



SUPPLEMENT
TO THE
NEW ZEALAND GAZETTE
OF THURSDAY, MARCH 30, 1876.
Published by Authority.

WELLINGTON, FRIDAY, MARCH 31, 1876.

Notice, Rules and Regulations, under "The Stamp Fee Act, 1875," in respect of the District Courts throughout the Colony, and general.

NORMANBY, Governor.
ORDER IN COUNCIL.

At the Government Buildings, at Wellington, this twenty-fourth day of March, 1876.

Present:

THE HONORABLE THE PREMIER PRESIDING 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 April, 1876, in all the offices of the various District Courts throughout the colony.

2. The stamps to be used in the collection of all duties, fees, fines, or penalties to be taken in respect

of proceedings in any District Court may be either impressed or adhesive.

3. The rules and regulations numbered three to eleven inclusive, contained in an Order in Council bearing date the twenty-third day of December, 1875, and published in the *New Zealand Gazette*, of the twenty-fourth day of December, 1875, with the Schedules thereto, shall, so far as they are applicable, be deemed and held to be incorporated with and to form part of the regulations herewith.

4. No stamps shall be used in respect of any proceedings where stamps are required in any of the offices of the Court of Appeal, and of the Supreme Court in all its jurisdictions, and in any of the offices of the District Court throughout the colony, except such as are known as Law Court stamps, and are marked with the words "Law Courts."

FORSTER GORING,
Clerk of the Executive Council.

Abolishing present Scale of Fees in District Courts and Fixing New Scale.

NORMANBY, Governor.
ORDER IN COUNCIL.

At the Government Buildings, at Wellington, this twenty-fourth day of March, 1876.

Present:

THE HONORABLE THE PREMIER PRESIDING IN
COUNCIL.

WHEREAS it is expedient that the scale of fees now authorized to be taken in the several District Courts now or hereafter to be established under "The District Courts Act, 1853," and the Acts amending the same, should be abolished, and a new scale fixed in lieu thereof:

Now, therefore, His Excellency the Governor, in pursuance and exercise of all powers and authorities vested in him in this behalf, and with the advice and consent of the Executive Council of New Zealand, doth hereby abolish the scale of fees heretofore fixed and in use in respect of proceedings in any District Court as aforesaid, and doth hereby fix the fees mentioned and specified in the Schedules A, B, C, and D hereto, respectively; and doth direct that where, under any existing Act or Regulation, it is

provided that any fees are to be charged in accordance with the fees charged and paid in any proceedings in the District Court, the fees hereunder shall be deemed the fees referred to in such Act or Regulation; and doth also hereby, with the like advice and consent, direct and appoint that the fees so fixed in the said Schedules shall from the first day of April next be the fees to be taken in respect of proceedings in any District Court as aforesaid.

SCHEDULE A.

The fees on Probate or Administration, shall be the fees payable from time to time in that behalf in the Supreme Court.

SCHEDULE B.

Appeals under "The Gold Fields Act, 1866," and other Acts giving appeal to District Court.

	£	s.	d.
Notice stating ground of appeal ...	0	5	0
Summons to show cause, including seal...	1	0	0
Summons to witness, do. ...	0	5	0
Swearing or filing affidavit ...	0	2	0
Hearing ...	1	0	0
Order on Appeal ...	2	0	0

Fees to be charged on highest scale in Schedule D, if case reheard before District Court.

SCHEDULE C.

Appeals under "The Appeals from Justices Act, 1867."

	£	s.	d.
Entering case for rehearing ...	1	0	0
Amendment of grounds of Appeal under clause 19	0	10	0
Hearing ...	1	0	0
Swearing witnesses exceeding three, each	0	2	0
Order on Appeal ...	2	0	0

SCHEDULE D.

	£	s.	d.	£	s.	d.
	In cases under £100.			In cases of or exceeding £100.		
Filing plaint ...	0	5	0	0	8	0
Certified copy of plaint note ...	0	1	0	0	1	0
Issuing summons or other proceeding to judgment ...	0	5	0	0	6	0
Filing written statement of defence...	0	4	0	0	6	0
Filing agreement, or minutes of agreement, between plaintiff and defendant, as to the amount of debt or claim to be recovered, with the conditions of payment...	0	5	0	0	10	0
Hearing ...	0	6	0	0	10	0
Adjournment of hearing, when made on the application of a plaintiff or defendant ...	0	4	0	0	5	0
Entering up judgment or decree ...	0	5	0	0	10	0
Issuing writ of execution against the goods ...	0	3	0	0	5	0
Issuing writ of execution or warrant of commitment against the person ...	0	3	0	0	5	0
Issuing any writ in the nature of a <i>scire facias</i>	0	3	0	0	5	0
Issuing warrant to bailiff to deliver possession to a plaintiff of premises recovered ...	0	6	0	0	10	0
For executing any writ of execution against the goods or person, also for executing warrant of possession of land, if within two miles of the Court House ...	0	6	0	0	10	0
For every extra mile one way ...	0	1	0	0	1	0
On payment of money into Court, ...	0	3	0	0	5	0

SCHEDULE D—continued.

	£	s.	d.	£	s.	d.
	In cases under £100.			In cases of or exceeding £100.		
For every summons to show cause, including any interpleader summons to the party making claim to the goods, whether before or after judgment, and filing same, if required ...	0	2	0	0	4	0
Filing notice of grounds of appeal ...	0	5	0	0	10	0
Issuing certificate of payment by any execution debtor of debt and costs before his discharge	0	2	0	0	4	0
Filing copy of rule nisi, or of any summons for a <i>certiorari</i> , or a writ of prohibition from the Supreme Court ...	0	5	0	0	10	0
Filing decision or order of the Supreme Court	0	5	0	0	10	0
Filing order of the Supreme Court, with the issue in any cause directed by such Court to be tried in the District Court ...	0	10	0	0	1	0
Certificate to Registrar of Supreme Court of the result of such trial ...	0	5	0	0	10	0
Transmitting certified copy of proceedings (where an officer of the District Court is plaintiff in his own Court) from such Court to the Clerk of any adjoining or other District Court ...	0	5	0	0	10	0
Warrant for bringing prisoner up to give evidence ...	0	2	0	0	4	0
Serving or executing any writ of arrest, injunction, writ of attachment, or any summons, order, warrant, precept, writ, or other process not hereinbefore provided for, if within two miles of Court House ...	0	6	0	0	10	0
For every extra mile one way ...	0	1	0	0	1	0
For every application on or in relation to or arising out of any plaint not being a hearing	0	3	0	0	6	0
For all proceedings, or acts, matters, or things on or about the applying for, obtaining, ordering, or issuing an injunction or writ of arrest not herein expressly provided for—the same fees as chargeable in the Supreme Court.						
And the following fees irrespective of the sum involved:—						
Affixing the seal of the Court to any document, unless otherwise provided for ...	0	5	0			
Affixing the seal of the Clerk of the Court to any document, unless otherwise provided for ...	0	3	0			
Filing any document, unless otherwise provided for ...	0	3	0			
Summons to witness, including seal ...	0	2	0			
Payment for the jury ...	2	0	0			
Swearing witness, exceeding three witnesses on either side	0	2	0			
For serving summons or other proceeding to judgment, and serving any summons to a witness, if within two miles of the Court House	0	3	0			
For every extra mile one way ...	0	1	0			
For every search ...	0	1	0			
Discontinuance ...	0	5	0			
Entering award of arbitrators or umpire as judgment in the cause	0	10	0			
Writ of arrest ...	1	0	0			
Writ of injunction ...	1	0	0			
Writ of attachment ...	1	0	0			
Swearing or filing any affidavit ...	0	2	0			
Bailiff's poundage on sum levied or received or for which the body is taken in execution, for every pound ...	0	1	0			
For keeping possession, per diem ...	0	8	0			
For drawing any document, not otherwise provided for, at the request of the party, per folio (but in case any fee payable pursuant to this item involve a fraction of a shilling, an entire shilling shall be payable, instead of the fractional part)	0	1	6			
Copy of any document or proceeding, for every two folios or fractional part thereof ...	0	1	0			
Appointment for taxation ...	0	5	0			
Taxation ...	0	5	0			
Ditto in addition, for each hour or fraction of an hour occupied	0	5	0			
Order of Court or Judge's order, including seal, except where otherwise provided for ...	0	6	0			
Hearing any petition, application, or motion, in or out of Court, not otherwise provided ...	0	5	0			
Notice of motion, application, or petition, where necessary	0	2	0			
Summons to attend before Judge or Clerk, where not otherwise provided, including seal ...	0	3	0			
For auctioneer's commission on sale of goods taken in execution —5 per cent.						
For advertising sale—the actual cost.						

FORSTER GORING,
Clerk of the Executive Council.

By Authority: GEORGE DINSBURX, Government Printer, Wellington.