



SUPPLEMENT
TO THE
NEW ZEALAND GAZETTE
OF THURSDAY, DECEMBER 23, 1875.

Published by Authority.

WELLINGTON, FRIDAY, DECEMBER 24, 1875.

Notice, Rules and Regulations, under "The Stamp Fee Act, 1875."

NORMANBY, Governor.
ORDER IN COUNCIL.

At the Government House, at Wellington, this twenty-third day of December, 1875.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by "The Stamp Fee Act, 1875," it is provided that the Governor in Council may, by notice published in the *New Zealand Gazette*, direct that, after the time specified in such notice, all or any of the duties, fees, fines, or penalties for the time being payable in money in any Public Department or office connected with the public service, or to the officers thereof, shall be collected by means of stamps; and after the time so specified, the duties, fees, fines, or penalties therein mentioned shall be received by stamps denoting the sums payable, and not in money:

And whereas it is further provided that all or any stamps to be used under the said Act shall be impressed or adhesive, as the Governor from time to time directs:

And whereas it is further provided that the Governor in Council may make, alter, or repeal regulations not contrary to the said Act for the due administration thereof, and may prescribe the application of stamps to documents from time to time in use or required to be used for the purpose of such stamps:

Now therefore, His Excellency the Governor, by and with the advice and consent of the Executive Council of the Colony, in pursuance and exercise of the above-recited powers and authorities, doth hereby give the notice, and make the rules and regulations hereinafter contained, concerning the matters aforesaid:—

1. Duties, fees, fines, and penalties shall be collected by stamps under the said Act on and after the first day of January, 1876, in the departments following, that is to say: In all the offices of the Court of Appeal and of the Supreme Court in all its jurisdictions.

2. The documents specified in the First Schedule hereto shall be stamped with impressed stamps only, and for such adhesive stamps shall not be available; all others may be stamped with either an adhesive or impressed stamp: Provided that during the month of January, 1876, but not afterwards, adhesive stamps may be used for all or any document therein specified, anything hereinbefore contained to the contrary notwithstanding.

3. Every duty, fee, fine, or penalty payable in any of the above-named offices shall be paid by stamps impressed or affixed, as the case may be, to some paper or document, as hereinafter provided, having reference to that in respect of which the fee, fine, or penalty is payable.

4. Stamps for duties, fees, fines, or penalties payable in respect of the several matters specified in the first column of the Second Schedule hereto shall be impressed upon or affixed to the corresponding documents specified in the second column of the said Schedule.

5. Stamps for every other duty, fee, fine, or penalty payable in any of the above-named offices shall be impressed upon or affixed to a short written or printed note or *præcipe*, asking for that in respect of which such duty, fee, fine, or penalty is payable, and signed by or for the person by whom such duty, fine, fee, or penalty is payable.

6. Before anything is done, or permitted to be done, in respect of that for which any duty, fee, fine, or penalty is payable by stamps, the stamps by which the fee is paid, if adhesive, shall be cancelled by the person using the same by writing or stamping in, into, on, or across the stamp his name or initials, or the name or initials of his firm, together with the true date of his so writing or stamping, so that the stamp may be effectually cancelled and rendered incapable of being used for any other purpose whatsoever.

7. Stamps for denoting fees, &c., will be impressed at the Head Office on blank forms, and on paper not previously written upon. Requisitions from solicitors and others for stamps must be accompanied by a receipt from the Bank of New Zealand for the amount of the requisition, and the forms and papers

required to be stamped, the desired position of the stamp upon which should be distinctly marked.

8. Law Courts stamps, adhesive and impressed, may be obtained from the Deputy Commissioners of Stamps, and from the Depositories and Licensed Dealers in Stamps in the principal towns of provinces.

9. Depositories and Licensed Dealers are required to sell stamps on demand at all times during office hours. Such stamps must be paid for in cash at the time of application.

10. A commission (in the form of discount) will be allowed on all purchases of stamps issued under the said Act, after the following scale:—To licensed dealers, 2½ per cent. on all purchases of £2 and upwards; to all other persons, 2½ per cent. on all purchases of £5 and upwards.

11. The Regulations issued or to be issued under "The Stamp Act, 1875," relating to the allowance of spoiled stamps shall, in so far as they are applicable, apply to stamps issued under "The Stamp Fee Act, 1875."

FORSTER GORING,
Clerk of the Executive Council.

SCHEDULE I.

- Appointment for taxation.
- Notice of motion.
- Præcipe to enter action, &c., for trial.
- Entering appearance.
- Certificate of conviction.
- Judge's summons.
- Registrar's summons.
- Subpœna—criminal.
- Subpœna—civil.
- Writ of summons.
- Writ of summons—under "The Summary Procedure on Bills Act, 1862."
- Writ of execution against goods.
- And all prerogative writs.

SCHEDULE II.

Matter in respect of which Fee is payable.	Document to which the Stamp taken in payment of the Fee is to be affixed.
Every document entered, filed, lodged, or sealed.	Document filed, lodged, or sealed.
Every writ, summons, order, rule, report, warrant, decree, or other document issued or sealed.	Writ, summons, order, rule, report, warrant, decree, or document, issued or sealed.
Every certificate given.	Certificate.
Every bill of costs taxed.	Bill taxed.
Every case stated.	Case stated.
Every office copy.	Office copy.

Schedule of Fees under "Divorce and Matrimonial Causes Act, 1867."

NORMANBY, Governor.
ORDER IN COUNCIL.

At the Government House, at Wellington, this twenty-fourth day of December, 1875.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by the fiftieth section of "The Divorce and Matrimonial Causes Act, 1867," it is, amongst other things, enacted that the Governor in Council may fix from time to time the fees payable on all proceedings under the said Act: And whereas by an Order in Council made under the provisions of the said Act, bearing date the seventh day of January, one thousand eight hundred and sixty-nine, and pub-

lished in the *New Zealand Gazette* of the thirtieth day of January, one thousand eight hundred and sixty-nine, the fees specified in the Schedule thereto were made payable on proceedings under the said Act: And whereas it is expedient to fix other fees than those so made payable as aforesaid:

Now therefore, I, George Augustus Constantine, Marquis of Normanby, the Governor of the Colony of New Zealand, in exercise and pursuance of the power and authority vested in me by the said Act, and by and with the advice and consent of the Executive Council of the said Colony, in lieu of the said Schedule of fees of the seventh day of January, one thousand eight hundred and sixty-nine, do hereby fix the fees specified in the Schedule hereto, and do direct that the same shall, from the first day of January next, be payable on proceedings under the said Act.

FORSTER GORING,
Clerk of Executive Council.

SCHEDULE.
FEES.

1. Citation.	15. Taking Evidence.
2. Appearance.	16. References to the Registrars.
3. Filing.	17. Summonses.
4. Protection Orders.	18. Motions.
5. Questions for Jury.	19. Writs.
6. Setting down.	20. Appeals.
7. Withdrawal.	21. Certificates.
8. Subpœna.	22. Searches.
9. Hearing or Trial.	23. Office Copies and Extracts.
10. Judge's Notes.	24. Taxing Costs.
11. Entering Decree, Verdict, or Order.	25. Oaths.
12. Orders.	26. Proceedings not specifically provided for.
13. Bill of Exceptions.	
14. Commission or Requisition.	

1.—Citation.		£ s. d.
On every citation	...	0 5 0
For settling citation, or an abstract thereof for advertisement, or other advertisement—		
If five folios of seventy-two words or under...	...	0 3 0
If above five folios, for each additional four folios or part thereof	...	0 1 0
2.—Appearance.		
Entering appearance	...	0 3 0
Amending appearance	...	0 3 0
3.—Filing.		
Filing any document except otherwise provided	...	0 3 0
4.—Protection Orders.		
Filing application for an order for the protection of a wife's earnings and property	...	0 3 0
Entering the order on such application	...	0 5 0
Judge's order, including seal	...	0 6 0
5.—Questions for Jury.		
Settling issues of fact to be tried by a jury	...	0 10 0
Filing parchment copy of the issues of fact as settled	...	0 3 0
Filing panel	...	0 3 0
6.—Setting down.		
Setting a cause down for hearing or trial	...	0 5 0
7.—Withdrawal.		
On withdrawal of a cause after same is set down for hearing or trial, to be paid by the party at whose instance it is withdrawn	...	0 5 0
8.—Subpœna.		
On every subpœna	...	0 5 0
9.—Hearing or Trial.		
On the hearing or trial of a cause—		
From the party setting down the cause for hearing or trial	...	1 10 0
If the hearing or trial continues more than one day, for each day—		
From the same party	...	1 0 0
10.—Judge's Notes.		
Producing the Judge's notes	...	0 5 0

	£	s.	d.
11.—Entering Decree, Verdict, or Order.			
Entering sentence or final decree in a cause, to be paid by the successful party	0	10	0
Entering verdict, if five folios of seventy-two words or under	0	5	0
If exceeding five folios, for each additional folio or part of a folio	0	1	0
Entering order for the examination of a witness or witnesses	0	5	0
Entering any decree or order for alimony	0	5	0
Entering order directing how damages shall be applied	0	5	0
Entering order providing for custody, maintenance, or education of children, if five folios of seventy-two words or under	0	5	0
Entering any order made under the authority given by sections 27, 37, and 38 of "The Divorce and Matrimonial Causes Act, 1867," if five folios of seventy-two words or under	0	5	0
If either of the above orders exceed five folios, for each additional folio or part of a folio	0	1	0
Entering any minute, order, or decree in the Court book other than minutes, orders, or decrees specified	0	3	0
Entering any order of the Registrar, the same fee as would be payable for entering a similar order made by the Judge.			
12.—Orders.			
For any order issuing under the hand of the Judge or of the Registrar, including seal	0	6	0
If a final order in the cause	0	10	0
13.—Bill of Exceptions.			
Bill of exceptions signed by the Judge	0	5	0
14.—Commission or Requisition.			
On every commission or requisition, exclusive of the seal of the Court	1	0	0
15.—Taking Evidence.			
For taking the evidence of one or more witnesses before the Registrar, and within three miles of the Registrar's Office, for each day	3	3	0
If beyond that distance, for each day in addition to travelling expenses	5	5	0
If for part of a day only, such smaller fee as the Registrar in his discretion shall think proper.			
16.—References to the Registrar.			
On each reference to ascertain the amount to be paid or secured to a wife to cover her costs—			
For the Registrar's attendance	0	5	0
For his report thereon	0	3	0
On each reference for any other inquiry before the Registrar—			
For Registrar's attendance	1	0	0

	£	s.	d.
For every hour or part of hour after the first hour, a further fee of	0	10	0
For the Registrar's report, if five folios of seventy-two words or under	0	5	0
If exceeding five folios, for every additional folio or part of a folio	0	2	0
17.—Summonses.			
On each summons... ..	0	3	0
18.—Motions.			
Notice of motion, petition, or application at Judge's Chambers	0	2	0
Final case for motion	0	5	0
Entering any minute or order on motion other than orders specified	0	5	0
If a final order in the cause	0	10	0
19.—Writs.			
Writ of attachment	1	0	0
Writ of sequestration	1	0	0
Writ of <i>fiery facias</i>	1	0	0
20.—Appeals.			
On lodging instrument of appeal	0	10	0
21.—Certificate.			
For every certificate under the hand of any Judge of the Court or of any Registrar	0	3	0
22.—Searches.			
Search in each Court book, or of any one document	0	1	0
General search in books or documents	0	3	0
23.—Office Copies and Extracts.			
For every office copy or extract of any document, exclusive of seal—			
For every three folios or part thereof	0	1	0
For the seal of the Court affixed to any document, unless otherwise provided	0	5	0
24.—Taxing Costs.			
Appointment for taxation	0	5	0
Taxation... ..	0	5	0
Taxation in addition for each hour or portion of an hour occupied	0	5	0
25.—Oaths.			
Swearing witness in Court or before Judge, or to affidavit	0	2	0
26.—Proceedings not specifically provided for.			
For any other proceeding not above specifically provided for, the same fees as for the like or analogous proceedings on an action for money or specific relief.			
By Authority: GEORGE DIMSBUK, Government Printer, Wellington.			

