shall include any Resident Magistrate's Court, Court of Petty Sessions, or any Resident Magistrate or Justices acting under "The Resident Magistrates Act, 1867," or any Act amending the same.

"District Court" shall mean any Court constituted under "The District Courts Act, 1858," or the Acts amending the same.

Judgment Summons.

1. No order of commitment under the Act shall be made unless a summons to appear and be examined on oath (hereinafter called a "judgment summons") shall have been personally served upon the judgment debtor.

2. A judgment summons shall only be issued by a Magistrate's Court when the debtor resides or carries on business within its district, unless leave of such Court has been first obtained.

3. An application by a judgment creditor for the issue of a judgment summons under the Act shall be in writing, signed by the applicant or his agent, according to the form (1) in this Schedule.

4. Where a judgment creditor desires to apply for a judgment summons to a Magistrate's Court, other than the Magistrate's Court in which the order or judgment was obtained, he shall obtain from the Clerk of the Magistrate's Court in which the order or judgment was obtained a certified copy of the order or judgment in the cause, according to the form (2) in this Schedule, and file the same with his application.

5. Where a party desires to enforce by commitment in any Magistrate's Court a judgment decree or order of a District Court or of the Supreme Court, he shall obtain from such District or Supreme Court, as the case may be, an office copy of the judgment decree or order he desires so to enforce, or a copy of such judgment decree or order, certified by the Registrar or Clerk of the Court, and shall file such copy, together with an affidavit in the form (3) in this Schedule, of the sum then due thereon, with the Clerk of the Magistrate's Court to which the application for the judgment summons is made.

6. Every judgment summons on an order or judgment of a Magistrate's Court shall be according to the form (4) in this Schedule, and be issued not less than ten clear days, and be served not less than five clear days, before the day on which the judgment debtor is required to appear, except in the case provided for by rule 8 of these Rules.

7. The Clerk of the Magistrate's Court to which the application for a judgment summons is made shall, upon delivery to him of the certificate of the Clerk of the District Court, or office copy of the judgment, decree, or order of the Supreme Court, as the case may be, file the same, and issue thereon a judgment summons in the form (5) in this Schedule.

8. Where the person applying for the judgment summons shall state to the Clerk of the Magistrate's Court that the judgment debtor is about to remove from his dwelling or place of business, or is keeping out of the way to avoid service, then the judgment summons may be issued and served *at any time* before the hearing: Provided that the Magistrate's Court shall not act upon a summons issued under this rule, unless at the hearing such Court is satisfied, by evidence on oath, that at the time of the application for the judgment summons such party was about to remove from his dwelling or place of business, or was keeping out of the way to avoid service, in either of which cases service upon the party at any time before the time appointed for the appearance of such party shall be sufficient.

9. Where the debtor resides or carries on business within the district of the Magistrate's Court to which the application is made, a judgment summons may issue without leave of the Court, except in cases provided for by the last rule.

10. No successive judgment summonses shall be issued.

11. The hearing of a judgment summons may be adjourned from time to time.

12. Any witness may be summoned to give evidence in the same manner as witnesses are summoned to give evidence upon the hearing of a plaint. Such summons shall be according to the form (6) in this Schedule.

13. Upon the issue of a judgment summons against a party upon an order or judgment of the Magistrate's Court issuing the judgment summons, the Bailiff of such Court shall return into such Court any warrant of execution against the goods of such party which may have been issued in the cause.

14. Where a judgment summons is heard in a Magistrate's Court other than the Court in which the order or judgment was obtained, and an order is made by the Court in which the judgment summons is heard altering the terms of the order or judgment, all payments under the new order shall be made into, and execution thereupon against the goods shall be issued by the Court, which has so altered the order. Such order shall be in the form (7) in this Schedule.

15. Where a certified copy of a judgment is obtained from the Clerk of a Magistrate's or District Court, he shall make on the minute of the judgment a memorandum of having given such certificate; and no warrant of execution against the goods, or judgment summons upon such judgment shall issue from such Court, unless it be shown to the satisfaction of the Court or to the Clerk of such Court that no order has been made against the execution debtor in any other Court.

Order of Commitment.

16. An order of commitment made under the Act on an order or judgment of a Magistrate's Court shall be according to the form (8) in this Schedule, and an order of commitment made under the Act on an order or judgment of a Court other than a Magistrate's Court, shall be in the form (8A) in this Schedule; and every such order shall, on whatever day it may be issued from the Clerk's office, bear date on the day on which the order for commitment was made, and shall continue in force for one year from such date, and no longer.

17. When an order of commitment for non-payment of money is issued, the defendant may, at any time before his body is delivered into the custody of the gaoler, pay to the bailiff the amount indorsed on the order as that on the payment of which he may be discharged; and on receiving such amount the bailiff shall discharge the defendant, and shall, within twenty-four hours after receiving such amount, pay over the same to the Clerk of the Magistrate's Court of which he is an officer.

18. The sum indorsed on the order of commitment as that upon payment of which the prisoner may be discharged may be paid to the Clerk of the Court from which the commitment order was issued, or to the gaoler in whose custody the prisoner is. Where it is paid to the Clerk, he shall sign and seal a certificate of such payment; and upon receiving such certificate by post or otherwise, the gaoler in whose custody the prisoner shall then be shall forthwith discharge such prisoner. And where it is paid to the gaoler, he shall, upon payment to him of such amount, together with costs sufficient to pay for transmitting such amount to the Court under the order of which the prisoner was committed, by post-office order, sign a certificate of such payment and discharge the prisoner, and such costs of transmission shall be part of the prescribed costs.

19. A certificate of payment by a prisoner shall be according to the form (9) in this Schedule.

20. Orders of commitment against the same party may be issued concurrently into more than one district: Provided that the cost of one order only shall be allowed unless the Court shall otherwise direct.

21. All costs incurred by the plaintiff in endeavouring to enforce an order or judgment shall be deemed to be due in pursuance of such order or judgment, under section 5 of "The Imprisonment for Debt Abolition Act, 1874."

22. Where a judgment debtor shall, upon the return day of a judgment summons, satisfy the Court that he has been adjudicated a bankrupt, and that the debt was provable in the bankruptcy, or that, in respect of the debt, the provisions of Part XVIII. of "The Bankruptcy Act, 1867," have been complied with, no order of commitment shall be made.

23. Where a judgment debtor shall, after the making of an order of commitment against him and before its issue, file in the Magistrate's Court in

which the order was made, an affidavit according to the form (10) in this Schedule, stating that he has been adjudicated a bankrupt, and that the debt was provable in the bankruptcy, or that in respect of the judgment debt the provisions of the before-mentioned Part of "The Bankruptcy Act, 1867," have been complied with, and at the same time giving notice to the judgment creditor of the filing of the affidavit, no such order shall issue.

24. Where a judgment debtor is arrested, he may, according to the tenor of the order of commitment, file in the Magistrate's Court within the district of which he is in custody, an affidavit as mentioned in the last foregoing rule, and give the notice to the judgment creditor thereof, as therein required, and thereupon the judgment debtor shall be discharged out of custody upon the certificate of the Clerk of such Court. Such certificate shall be according to the form (11) in this Schedule.

Costs.

25. The costs which shall be payable by a person imprisoned under the Act shall be the fees specified in the Second Schedule, and such fees shall be deemed to be, and shall be, the prescribed costs referred to in section 13 of the Act.

FORMS TO FIRST SCHEDULE.

1.—Application for Judgment Summons.

"*The Imprisonment for Debt Abolition Act*, 1874."

A.B., Plaintiff.

C.D., Defendant [*Address and description of plaintiff and defendant to be added where judgment that of any other Court*].

I apply for the issue of a judgment summons against the said defendant in respect of a judgment [*or* order] of this Court [*or* of the Court of holden at], *or* of [*Here set forth the style or other sufficient description of the Court which gave the judgment or made the order*].

And I undertake to prove, to the satisfaction of the Court at the hearing, that the judgment debtor has, or has had since the date of the judgment [*or* order] the means to pay the sum in respect of which he has made default, and that he has refused or neglected, or refuses or neglects, to pay the said sum [*or specifying any other of the matters mentioned in subsections four and five of section eight of the Act*].

I am aware that if I do not prove the same accordingly that I shall have to pay the cost of this summons.

A.B., Judgment Creditor [*or*
C.D., Agent to the Judgment Creditor].

2.—Certified Copy of Order or Judgment.

The Court of , holden at .

Minutes of Judgments, Orders, and other Proceedings at a Court held at , on the day of 187 , before , [*describing the Magistrate*].

No.	Plaintiff.	Appearance.	Defendant.	Appearance.	Particulars of Claim.	Amount claimed.	Special Defence.	By whom Jury required.	For whom Judgment given.	Amount of Judgment.	Costs.	Order.

	£	s.	d.
Amount of judgment or order, including costs			
Subsequent costs			
Paid into Court			
Total sum now due			

I hereby certify that the above is a true copy of an entry in the minute book, judgments, orders, and other proceedings of the Court of , holden at .

Clerk.

Dated this day of , 187 .

3.—Affidavit where Judgment Summons is sought on an Order of a Court not a Magistrate's Court.

"*The Imprisonment for Debt Abolition Act*, 1874."

In the Court of , holden at .

In the matter of a judgment [*or* order *or* decree] of the Supreme Court [*or as the case may be*],

A.B., Plaintiff [*Address, description*],
and
C.D., Defendant [*Address, description*].

I, A.B., the above-named plaintiff, make oath and say—

1. That on the day of , 187 , I obtained a judgment [*or* decree, *or* order,] in [*Here set forth the style of the Court in which judgment, decree, or order obtained*] against C.D., the above-named defendant, for the payment of the sum of .

2. That there is still due on the said judgment [*or* order *or* decree] the sum of .

Sworn at, &c.,

A.B.

4.—Judgment Summons on an Order or Judgment of a Magistrate's Court.

"*The Imprisonment for Debt Abolition Act*, 1874."

In the [*Title of Court issuing summons*].

No. of Plaint.
No. of Judgment Summons.

Between A.B., Plaintiff [*Address, description*],
and
C.D., Defendant [*Present address, description, and, if known, place of employment*].

Whereas the plaintiff obtained a judgment [*or if no judgment has been obtained, or if a fresh order has been obtained upon a judgment*, an order] against you, the above-named defendant, in the Court of , holden at on the day of , 187 , for the payment of £ , for debt [*or* damages] and costs, and subsequent costs have been incurred in pursuance thereof, amounting to :

And whereas you have made default in payment of the sum payable in pursuance of the said judgment [*or* order] :

You are therefore hereby summoned to appear personally in this Court [*at place where Court holden*] on the day of 187 , at the hour of in the noon, to be examined on oath by the Court touching the means you have or have had since the date of the judgment [*or* order] to satisfy the sum payable in pursuance of the said judgment [*or* order] [*or specifying such of the matters mentioned in subsections four and five of section eight of the Act, as are specified in the application for judgment summons*] ; and also to show cause why you should not be committed to prison for such default.

Dated this day of 187 .

Clerk of the Court.

	£	s.	d.
Amount of judgment, *or* order, and costs ...			
Costs of warrant against the goods, if any ...			
Costs of previous judgment summonses, hearing and commitments, if any			
Deduct { Paid into Court			
Deduct { Amounts which were not required to have been paid before the date of the summons			
Sum payable			
Costs of the summons			
Amount upon the payment of which no further proceedings will be had until default in payment of next instalment			

5.—Judgment Summons on Order or Judgment of a Court other than a Magistrate's Court.

"*The Imprisonment for Debt Abolition Act*, 1874."

In the [*Title of Court issuing Summons*].

No. of Judgment Summons.

Between A.B., Plaintiff [*Address and description*],
and
C.D., Defendant [*Present address, description, and, if known, place of employment*].

Whereas the plaintiff obtained a judgment against the defendant in the Supreme Court of [*or as the case may be*] on the day of , 187 , for the sum of £ , and there is now due and payable upon the said judgment the sum of £ :

[*Or*, Whereas by a decree [*or* order] made by the Supreme Court [*or as the case may be*] on the day of

187 , the defendant was ordered to pay to the plaintiff the sum of £ , and there is now due and payable upon the said decree (*or* order) the sum of £ :]

You are therefore hereby summoned to appear personally in this Court at [*place where Court holden*] on the day of 187 , at the hour of in the noon, to be examined on oath by the Court touching the means you have or have had since the date of the judgment [*or* order] to pay the said sum, in payment of which you have made default [*or specifying such of the matters mentioned in subsections four and five of section eight of the Act as are specified in the application for judgment summons*]; and also to show cause why you should not be committed to prison for such default.

Dated this day of 187 .

Clerk of the Court.

	£ s. d.
Amount of judgment or order remaining due	
Cost of this summons	
Total sum due	

6.—Summons to Witness.

"*The Imprisonment for Debt Abolition Act*, 1874."

No. of Plaint.

In the Court of , holden at .

In the matter of a judgment summons,

(Seal.)

Between A.B., Plaintiff,
and
C.D., Defendant.

You are hereby required to attend at the Court House in , on the day of 187 , at the hour of in the noon, to give evidence in the above matter on behalf of the plaintiff [*or* defendant, *as the case may be*], and then and there to have and produce [*State any particular documents required*], and all other books, papers, writings, and other documents relating to the said matter which may be in your custody, possession, or power. In default of your attendance, you will be liable to a penalty of ten pounds, under "The Resident Magistrates Act, 1867."

Dated this day of 187 .

To .

Clerk of the Court.

7.—Order upon a Judgment Summons altering Original Order or Judgment.

"*The Imprisonment for Debt Abolition Act*, 1874."

In the [*Title of Court issuing Summons.*]

No. of Plaint.
No. of Judgment Summons.

Between A.B., Plaintiff [*Address and description*],
and
C.D., Defendant.
[*Present address, description, and, if known, place of employment*].

Whereas the plaintiff obtained a judgment [*or* order] against the defendant in the Magistrate's Court of , holden at on the day of 187 , for the payment of £ , together with £ for costs, and in payment thereof [*or* of part thereof] the defendant hath made default:

[*Or*, Whereas the plaintiff obtained a judgment against the defendant in the Supreme Court (*or as the case may be*), on the day of , 187 , for the sum of £ , and there is now due and payable upon the said judgment the sum of £ :]

[*Or*, Whereas by a decree (*or* order) made by the Supreme Court (*or as the case may be*) on the day of 187 , the defendant was ordered to pay to the plaintiff the sum of £ , and there is now due and payable upon the said decree (*or* order) the sum of £ :]

And whereas a summons was, at the instance of the plaintiff, duly issued out of this Court, by which the defendant was required to appear personally at this Court on the day of 187 , to be examined on oath touching the means he had then, or had had since the date of the judgment [*or* order], to pay the said sum [*or specifying such of the matters mentioned in subsections four and five of section eight of the Act as were specified in the summons*]; which summons was proved to this Court to have been personally and duly served on the defendant:

It is ordered that the defendant do pay the amount still due on the said judgment, and the costs of the said summons and its hearing, as stated at the foot of this order, to the Clerk of this Court, by instalments of £ for every days; the first payment to be made on the day of , 187 .

Acknowledgment of payment into Court.		
Date	£ s. d.	Received by.

Given under the Seal of the Court, on this day of 187 .

Clerk of the Court.

	£ s. d.
Amount on judgment or order remaining due	
Cost of judgment summons, and its hearing	
£	

8.—Order of Commitment.

"*The Imprisonment for Debt Abolition Act*, 1874."

In the [*Title of Court ordering Committal*].

No. of Plaint.
No. of Judgment Summons.
No. of Order.

Between A.B., Plaintiff,
and
C.D., Defendant.

To , Bailiff of Magistrate's Court, and all Peace Officers within the jurisdiction of the said Court, and to the Governor or Keeper of the [*prison used by the Court*].

Whereas the plaintiff obtained a judgment [*or* order] against the defendant in the Magistrate's Court of , holden at , on the day of 187 , for the payment of £ for debt [*or* damages] and costs, and subsequent costs have been incurred in pursuance thereof, amounting to £ :

And whereas the defendant hath made default in payment of , payable in pursuance of the said judment [*or* order]:

And whereas a summons was, at the instance of the plaintiff, duly issued out of this Court, by which the defendant was required to appear personally at this Court, on the day of 187 , to be examined on oath touching [*Here specify such of the matters as were stated in the summons*], and to show cause why he should not be committed to prison for such default, which summons has been proved to this Court to have been personally and duly served on the defendant:

And whereas, at the hearing of the said summons, it has now been proved to the satisfaction of the Court that [*Here specify such of the matters stated in the summons as have been proved*], and the defendant has shown no cause why he should not be committed to prison:

Now therefore, it is ordered, that the defendant shall be committed to prison for days, unless he shall sooner pay the sum stated below as that upon the payment of which he is to be discharged, or shall file such affidavit as is mentioned in rule 23 of the Rules for Resident Magistrates' Courts under "The Imprisonment for Debt Abolition Act, 1874," of October, 1874:

These are therefore to require you the said and others, to take the defendant, and to deliver him to the Governor or Keeper of the [*prison used by the Court*], and you the said Governor or Keeper to receive the defendant, and him safely keep in the said prison for days from the arrest under this order, or until he shall be sooner discharged by due course of law.

Given under the Seal of this [*Insert date of order*] day of 187 .

E.F.,
Clerk of the Court.

	£ s. d.
Total sum payable at the time of hearing of the judgment summons	
Hearing of summons, and poundage upon this order	
Deduct amount paid into Court subsequent to the hearing of the judgment summons ...	
Total sum upon payment of which the prisoner will be discharged	

8A.—ORDER OF COMMITMENT ON AN ORDER OR JUDGMENT OF A COURT OTHER THAN A MAGISTRATE'S COURT.

"*The Imprisonment for Debt Abolition Act*, 1874."

In the [*Title of Court ordering committal*]:

No. of Plaint.
No. of Judgment Summons.
No. of Order.

Between A.B., Plaintiff,
and
C.D., Defendant.

To the Bailiff of the Court, and to all Peace Officers within the jurisdiction of the said Court, and to the Governor or Keeper of [*the prison used by the Court*].

WHEREAS the plaintiff obtained a judgment against the defendant in the Supreme Court [*or as the case may be*] on the day of , 187 , for the sum of £ , and there is now due and payable upon the said judgment the sum of :

[*Or*, Whereas by a decree (*or* order) made by the Supreme Court (*or as the case may be*) on the day of 187 , the defendant was ordered to pay to the plaintiff the sum of £ , and there is now due and payable upon the said decree (*or* order) the sum of £ :]

And whereas a summons was, at the instance of the plaintiff, duly issued out of this Court, by which the defendant was required to appear personally at this Court on the day of 187 , to be examined on oath touching [*Here specify such of the matters as were stated in the summons*], which summons was proved to this Court to have been personally and duly served on the defendant:

And whereas, at the hearing of the said summons, it has now been proved to the satisfaction of the Court that the defendant [*Here specify such of the matters stated in the summons as have been proved*]:

Now, therefore, it is ordered that the defendant shall be committed to prison for days, unless he shall sooner pay the sums in payment of which he has so made default, together with the prescribed costs hereinafter mentioned, or shall file such affidavit as is mentioned in rule 23 of the Rules for Resident Magistrates' Courts under "The Imprisonment for Debt Abolition Act, 1874," of October, 1874.

These are therefore to require you the said and others, to take the defendant and to deliver him to the Governor or Keeper of the [*prison used by the Court*], and you the said Governor or Keeper to receive the defendant, and him safely keep in the said prison for days from the arrest under this order, or until he shall be sooner discharged by due course of law.

Given under the Seal of this [*Insert date of order*] day of 187 .

E.F.,
Clerk of the Court.

	£	s.	d.
Amount of judgment or order remaining due ...			
Costs of judgment summons and poundage on this order			
Amount upon the payment of which the prisoner is to be discharged			

This order *remains in force one year* from the date thereof.

9.—CERTIFICATE OF PAYMENT BY A PRISONER.

"*The Imprisonment for Debt Abolition Act*, 1874."

I HEREBY certify that the defendant, who was committed to my [*or* your] custody by virtue of an order of commitment under the seal of this Court [*or* of the Court of , holden at], bearing date the day of , 187 , has paid and satisfied the sum of money for the non-payment whereof he was so committed, together with all costs due and payable by him in respect thereof; and that the defendant may, in respect of such order, be forthwith discharged out of my [*or* your] custody.

Given under my hand [*or* the Seal of the Court] this day of , 187 .

Gaoler [*or* Clerk] of the Court of , holden at .

To the Governor or Keeper of .

10.—AFFIDAVIT.

"*The Imprisonment for Debt Abolition Act*, 1874."

In the Court of , holden at .

Between A.B., Plaintiff,
and
C.D., Defendant.

I, C.D., of , make oath and say,—

1. That under "The Imprisonment for Debt Abolition Act, 1874," an order for my committal was made by the above Court [*or*, the Court of holden at], for making default in payment of £ , due from me in pursuance of an order [*or* judgment] of the [*Here insert the Court in which order or judgment was given*].

2. That on the day of 187 , I was adjudicated a bankrupt by the [*Here insert the Court by which adjudication was made*].

3. That the order of adjudication was published in the [*naming the newspaper duly appointed to be the Gazette*] on the day 187 .

4. That the debt in respect of which the above order [*or* judgment] was given was provable under the bankruptcy.

[*Or*, 2. That a deed of arrangement under Part XVIII. of "The Bankruptcy Act, 1867," has been executed by myself, and been duly filed and been completely executed within the meaning of the two hundred and sixty-third section of the said Bankruptcy Act, and that the debt in respect of which the above order [*or* judgment] was made was included in a list filed by me under the two hundred and sixty-first section of the said Bankruptcy Act, in the [*Here insert name of Court*] on the day of 187 .

Sworn at, &c.

C.D.

11.—CERTIFICATE.

"*The Imprisonment for Debt Abolition Act*, 1874."

In the Court of holden at .

Between A.B., Plaintiff,
and
C.D., Defendant.

I HEREBY certify that the defendant, who was committed to your custody by virtue of an order of commitment under the seal of this Court [*or* the Court of , holden at], bearing date the day of , 187 , has filed an affidavit in this Court stating that he is a bankrupt [*or* that a deed of arrangement under Part XVIII. of "The Bankruptcy Act, 1867," has been executed by him, and has been duly filed and been completely executed within the meaning of the two hundred and sixty-third section of the said Bankruptcy Act, and that the debt in respect of which the above order (*or* judgment) was made, was included in a list filed by him under the two hundred and sixty-first section of the said Bankruptcy Act], and that the defendant may, in respect of such order, be forthwith discharged out of your custody.

Given under the Seal of the Court this day of 187 .

Clerk.

To the Governor or Keeper.

SECOND SCHEDULE.

TABLE OF FEES TO BE TAKEN IN RESIDENT MAGISTRATES' COURTS UNDER "THE IMPRISONMENT FOR DEBT ABOLITION ACT, 1874."

For every judgment summons under "The Imprisonment for Debt Abolition Act, 1874," threepence in the pound on so much of the amount of the original demand as, in obedience to the order of the Court, should have been paid at the time of the issue of the summons.

Where such last-mentioned amount does not exceed twenty shillings, an additional fee of sixpence; and where such amount does exceed twenty shillings and does not exceed ten pounds, an additional fee of one shilling; and where such amount exceeds ten pounds and does not exceed twenty pounds, an additional fee of two shillings; and where such amount exceeds twenty pounds, an additional fee of three shillings.

For every hearing of the matters mentioned in such judgment summons, sixpence in the pound on the amount upon which the fee on the summons is calculated.

For issuing every order of commitment, eighteenpence in the pound on the amount upon which the fee on the summons is calculated.

Licensing Courts for Licensing Districts appointed.

JAMES FERGUSSON, Governor.

WHEREAS by "The Licensing Act 1873 Amendment Act, 1874," it is enacted that every

Licensing Court shall hold its meetings in the Court House used as a Court House by the Resident Magistrate or Court of Petty Sessions in the Licensing District, or if there be no such Court House in such district, then the Court shall hold its meetings at such place as may from time to time be appointed by the Governor: And whereas there is no Court House in any of the Districts mentioned in the first column of the Schedule hereto:

Now therefore, I, Sir James Fergusson, Baronet, the Governor of the Colony of New Zealand, in pursuance and exercise of the power and authority vested in me in this behalf, do hereby appoint the places mentioned in the second column of the said Schedule to be the places at which the Licensing Courts for the Licensing Districts named in the first column of the said Schedule, and in such Schedule set opposite to the names of such places as aforesaid, shall respectively hold their meetings.

Given under the hand of His Excellency the Right Honorable Sir James Fergusson, Baronet, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, a Member of Her Majesty's Most Honorable Privy Council, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same, at the Government House, at Wellington, this thirtieth day of October, in the year of our Lord one thousand eight hundred and seventy-four.

DANIEL POLLEN.

SCHEDULE.

Districts.	Places of Meeting.
Takapuna ...	The Resident Magistrate's Court House, Auckland.
Waitakerei ...	
Newton	
City of Auckland West	
City of Auckland North	
Parnell	
Port Albert	The Resident Magistrate's Court House, Kaipara.
Tokatoka	The Store at the Kopuru Saw-mill.
Mangapiko ...	The Resident Magistrate's Court House, Cambridge.
Rangiaohia ...	
Kirikiriroa	The Resident Magistrate's Court House, Hamilton.
Wangape ...	The Resident Magistrate's Court House, Newcastle.
Rangiriri ...	
Kawhia	The Resident Magistrate's Court House, Raglan.
Eden	The Residence of R. C. Barstow, Esq., R.M., at Epsom.
Pukekohe	The Residence of T. Jackson, Esq., J.P., Razorback.
Hauraki	The Resident Magistrate's Court House, Shortland.
Tauranga	The Resident Magistrate's Court House, Te Papa.
Cape Runaway	The Native Runanga House, Torere.
Petane	The Meanee Hotel, Meanee.
Porangahau	Pearson Hotel, Wallingford.
Whareama	Messrs. Maunsell's Woolshed, Tinui.
Lower Wairarapa ...	The School House at Tauherinikau.
Upper Wairarapa... ...	The School House at Carterton.
City of Wellington, Thorndon	The Resident Magistrate's Court House, City of Wellington.
City of Wellington, Te Aro	
Karori-Makara ...	
Porirua	
Wangaehu	The Resident Magistrate's Court House, Marton.
Kai Iwi	The Resident Magistrate's Court House, Wanganui.
Waitotara	The Resident Magistrate's Court House, Carlyle.
Egmont	The Resident Magistrate's Court House, New Plymouth.
Waiongona ...	
Waitara ...	
Pelorus	The Resident Magistrate's Court House, Havelock.
Queen Charlotte Sound ...	The Resident Magistrate's Court House, Picton.
Wairau	The Resident Magistrate's Court House, Blenheim.
Awatere	Petty Sessions Court House, Kaikoura.
Suburban North	The School House, Hill Side, Wakapuaka.
Waimea West	The Upper Schoolroom, Waimea West.
Takaka	The Resident Magistrate's Court House, Collingwood.
Aorere	
Buller	The Resident Magistrate's Court House, Westport.
Inangahua...	The Resident Magistrate's Court House, Reefton.
Grey	The Resident Magistrate's Court House, Cobden.
Kanieri	The Resident Magistrate's Court House, Hokitika.
Totara	The Resident Magistrate's Court House, Ross.
Waitaha	
Wataroa	The Resident Magistrate's Court House, Okarito.
Weheka	
Haast	
Waipara	The Resident Magistrate's Court House, Leithfield.
Mandeville	The Resident Magistrate's Court House, Kaiapoi.
Avon	The Resident Magistrate's Court House, Christchurch.
Riccarton	
City of Christchurch, North-west	
City of Christchurch, South-west	
City of Christchurch, North-east	
Heathcote	
Springs	
Lincoln	
Halswell	
Spreydon	
Templeton... ...	
Courtenay	
South Malvern ...	
East Malvern ...	
Malvern	
Upper Waimakariri	
Lake Coleridge ...	
Rakaia	
Port Victoria ...	The Resident Magistrate's Court House, Lyttelton.
Port Levy	
Pigeon Bay ...	The Resident Magistrate's Court House, Akaroa.
Okain's Bay ...	
Little River ...	
Mount Somers ...	The Resident Magistrate's Court House, Timaru.
Mount Peel ...	
Geraldine	
Levels	
Waitaki	
Mount Cook ...	
Papakaio	The Resident Magistrate's Court House, Oamaru.
Kakanui	
Otepopo	
Ahuriri	The Resident Magistrate's Court House, Naseby.
Hyde	
Hindon	
Cromwell	The Resident Magistrate's Court House, Cromwell.
Clyde	The Resident Magistrate's Court House, Clyde.
Cardrona	The Post Office, Pembroke.
Queenstown	The Resident Magistrate's Court House, Queenstown.
Town of West Hawksbury	The Resident Magistrate's Court House, Hawksbury.
Lawrence	The Resident Magistrate's Court House, Lawrence.

Districts.	Places of Meeting.
North Taieri ...	The Resident Magistrate's Court House, West Taieri.
Seaside	
Grey	
Kuri Bush	
Outram	
Waipori	
Half-way Bush ...	
North-East Valley	
Blueskin	
Portobello	
Peninsula	
Caversham... ...	
Mornington ...	
City of Dunedin, South Ward	The Resident Magistrate's Court House, Dunedin.
City of Dunedin, Bell Ward	
City of Dunedin, Leith Ward	
Roslyn	
Kaikorai	
Suburban	
Waihola	
Town of Milton ...	
Glenledi	
Kaitangata ...	
Crichton	
Matau	
Mount Stuart ...	The Resident Magistrate's Court House, Tokomairiro.
Balmoral	
South Molyneux ...	
Clutha	
Clinton	
Popotuna	
Clydevale	
Wendon	
Catlin's	
South Mataura ...	The Resident Magistrate's Court House, Mataura.
Lothian	
Waimumu... ...	
Onetree Point ...	The Resident Magistrate's Court House, Invercargill.
Myross	
Mabel	
New River... ...	
Winton	
Wallace Town ...	
Waikewi	
Waihopai	
Appleby	
Campbelltown ...	
Taringatura ...	The Petty Sessions Court House at the Elbow.
Wakatipu	
Te Anau	
Waiau	The Resident Magistrate's Court House, Riverton.
Mount Pleasant ...	
Jacob's River ...	
South Riverton Town	
Waimatuku ...	
Heddon Bush ...	
Orepuki	
Longwood	

ACTS OF PARLIAMENT.—The following Acts passed during the Session of the General Assembly, 1874, are now published. Separate copies forwarded to any part of the Colony, post free, at the following prices:—

Act.		s.	d.
No. 1.	Imprest Supply	0	6
„ 2.	Electric Telegraph Amendment	0	6
„ 3.	Justices of the Peace Amendment	0	6
„ 4.	Offences against the Person Amendment ...	0	6
„ 5.	Supreme Court Judges Amendment	0	6
„ 6.	Westland Loan Amendment	0	6
„ 7.	Wellington Hospital Loan	0	6
„ 8.	Excise Duties	0	6
„ 9.	Merchant Shipping Acts Adoption	0	6
No. 10.	Licensing Amendment	1	3
„ 11.	Conveyancing Ordinance Amendment ...	0	6
„ 12.	Municipal Corporations Amendment	0	6
„ 13.	Bankruptcy Amendment	0	6
„ 14.	Imprisonment for Debt Abolition	0	9
„ 15.	Land Transfer Amendment	0	6
„ 16.	Auckland Waste Lands	1	3
„ 17.	Hawke's Bay Waste Lands Regulations Amendment	0	9
„ 18.	Marlborough Waste Lands Amendment ...	0	6
„ 19.	Nelson Waste Lands	1	6
„ 20.	Otago Waste Lands Administration	0	6
„ 21.	Taranaki Waste Lands	1	3
„ 22.	Westland Waste Lands Amendment	0	6
„ 23.	Wellington Special Settlements Amendment ...	0	6
„ 24.	New Zealand Forests	0	6
„ 25.	Immigration and Public Works Loan ...	0	6
„ 26.	Immigration and Public Works	0	9
„ 27.	Railways	0	6
„ 28.	Provincial Public Works Advances	0	6
„ 29.	Otago Provincial Public Works Advances ...	0	6
„ 30.	Wellington Land Payments...	0	6
„ 31.	Canterbury Water Supply	0	9
„ 32.	Harbour Works	0	6
„ 33.	Harbour Boards Amendment	0	6
„ 34.	Auckland Harbour	0	9
„ 35.	New Plymouth Harbour Board Endowment ...	0	6
„ 36.	Napier Harbour Board	0	6
„ 37.	Oamaru Harbour Board Land	0	6
„ 38.	Wanganui River Foreshore Grant	0	6
„ 39.	Municipal Reserves	0	6
„ 40.	Clutha River Trust Reserves	0	6
„ 41.	Borough of Thames Tramways	0	6
„ 42.	Cromwell Waterworks	0	6
„ 43.	City of Christchurch Drainage Debentures ...	0	6
„ 44.	City of Dunedin Gasworks	0	6
„ 45.	Dunedin Waterworks	0	6
„ 46.	Invercargill Gas Loan	0	6
„ 47.	Wellington Waterworks Loan	0	6
„ 48.	Taranaki Iron Smelting Works Lands ...	0	6
„ 49.	Hokitika Mayors	0	6
„ 50.	Wellington Mayors	0	6
„ 51.	Wanganui Mayors	0	6
„ 52.	Constitution of the Westport Borough Proceedings Validation	0	6
„ 53.	New Zealand University	0	9
„ 54.	Otago Reserves	0	9
„ 55.	Wellington Education Reserves Amendment ...	0	6
„ 56.	Naval Training Schools	1	3
„ 57.	Oamaru Hospital Reserves	0	6
„ 58.	Burial-Ground Closing	0	6
„ 59.	Gold Fields Amendment	0	6
„ 60.	Regulation of Mines	1	3
„ 61.	Inspection of Machinery	1	0
„ 62.	Government Insurance and Annuities ...	1	3
„ 63.	Regulation of Elections Amendment	0	6
„ 64.	Juries Amendment	0	6
„ 65.	Volunteer Amendment	0	6
„ 66.	Petty Sessions Amendment	0	6
„ 67.	New Plymouth Exchanges Completion ...	1	0
„ 68.	Presbyterian Church of Otago Lands Amendment	0	6
„ 69.	Employment of Females Amendment... ...	0	6
„ 70.	Canterbury Marriages	0	6
„ 71.	Oyster Fisheries Amendment	0	6
„ 72.	David Lewis Retiring Allowance	0	6
„ 73.	Walsh and Others Pension Amendment ...	0	6
„ 74.	Wilson Gray Pension	0	6
„ 75.	Native Land Amendment	0	6
„ 76.	Poverty Bay Lands Titles	0	6
„ 77.	Taimaro and Waimahana Grants	0	6
„ 78.	Whakataki Grants	0	6
„ 79.	Outlying Districts Sale of Spirits	0	6
„ 80.	Outlying Districts Sale of Spirits Orders in Council Validation	0	6
„ 81.	Public Revenues Amendment	0	6
„ 82.	Appropriation	5	6
„ 83.	New Zealand Extradition	0	6
„ 84.	Real Estate Descent	0	6
	Local and Personal.		
No. 1.	Colonial Bank of New Zealand	0	6
„ 2.	Lyttelton Gas	1	0

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