



SUPPLEMENT
TO THE
NEW ZEALAND GAZETTE
OF
THURSDAY, JUNE 7, 1894.

Published by Authority.

WELLINGTON, MONDAY, JUNE 11, 1894.

Stipendiary Magistrates appointed to exercise the Ordinary Jurisdiction.

Department of Justice,
Wellington, 11th June, 1894.

HIS Excellency the Governor has been pleased to appoint
Robert Smelt Bush, Esq., of Auckland,
James Stephenson Clendon, Esq., of Russell,
Thomas Jackson, Esq., of Pokeno,
Lieut.-Colonel John Mackintosh Roberts, N.Z.C., of
Tauranga,
Major Arthur Tuke, of Opunake,
Wilson Heaps, Esq., of Nelson,
Alfred Greenfield, Esq., of Westport,
Helyar Wedderburn Bishop, Esq., of Christchurch,
Robert Samuel Hawkins, Esq., of Milton,
John Nugent Wood, Esq., of Clyde,
Samuel Meade Dalgliesh, Esq., of Naseby, and
Major Frederick John William Gascoyne, of Chatham
Islands,

to be Stipendiary Magistrates, to exercise the ordinary jurisdiction under "The Magistrates' Courts Act, 1893."

A. J. CADMAN.

Stipendiary Magistrates appointed to exercise the Ordinary and Extended Jurisdiction.

Department of Justice,
Wellington, 11th June, 1894.

HIS Excellency the Governor has been pleased to appoint
Henry William Northcroft, Esq., of Auckland,
Harry Eyre Kenny, Esq., of Thames,
James Booth, Esq., of Gisborne,
Andrew Turnbull, Esq., of Napier,

A.

William Stuart, Esq., of New Plymouth,
Charles Cargill Kettle, Esq., of Wanganui,
Herbert William Brabant, Esq., of Wanganui,
Thomas Hutchison, Esq., of Masterton,
James Crosby Martin, Esq., of Wellington,
Henry Wirgman Robinson, Esq., of Nelson,
John Allen, Esq., of Blenheim,
Richmond Beetham, Esq., of Christchurch,
Charles Allen Wray, Esq., of Timaru,
Jackson Keddell, Esq., of Oamaru,
Henry Aldborough Stratford, Esq., of Greymouth,
Edgar Hall Carew, Esq., of Dunedin,
Duncan Macfarlane, Esq., of Hokitika, and
Charles Edward Rawson, Esq., of Invercargill,
to be Stipendiary Magistrates to exercise the ordinary and extended jurisdiction under "The Magistrates' Courts Act, 1893."

A. J. CADMAN.

Sittings of Magistrates' Courts appointed.

GLASGOW, Governor.

IN pursuance and exercise of the power and authority vested in me by "The Magistrates' Courts Act, 1893," I, David, Earl of Glasgow, the Governor of the Colony of New Zealand, do hereby appoint the places named in the Schedule hereto to be places wherein Magistrates' Courts shall be held under the provisions of the said Act.

SCHEDULE.

THE Courthouse, High Street	..	City of Auckland.
The Courthouse .. ..	..	Dargaville.
The Courthouse .. ..	..	Helensville.

Davis's Hall	Maungaturoto.	The Public Hall	Murchison.
The Courthouse	Onehunga.	The Courthouse	Takaka.
The Public Hall	Otahuhu.		
Cliff's Public Hall.. .. .	Paparua.	The Courthouse	Blenheim.
The Temperance Hall	Port Albert.	The Institute	Cullensville.
The Courthouse	Waipu.	The Courthouse	Havelock.
The Courthouse	Warkworth.	The Courthouse	Picton.
The Courthouse	Whangarei.		
		The Courthouse, Cambridge Terrace	City of Christchurch.
The Courthouse	Russell.	The Courthouse	Leeston.
The Courthouse	Ahipara.	The Municipal Buildings	Lyttelton.
The Agricultural and Pastoral Society's Hall	Kaitaia.	The Courthouse	Southbridge.
The Courthouse	Kawakawa.	The Courthouse	Akaroa.
The Courthouse	Mangonui.	The Courthouse	Amberley.
The Courthouse	Rawene.	The South Malvern Road Board Office	Coalgate.
The Courthouse	Waimate North.	The Rabbit Board Office	Culverden.
The Courthouse	Whangaroa.	The Courthouse	Kaipoi.
		The Courthouse	Kaikoura.
The Courthouse	Cambridge.	The Library	Little River.
The Courthouse	Hamilton.	The Courthouse	Oxford.
The Public Hall	Huntly.	The Courthouse	Rangiora.
The Courthouse	Mercer.	The East Malvern Road Board Office	Sheffield.
The Town Hall	Ngaruawahia.		
The Courthouse	Papakura.	The Courthouse	Timaru.
The Courthouse	Pukekohe.	The Courthouse	Ashburton.
The Courthouse	Raglan.	The Library	Fairlie.
The Courthouse	Te Awamutu.	The Courthouse	Geraldine.
The Courthouse	Waiuku.	The Road Board Office	Methven.
		The Town Hall	South Rakaia.
The Courthouse	Maketu.	The Courthouse	Temuka.
The Courthouse	Opotiki.		
The Courthouse	Rotorua.	The Courthouse	Oamaru.
The Courthouse	Taupo.	The Courthouse	Hampden.
The Courthouse	Tauranga.	The Courthouse	Hawkesbury.
The Courthouse	Whakatane.	The Courthouse	Palmerston.
		The Courthouse	Waimate.
The Courthouse	Thames.		
The Courthouse	Coromandel.	The Courthouse	City of Dunedin.
The Courthouse	Mercury Bay.	The Athenæum	Mosgiel.
Edwards's Hall	Paeroa.	The Courthouse	Outram.
The Courthouse	Te Aroha.	The Municipal Building	Port Chalmers.
The Courthouse	Napier.	The Courthouse	Milton.
The Courthouse	Danevirke.	The Courthouse	Lawrence.
The Courthouse	Hastings.	The Courthouse	Balclutha.
The Courthouse	Ormondville.	The Town Hall	Clinton.
The Courthouse	Waipawa.	The Courthouse	Gore.
The Courthouse	Woodville.	The Athenæum	Kaitangata.
		The Courthouse	Tapanui.
The Courthouse	Gisborne.	The Courthouse	Waikaia.
The Courthouse	Awanui.		
The Courthouse	Tolago Bay.	The Courthouse	Clyde.
The Courthouse	Wairoa.	The Courthouse	Alexandra South.
		The Courthouse	Arrowtown.
The Town Hall	New Plymouth.	The Courthouse	Cromwell.
The Town Hall	Stratford.	The Public Hall	Pembroke.
The Town Hall	Waitara.	The Courthouse	Queenstown.
		The Courthouse	Roxburgh.
The Courthouse	Opunake.		
The Courthouse	Manaia.	The Courthouse	Naseby.
The Courthouse	Wanganui.	The Courthouse	Black's.
The Courthouse	Hawera.	The Courthouse	Hamilton's.
The Courthouse	Patea.	The Courthouse	Hyde.
The Town Hall	Waverley.	The Courthouse	Macrae's.
		The Public Hall	Middlemarch.
The Courthouse	Palmerston North.	The Courthouse	St. Bathans's.
The Courthouse	Bull's.		
The Courthouse	Feilding.	The Courthouse	Invercargill.
The Courthouse	Foxton.	The Courthouse	Campbelltown.
The Argyle Hall	Hunterville.	The Courthouse	Lumsden.
The Courthouse	Marton.	The Town Hall	Otautau.
Bright's Hall	Otaki.	The Courthouse	Riverton.
		The Courthouse	Winton.
The Courthouse	City of Wellington.	The Courthouse	Wyndham.
The Courthouse	Lower Hutt.		
The Courthouse	Upper Hutt.	The Courthouse	Greymouth.
		The Courthouse	Ahaura.
The Courthouse	Masterton.	The Masonic Hall.. .. .	Brunnerton.
The Courthouse	Carterton.	The Courthouse	Goldsborough.
The Wesleyan Hall	Featherston.	The Courthouse	Kumara.
The Oddfellows' Hall	Eketahuna.	The Courthouse	Reefton.
The Courthouse	Greytown.	The Courthouse	Stafford.
The Town Hall	Pahiatua.		
The Town Hall	Whareama.	The Courthouse	Hokitika.
		The Courthouse	Okarito.
The Courthouse	Nelson.	The Courthouse	Ross.
The Courthouse	Brightwater.	The Courthouse	Waitangi, Chatham Islands.
The Courthouse	Motueka.		
The Courthouse	Westport.		
The Courthouse	Charleston.		
The Courthouse	Collingwood.		
The Courthouse	Lyell.		

As witness the hand of His Excellency the Governor,
this twenty-eighth day of May, one thousand
eight hundred and ninety-four.

W. P. REEVES,
For the Minister of Justice.

RULES FOR MAGISTRATES' COURTS.

GLASGOW, Governor.

ORDER IN COUNCIL.

At the Government Buildings, at Wellington, this fourth day of June, 1894.

Present :

THE HONOURABLE THE PREMIER PRESIDING IN COUNCIL.

WHEREAS by the ninth section of "The Magistrates' Courts Act, 1893," it is enacted that the Governor may by Order in Council from time to time prescribe, alter, vary, suspend, or rescind rules or regulations for the several purposes therein mentioned :

And whereas by the said section it is further enacted that all rules, regulations, and tables of fees in force at the commencement of the said Act shall continue in force until revoked :

And whereas it is expedient to revoke all former rules made under the Acts repealed by the said Act, and to make other provisions in lieu thereof :

Now, therefore, His Excellency the Governor of the Colony of New Zealand, in pursuance and exercise of the powers and authorities conferred by the said Act, and by and with the advice and consent of the Executive Council of the said colony, doth hereby revoke and abolish, as from the first day of July, one thousand eight hundred and ninety-four, all former rules made and scales of fees fixed under the Acts repealed by the said Act, and in lieu thereof doth hereby make and prescribe the rules, regulations, forms, charges, costs, and fees set forth in the Schedule hereto, to take effect as from the said first day of July, one thousand eight hundred and ninety-four.

ALEX. WILLIS,
Clerk of the Executive Council.

SCHEDULE.

1. Interpretation.

THESE rules may be cited as "The Magistrates' Courts Rules, 1894."

The interpretation of terms in section 8 of "The Magistrates' Courts Act, 1893," applies to these rules; and the several words and expressions hereinafter mentioned or referred to shall have or include the meanings following, viz. :—

"The Act" means "The Magistrates' Courts Act, 1893":

"Affidavit" includes statutory declaration and affirmation; and the word "sworn" includes affirmed:

"Foreign Court" means the Court to which process is sent for service or execution from a Home Court:

"Home Court" means the Court from which process is issued.

2. Office-hours.

The Clerk shall keep his office, at the place where the Court of which he is Clerk is holden, open to the public from 10 a.m. till 1 p.m., and from 2 p.m. to 4 p.m., except on Saturday, on which day the office shall be closed to the public at noon:

Provided that when the Clerk has to attend to more offices than one, situate at different places, or when the Clerk is also a police officer, he shall keep his office or offices open on such days and hours as the Magistrate shall from time to time appoint.

A notice of the office-hours shall be posted in some convenient place accessible to the public:

Provided also that any office may from time to time be closed or opened by special order of the Magistrate.

3. Holidays.

The following days shall be holidays in the Courts and the offices thereof, that is to say: The days from Good Friday to Easter Tuesday, both inclusive; the days

from Christmas Eve to the 3rd January, both inclusive; the birthday of the reigning Sovereign; the birthday of His Royal Highness the Prince of Wales; and, in each district, the anniversary of the establishment of the province. A Clerk will, however, attend at 10 a.m. on every holiday to transact any urgent business, unless the Magistrate shall specially dispense with such attendance.

4. *Plaint-book.*

The Clerk shall keep the *Plaint-book* in the Form No. 1 in Appendix A hereto. The names, last-known places of abode, and occupations of both plaintiffs and defendants shall, in all cases where they are known, be entered in full.

5. *Plaint-note.*

The *plaint-note* shall be in one of the Forms No. 7, 7A, or 7B in Appendix A hereto. No entry shall be made in the *Plaint-book* until the *plaint-note* shall have been delivered to the Clerk, with the prescribed fee affixed thereon in stamps. The number of the *plaint* and the title of the action, together with the date of hearing, the several adjournments, if any, the particulars of the judgment when given, the name of the Magistrate or Justices by whom given, and the names of the solicitors appearing, if any, shall be indorsed thereon. The name of each witness and by whom summoned shall also be entered on the *plaint-note* opposite to the stamp denoting the fee for the subpoena.

The Clerk shall keep the *plaint-note*, together with all processes, notices, orders, and other documents relating to the action, in a separate bundle, properly secured and indorsed. All *plaint-notes* shall be filed in numerical order of each year.

6. *Statement of Claim.*

The full and explicit statement in writing of the particulars of plaintiff's claim, which he is to deliver to the Clerk, shall be headed "*Statement of Claim*," and forms similar to those in Appendix B hereto may be used. Where the *plaint* is entered by a solicitor his name and address shall appear at the foot of the statement of claim.

7. *When Summons to be issued.*

All summonses shall, if possible, be issued on the day upon which they are applied for, and forwarded or handed to the proper officer or person for service not later than the day after application.

8. *Computation of Time for Service of Summons.*

In computing the three clear days for service of a summons under section 71 of the Act, no Sunday or Court holiday shall be counted; and, in fixing the longer interval therein referred to, due consideration shall be given to the distance which the defendant resides from the Court, and to the interval necessary for service of a counter-claim.

9. *Record of Foreign Processes.*

Whenever a summons is required to be sent to a foreign Court for service, the Clerk shall send therewith a memorandum in the Form No. 9 in Appendix A hereto, and shall enter in the *Plaint-book* in the columns for the purpose the date, and the name of the foreign Court to which it is sent.

The Clerk shall also send a memorandum in the Form No. 10 in the said Appendix, with any warrant required to be executed by the Bailiff of any foreign Court, and shall enter in the *Warrant-book* (Form No. 3) the date and the name of the foreign Court to which it is sent.

The Clerk shall keep a book in the Form No. 4 in Appendix A hereto, in which he shall enter all processes received from foreign Courts for service or execution.

10. *Civil Record-book.*

The Clerk shall, previous to every sitting of the Court, enter in the *Civil Record-book* in the Form No. 2 in Appendix A hereto, in their numerical order, every case the hearing of which is fixed for or stands adjourned to that day. A memorandum of the decision of the Court shall be entered in the *Civil Record-book* opposite each case, and the Magistrate or Justices hearing each case shall subscribe his or their signature or signatures thereto. The Clerk shall keep an alphabetical Index to the *Civil Record-book*, and shall make the necessary entries in the said Index at least once in each week.

11. *Minute-book.*

The Clerk shall keep a book to be known as the "*Minute-book*," in which shall be entered minutes of proceedings and orders of an interlocutory nature, of applications to the Magistrate, of orders which a Magistrate is empowered or directed to

make under "The Married Women's Property Protection Act, 1880," "The Adoption of Children Act, 1881," "The Regulation of Local Elections Act, 1876," or any other Act for the time being in force, and of all miscellaneous matters. The Minute-book shall be a blank book (demy size), ruled faint blue with a red marginal line, and shall be paged and indexed.

Where the proceeding or matter of which minute is made relates to an action which commenced with entering a plaint under the Act, such minute shall be headed with the plaint number, and a memorandum shall be made on or attached to the plaint-note of the proceeding or matter, and showing the page of the book where minute of such proceeding or matter is entered.

When an order is made or proceeding taken under any special Act, the said order or proceeding shall be indexed under heading of such Act.

Every minute or order entered in the Minute-book shall be signed by the Magistrate or Justices before whom the proceeding is taken, or by whom the order is made.

12. Warrant-book.

The Clerk shall keep a book in the Form No. 3 in Appendix A hereto, in which he shall enter the particulars as therein provided of all warrants under civil process issued to the Bailiff of his Court, or forwarded to any foreign Court for execution, and in which he shall enter the amounts respectively received on such warrants.

13. Search-book.

The Clerk shall keep a book in the Form No. 5 in Appendix A hereto, to be called the "Search-book." Every application for a search shall be entered therein, and signed by the applicant. The stamp denoting the fee for such search shall be affixed in the Search-book and cancelled by the Clerk.

14. Issue of Summons when more than one Defendant.

When a summons is issued, and there is more than one defendant, it shall be sufficient to issue one Court-copy for the purpose of affidavit of service containing the names of all the defendants, except when the defendants reside in different places, in which case a Court-copy for purpose of affidavit shall be sent to each place. If there shall be more than one defendant, the names of all the defendants shall be included in each summons.

15. Summons to be served and returned without Delay.

The Bailiff or other person who serves any summons shall forthwith make an affidavit showing the true place, time, and mode of service, and return the Court-copy summons with such affidavit to the Clerk from whom he shall have received it; and such copy, if issued from a foreign Court, shall be forwarded without delay to such Court, to be there filed. If, on the day appointed for a sitting of the Court, any summonses issued for such sitting are unserved, the Bailiff shall report in writing (Form No. 11) to the Clerk in each case the reason of such non-service.

16. Clerk of Foreign Court may correct Mileage or Residence of Defendant.

Whenever any process is sent to the Clerk of a foreign Court to be dealt with in accordance with the provisions of the Act, on which the amount charged for mileage is incorrect, or in which the defendant's residence is incorrectly stated, the Clerk of the foreign Court to whom such process is sent may make all necessary alterations in such process, and when such process is a summons the same may be served on the defendant whenever he may be found.

17. Form of Summons.

The summons to be issued to each defendant under section 71 of the Act shall be in the Form No. 16 in Appendix A hereto. It shall have indorsed thereon a notice to the defendant in the Form No. 18 of the said Appendix. When the defendant is a Native, a translation in the Form No. 16 (Maori) shall be attached. The summons to be issued under subsection (2) of section 72 of the Act shall be in the Form No. 17 in the said Appendix A. A summons issued under section 81 of the Act shall be in the said Form No. 16, and shall bear on the face of it the words "Issued by leave of the Court." The copy or copies for service of every summons shall be marked "Duplicate." On the copy of every summons to be filed in Court there shall be indorsed an affidavit of service, in the Form No. 19 in the said Appendix A.

18. Authority to dispense with Personal Service.

The authority to dispense with personal service provided for in section 79 of the Act shall be in the Form No. 23 in Appendix A hereto, or to the like effect, and the

affidavit showing grounds shall be in the Form No. 22, or to the like effect. When personal service is dispensed with, a sealed duplicate of the order for substituted service shall be served with the summons.

19. Service in Particular Cases.

The following are regulations for service in the particular cases referred to in the last paragraph of section 79 of the Act:—

(a.) When husband and wife are defendants to an action, personal service on the husband shall be deemed good service on the wife, except,—

- (1.) The action affects the separate estate of the wife;
- (2.) The husband and wife have been judicially separated by decree, or have entered into a deed of separation;
- (3.) The wife has obtained a protection or other similar order under any Act for the time being in force affecting married women.

The Court, however, at any stage in the action, may order that the wife shall be separately served.

(b.) When an infant is a defendant, personal service on his or her father or guardian, or, if none, then upon the person with whom the infant resides, or under whose care he or she is, shall, unless the Court otherwise order, be deemed good service on the infant: Provided that the Court may order what service made or to be made upon an infant shall be deemed good service.

(c.) When a lunatic is a defendant, service on the committee of the lunatic, if one has been appointed, or on the person with whom such defendant resides, or under whose care he or she is, shall, unless the Court otherwise order, be deemed good service on the lunatic.

(d.) When a defendant is living or serving on board any ship or vessel it shall be sufficient service to deliver the duplicate summons to the person on board who apparently has at the time of such service charge of such ship or vessel.

(e.) Where a defendant is a prisoner, it shall be sufficient service to deliver the duplicate summons to the gaoler or any officer apparently in charge at the prison in which he is confined, who shall deal therewith in accordance with the prison regulations.

(f.) Where a defendant is working in a mine or other works underground, it shall be sufficient service to deliver the duplicate summons at such mine or works to the engine-man, banks-man, or any person apparently in charge of the mine or works.

(g.) Where a defendant is employed and dwells in any lunatic asylum, or in any prison, industrial school, or other similar place, it shall be sufficient service to deliver the duplicate to the keeper, or to any person apparently in charge of such place.

(h.) Unless otherwise provided by statute or charter, service may be effected on,—

- (1.) Corporations, by delivering a copy of the summons to the Mayor, President, Chairman, Town Clerk, Secretary, or Treasurer of such Corporation, or any one performing the duties incidental to any of those offices.
- (2.) Incorporated companies, by delivering a copy of the summons to the president, chairman, managing director, manager, or secretary of such company, or to any one performing the duties incidental to any of those offices, or to any one purporting to have charge of the business of the company at its registered office or principal place of business in the colony.

(i.) When a defendant is beyond the limits of the colony, if he have an attorney or agent authorised to transact his affairs generally, and to defend actions on his behalf, the summons may, by leave of the Court, be served on such attorney or agent, subject to such terms as the Court may think fit to impose.

(j.) In all cases not provided for by the Act or these rules, service may be effected in such manner, and subject to such conditions, as the Court may direct by writing indorsed on the summons.

(k.) In any case a solicitor duly authorised may accept service on behalf of the defendant, and the solicitor shall in any such case indorse on the Court-copy of the summons a certificate that he accepts service, and shall sign and date such certificate.

20. Clerk may enlarge Time of Hearing.

Whenever a summons shall not have been served in time for the sitting of the Court, the Clerk may, on the application of the plaintiff, enlarge the time of hearing to some convenient day being a day appointed for the Court to sit. This he shall do by striking out the original date of hearing, inserting the new date, and placing his initials in the margin opposite the alteration, or he may issue a new summons bearing the same date as the original one.

21. *Adjournment by Consent.*

Where a summons has been served, the parties, or their solicitors, or their agents authorised in writing, may, by signing and filing with the Clerk a consent in the Form No. 39 in Appendix A hereto, or to the like effect, and paying the prescribed adjournment-fee, adjourn the hearing to some subsequent day, being a day appointed for the sitting of the Court, and the adjournment shall be entered up forthwith in the Civil Record-book and signed by the Magistrate or Clerk.

22. *Summons to Witness.*

The summons to a witness may be in either of the Forms Nos. 40 or 41, and if such witness be a Native shall be accompanied by a translation in the corresponding Maori forms in Appendix A hereto. The summons shall be served personally, and it shall be sufficient if it be served a reasonable time before the time appointed for the sitting of the Court, having regard to the distance the witness will have to travel. The service may be proved on oath at the hearing, or by an affidavit in the Form No. 42 in Appendix A hereto, sworn in accordance with section 42 of the Act. The affidavit may include a statement that a certain sum of money as expenses was tendered or paid to the person named in the summons. When application is made to the Court, or the Court proposes of its own motion, at the hearing of any action, to impose a penalty on any witness for disobedience, in accordance with section 86 of the Act, if such witness be present the Court may call upon him to show cause forthwith, or may appoint a convenient time for the said witness to show cause why he should not be punished; if the witness be not present, he shall be first served with an interlocutory summons in the Form No. 110 in Appendix A hereto, appointing a time and place for his attendance to show cause. If at the time and place so appointed he shall fail to appear, or appearing shall not satisfy the Court in that behalf, the Court may make an order in the Form No. 111, to be followed, if necessary, by committal in the Form No. 112 in the said Appendix. Any interlocutory summons may be signed by the Clerk.

23. *Confession, Judgment by Consent, and Payment into Court.*

A written confession of claim or consent to judgment by the defendant shall be in such of the Forms Nos. 26, 26m, 27, 28, and 29, in Appendix A hereto, as may be appropriate. Notice may be given in Form No. 24 when the confession is for the whole amount claimed and unconditional; in other cases a duplicate of any confession may be served on the plaintiff by way of notice.

Whenever, after a summons has been served on him, a defendant attends at the office of the Clerk to confess the cause of action and wishes to attach a condition to such confession in accordance with section 105 of the Act, the Clerk may, at his request, sign a notice to the plaintiff in Form No. 30 in Appendix A hereto, which may be served on the plaintiff with a duplicate of the confession signed by the defendant attached. If the plaintiff then sign thereon his consent to the condition, and his signature be witnessed by a Magistrate, Clerk of Court, Justice of the Peace, or solicitor not engaged in the action, and the confession so signed and witnessed be returned to the Clerk by post or otherwise, then judgment may be at once entered up and signed by the Clerk of the Court without further attendance of the parties.

In paying money into Court the defendant shall sign in duplicate the notice thereof in such one of the Forms Nos. 31 or 32 in Appendix A hereto as may be appropriate. The Clerk shall thereupon note the fact of such payment and attach the original notice to the plaint-note, and the duplicate shall be served on the plaintiff. If the plaintiff give notice the day before the hearing of his acceptance of part of a claim so paid into Court, in the Form No. 25 in the said Appendix, the action shall cease.

24. *Production of Documents.*

Notice to admit or produce documents may be according to the Forms Nos. 44 to 47 in Appendix A hereto, with such variations as circumstances may require. An affidavit by the party, his solicitor, or the clerk of either, of the service of any notice to admit or to produce, and of the time when it was served, with a copy of the notice to admit or to produce, shall in all cases be sufficient *prima facie* evidence of the service of the notice and of the time when it was served. Application may be made to the Magistrate at any convenient time in Chambers for an order under section 87 of the Act. Such order may be in the Form No. 43 in Appendix A hereto.

25. *Discontinuance.*

The memorandum or notice of discontinuance provided for in section 111 of the Act shall be in one of the Forms Nos. 37 or 38 in Appendix A hereto, and shall be signed by or on behalf of the party or parties to the action.

On any such notice being filed, signed on behalf of both parties to the action, a discontinuance shall be entered up and signed by the Clerk of the Court forthwith, but if such notice be signed on behalf of the plaintiff only, discontinuance shall not be entered until the day appointed for the hearing, and costs may then be awarded by the Court on the application of the defendant. If no application is made for costs on the day of hearing the defendant shall be deemed to have abandoned his claim to them.

26. Striking-out of Action and Reinstatement: Costs thereupon.

If at the time and place of hearing, or at any continuation or adjournment of the Court or action, neither party shall appear, the action shall be struck out, but may be reinstated on the application of the plaintiff made on the same day without notice to the defendant; but when the Court orders the action to be reinstated after the defendant has appeared, the notice to the defendant may be in the Form No. 54 in Appendix A hereto, or in such form as the Court may order, and such notice, unless the Court shall otherwise order, shall be served two clear days at least before the day to which the hearing is adjourned.

This rule shall apply, *mutatis mutandis*, to applications for the examination of witnesses in accordance with section 92 of the Act. If any such application be struck out by the Court for examination on non-appearance of parties, the Clerk shall forward forthwith to the Court for hearing a certificate in the Form No. 52 in Appendix A hereto. If at the time appointed the party applying to take evidence fails to appear at the Court for examination but the opposite party appears, then the opposite party shall be entitled to such reasonable costs as the Court may order; and the Clerk shall forward to the Court for hearing a certificate of the allowance of such costs in the Form No. 53 in the Appendix A hereto.

27. Application for Rehearing.

An application under section 156 for a rehearing of an action or interlocutory proceeding shall be in writing, in the Form No. 59 in Appendix A hereto. If both parties concur therein, the Clerk shall at once fix the time for the rehearing, being the first practicable sitting of the Court, or such other time as may be agreed on by the parties; but if both parties do not concur, the Clerk shall fix a time for the hearing of the application, and notice shall be served on the opposite party, in the Form No. 60 in Appendix A hereto, two clear days before the time so fixed. Upon hearing the parties the Court may make such order, either dismissing the application or granting the rehearing, and fixing the time for the same, upon such terms as may seem just and reasonable, and the order shall be entered in the minute-book.

28. Notice of Grant of a New Hearing to be given.

When a new hearing is granted under section 101, a notice in the Form No. 55 in Appendix A hereto, or to the like effect, shall be served on or sent to the plaintiff by the defendant, and, if more than one, to each plaintiff, two clear days at least before the time appointed for the new hearing, unless the Court shall otherwise order.

29. Satisfaction of Judgment.

The Clerk shall enter on the plaint-note in each action, as well as in the Civil Record-book, the satisfaction of the judgment therein; and, when the judgment-debt is payable by instalments, he shall attach to the plaint-note a sheet in Form No. 56 in Appendix A hereto, and shall enter thereon each payment as made by the judgment debtor. When the judgment debtor in any action applies for satisfaction to be entered, but the full amount of the judgment and costs has not been paid into the Court, the Clerk shall not enter such satisfaction until a memorandum of consent, in the Form No. 123 in Appendix A hereto, has been filed, signed by the judgment creditor, and witnessed by any Clerk, Justice of the Peace, or solicitor.

30. Proceedings by Infants.

When an infant desires to commence an action (other than an action under section 49 of the Act), or is a claimant in an interpleader proceeding, he shall procure the attendance of a next friend at the office of the Clerk at the time of entering the plaint, or delivering the particulars of the goods and chattels claimed. No plaint shall be entered or statement of claim received until the next friend has undertaken, according to the Form No. 76 in Appendix A hereto, to be responsible for costs. The action or interpleader proceeding shall proceed in the name of the infant by such next friend, and the undertaking shall be filed by the Clerk; and the Court may at the hearing admit the person so undertaking to act as next friend, or make such order in reference thereto as it may think fit.

31. *Guardian ad litem.*

An order for the appointment of a guardian *ad litem* to an infant defendant may be made at any convenient time by the Magistrate in Chambers, and such order shall be entered in the Minute-book. No such order shall be made in the absence of the said guardian unless he shall have signed a consent in Form No. 75 in Appendix A hereto.

32. *Joinder and Striking-out of Parties.*

Applications under section 61 of the Act may be made to the Magistrate in Chambers at any convenient time, or at the hearing of an action. No person shall be added as a plaintiff without his own consent; and every person whose name is added as a defendant, if not present, shall be entitled to notice, in the Form No. 62 in Appendix A hereto, which shall be served two clear days before the time at which the hearing is to be proceeded with, or at such longer interval as the Court or Magistrate may order.

33. *Change of Parties.*

When any application is made to the Court for an order substituting or adding a plaintiff or defendant, notice of such application shall be given to the opposite party, and a copy filed with the Clerk. Such notice shall be in the Form No. 63, in Appendix A hereto, and shall set out the facts on which the applicant relies, and shall name the time when the applicant intends to apply to the Court, and shall be served two clear days before such day of hearing of the application. On the day named in the notice, or on any subsequent day, the Court may make such order in the matter as it may think fit, a memorandum of which shall be made on the plaint-note and in the Minute-book, and all subsequent proceedings shall be carried on under the altered title.

34. *Change of Venue.*

When an application is made to change the venue, notice of such application shall be in Form No. 64 in Appendix A hereto, and shall be served on the plaintiff or defendant, as the case may be, and a copy filed with the Clerk two clear days before the day on which the application is to be made. The application may be made to the Court, or to the Magistrate in Chambers, on any convenient day to be fixed by the Clerk. An order changing the venue shall be in the Form No. 65 in Appendix A hereto, and shall be entered in the Minute-book, and indorsed on the plaint-note.

35. *Attachment of Debts.—Examination of Defendant at Hearing.*

When a plaintiff is desirous that the defendant, if the defendant shall have judgment given against him, shall be orally examined forthwith after the judgment shall have been given as to what debts are due, owing or accruing to him, the plaintiff shall, before the action is called on, lodge with the Clerk a notice, in the Form No. 66 in Appendix A hereto; and the Court, after judgment given, may order the immediate examination of the defendant, and he may then be examined as to any debts due, owing, or accruing to him, and, if any such debtor be present in Court, he may be required forthwith, if he admits the debt, to show cause why he should not be ordered to pay into Court, for the benefit of the judgment creditor, such debt, or so much thereof as will satisfy the judgment, and such order shall be entered in the Record-book, and may be enforced in manner provided by the Act.

36. *Examination of Judgment Debtor and Sub-debtor.*

A plaintiff who has not lodged the notice provided for in Rule 35, and who has obtained a judgment, or a defendant who has obtained a judgment against a plaintiff, may at any time thereafter apply, *ex parte*, to the Magistrate of the Court where the judgment was given, in Chambers, for an order or orders for the examination of the judgment debtor and of any sub-debtor. Such orders may be in the Forms Nos. 67 and 69 in Appendix A hereto, or to the like effect; and service of an attachment order (No. 69) shall be sufficient summons to the sub-debtor to attend the examination, provided that no sub-debtor shall be required to attend for examination at any Court or place more than twenty miles from the place where he resides or carries on business. A sub-debtor attending for examination shall be entitled to his expenses, according to the prescribed scale for witnesses.

37. *Plaint against Sub-debtor.*

The sub-debtor may give notice of payment into Court, or that he disputes the debt, in the Form No. 71 of Appendix A hereto.

When an order is made that the judgment creditor may sue the sub-debtor, the judgment creditor shall commence the action in accordance with sections 68 and 69 of the Act, provided that the words "cause of action," in the second line of section 69, shall mean the cause of action as between the judgment debtor and the sub-debtor. If the sub-debtor neither pays in, disputes the debt, or appears, the order may be made absolute (Form No. 70). Execution against a sub-debtor shall be in the Form No. 95 in Appendix A hereto.

38. *Writ of Arrest.*

A writ of arrest shall be in the Form No. 84 in Appendix A hereto, and shall be addressed to the Bailiff of the Court, or to some police constable to be named in the writ. Such Bailiff or police constable shall, on executing the same, deliver to the defendant a notice signed by the Magistrate or Justices issuing the writ in the Form No. 85 of the said Appendix. If the defendant gives bail for his attendance at the hearing, it may be by bond in the Form No. 86 in the said Appendix.

Where a writ of arrest is applied for and the defendant resides at a distance from the Court of issue, the applicant shall deposit such a sum as the Magistrate or Justices may think reasonable to cover the costs and expenses of arrest; such costs and expenses shall be costs in the action.

The consent for summary hearing may be in the Form No. 87 in the said Appendix.

39. *Arbitration.*

The Magistrate may, at any time after the plaint is entered, with the consent of parties, in the Form No. 72 in Appendix A hereto, make an order of reference in the Form No. 73 in the said Appendix; and on entering up judgment thereunder the same fees shall be paid as would have been paid if judgment were entered by confession; but where any reference is ordered to the Clerk or other officer of the Court, the same hearing-fee shall be paid as if the action had been tried.

The costs of the arbitration shall be entered up in the judgment as the Court may direct.

40. *Recovery of Tenements.*

Where a plaint is entered for the recovery of possession of a tenement, either with or without a claim for rent, mesne profits, or damages, the plaint-note shall be in the form 7A in Appendix A hereto. The summons mentioned in sections 175 and 178 of the Act shall be in the Form No. 100, and that under section 176 in the Form No. 101.

41. *Deserted Premises.*

The request to be made by the landlord of deserted premises under section 177 may be made in Chambers in Form No. 103 in Appendix A hereto. The action shall be entered in the plaint-book, and the written request filed in lieu of the ordinary plaint-note. The warrant to view shall be in the form No. 104, the notice to be affixed to the premises in the Form No. 105, and the final warrant for possession in the Form No. 106 in Appendix A hereto.

42. *Warrants of Possession and Confession in Tenement Cases.*

The warrant for giving possession of a tenement shall be such one of the forms in Appendix A hereto, Nos. 102 or 106, as may be applicable in each case.

The defendant in a tenement action may sign a confession in the Form No. 27, and thereupon (*mutatis mutandis*) the same proceedings shall follow as on a confession of claim in an ordinary action.

43. *Security.*

In all cases where security is to be given, it may be by bond, to the opposite party with one or two sureties to be approved by the Court or by a deposit of money. The sureties to a bond shall severally make an affidavit in the Form No. 88, in Appendix A hereto, of their sufficiency, unless the opposite party shall dispense with such affidavit. The bond shall be deposited with the Clerk. No Clerk, Bailiff, or other officer of the Court, or solicitor acting in the action, shall in any case become surety. If security be given by deposit of money, the party giving such security shall deposit with the Clerk a sum equal in amount to the sum for which he would be required to give security by bond, together with a memorandum to be approved of

by such Clerk, and to be signed by such party, his solicitor, or agent, setting forth the conditions on which the money is deposited, and the Clerk shall give to the party paying a written acknowledgment of such payment; and the Magistrate may, on the same evidence as would be required to enforce or avoid a security by bond, order such sum so deposited to be paid out to such party or parties as he shall think fit.

44. Certificate of Judgment.

Whenever the Clerk is required, for any purpose, to give a certificate of any judgment or order recorded in the Civil Record-book of a Magistrate's Court, or of any Court abolished by the Act, such certificate may be in the Form No. 121 in Appendix A hereto, and shall be signed by the said Clerk and sealed with the seal of the Court of which he is Clerk. Whenever the Clerk is required to give a certificate of any order or proceeding recorded in the Minute-book of a Magistrate's Court, a true copy shall be made of the minute of such order or proceeding, and the Clerk shall append a certificate signed by him that it is a true copy, and seal the same with the seal of the Court.

45. Issue of Warrants.

Before the issue of any warrant, the person desiring to have the warrant issued shall lodge with the Clerk of the Court an application in the Form No. 90 in Appendix A hereto, or to the like effect, signed by the plaintiff, his solicitor, or some person duly authorised by him in writing in that behalf. The certificate to be signed by the Clerk under section 117 shall be in the form in the margin of the respective warrants of distress, and such of the Forms Nos. 91, 91M, 93, 94, or 95 shall be used as may be appropriate in each case. A warrant of distress under section 39 of the Act may be in the Form No. 92 in Appendix A hereto. In actions under section 50 of the Act, the warrant of distress shall direct levy *de bonis propriis*, or *de bonis testatoris*, or in the alternative, as the Court may order.

46. Bailiff to furnish Statements of Property seized.

The Bailiff shall deliver to the Clerk immediately after seizure thereof a written statement of all cheques, bills of exchange, promissory notes, bonds, or other securities for money which shall have been seized or taken by him on a warrant of distress. He shall also, when returning a warrant after execution, deliver therewith a full statement in writing, signed by himself, of all goods and chattels seized and taken by him under the said warrant, and, if the said goods and chattels have been sold, setting forth opposite each article the price realised at the sale thereof, together with a general balance-sheet in respect to the proceeds of and expenses on such warrant, in the Form No. 122 in Appendix A hereto. When after diligent search the Bailiff is unable to find any goods on which to levy, he shall indorse on the warrant his return of *nulla bona* in the Form No. 97 in Appendix A hereto, and sign the same.

47. Receipts for Processes and Reports as to Warrants.

The Bailiff shall, upon the receipt of any process, affix his initials and the date in the proper book as evidence of such receipt. The Bailiff shall report to the Clerk weekly in respect of each warrant issued to him, either from his own or foreign Courts. When a return of such warrant has not been made to the Clerk, and in any case in which it shall appear to the Clerk that an unreasonable delay has taken place in the execution of any warrant or in the immediate accounting for any money received thereon, it shall be his duty forthwith to report the circumstance to the Magistrate.

48. Bailiff to employ Auctioneer.

The Bailiff shall employ an auctioneer to sell the goods and chattels seized under a warrant of distress unless he is otherwise directed by the Magistrate. When he acts as auctioneer himself, the commission on the sale shall be paid to the Clerk in stamps, which shall be affixed to the plaint-note.

49. Clerk to examine Bailiff's Statements, &c.

The Clerk shall require the Bailiff to deliver to him the various statements, reports, and balance-sheets as required by these rules, accompanied by vouchers for all disbursements, and shall examine them, and in case of any irregularity shall report the same forthwith to the Magistrate.

50. No Officer of Court to act as Agent for Suitor.

No Clerk, Bailiff, or other officer of the Court shall, on behalf of suitors, receive any money out of Court, or sign any receipt for such moneys, or otherwise act as agent for suitors, except as provided by the Act and rules.

51. Interpleader Claims.

The writing to be delivered to the Bailiff under section 130 of the Act by a landlord claiming rent may be in the Form No. 79 in Appendix A hereto.

Any person making a claim to or in respect of any goods taken in execution under a warrant of distress shall deliver to the Bailiff or person in charge of such goods a notice in the Form No. 78 in the said Appendix, containing full particulars of the goods claimed and the grounds of such claim. The Bailiff or person in charge may thereupon give notice to the execution creditor in the action in the Form No. 77 in the said Appendix, and if the execution creditor then admits, in Form No. 82, claimant's title, proceedings shall be stayed.

If the Bailiff takes out interpleader summonses they shall be in the Forms Nos. 80 and 81, in the said Appendix A, which may be signed by a Magistrate, a Justice of the Peace, or by the Clerk of the Court where the claim is to be heard, and shall be served on the claimant and on the execution creditor forty-eight hours at least before the time appointed for the hearing.

52. Hearing of Interpleader Claim.

At the hearing of the claim, the case shall proceed as if the claimant were the plaintiff and the execution creditor the defendant. The order of the Court shall be entered in the Minute-book, and a sealed duplicate of such entry shall be sent to the Court from which the distress warrant issued if the hearing of the claim took place at a different Court.

53. Solicitors may act for Parties.

Where by the Act or these rules any act may be done by a party, such act may be done by his solicitor, provided that no solicitor or agent shall be entitled to withdraw any money paid into Court, or in the custody of the Clerk to the credit of a plaintiff or defendant, unless there be lodged with the Clerk a written order in the Form No. 57 in Appendix A hereto, signed by the party entitled to such money and attested by an adult witness.

54. Agents.

When it is lawful for a party to an action to employ an agent to do any act in reference to such action, and whether such employment is expressly authorised by the Act or otherwise, the agent so employed shall be authorised in writing under the hand of the party employing him, and the authority shall expressly state the particular act or acts authorised to be done by such agent. Every such authority shall be filed in the Court, and shall be deemed to continue in force until express notice to the contrary in writing signed by the principal, or notice of his death, shall have been delivered to the Clerk and filed in Court.

55. Interpreters.

If an interpreter is required to interpret the evidence of a Maori or foreign witness to the Court, such interpreter shall be procured by the party desiring to use such evidence. If a Maori or foreign defendant neglects or refuses so to procure an interpreter, the plaintiff may do so.

Where the Act requires particulars, summonses, or other processes to be translated into Maori before service or execution, the plaintiff may employ an authorised interpreter to translate the same, who shall certify to the correctness of such translation, and the cost of such translation shall be added to the costs at the foot of the summons or warrant, as the case may be, and be recoverable as costs. For either interpreting in Court or translating documents, the interpreter may be allowed fees not exceeding the fees authorised to be paid to Maori interpreters by the scale in Appendix C hereto. All such fees may, if the Court so order, be costs in the action: Provided that where the Clerk is competent he may translate documents or interpret in Court without charge.

56. Appraisers.

When any person is appointed by a Magistrate to act as appraiser under either section 127 or section 132 of the Act the appointment shall be in writing and shall fix the remuneration to be paid to such person for such appraisal, the amount of which shall be costs in the action if the Court shall so order.

57. Trust Money Accounts.

The account of moneys paid into or out of Court, which is to be kept by the Clerk under section 19 of the Act, shall be kept in the manner prescribed by the Treasury Regulations of the 3rd day of December, 1891, published in the *New Zealand Gazette* of the 22nd day of February, 1892, or other the Treasury Regulations

for the time being in force, and the Law Trust Cash-book of the Clerk shall be in the form in the Tenth Schedule of the said regulations.

58. Non-compliance with Rules.

Non-compliance with any of these rules shall not render any proceedings void, but such proceedings may be amended or otherwise dealt with, in such manner and upon such terms as the Court may think fit, under section 98 of the Act.

59. Rules for Conduct of Business.

Every Magistrate shall, from time to time, make such rules as he may think proper for regulating the conduct of business in the Court over which he presides and in the office of such Court, provided that such rules shall not be repugnant or contrary to the Act or these rules.

60. Order and Conduct of Hearing.

The Court shall decide at the hearing of each action which party shall have the right to begin or to reply, and as to the order and number of addresses by counsel, but unless the Court otherwise direct at the hearing, and in default of any general rule for the purpose being made by the Magistrate, the following shall be the order of proceeding when both parties appear: The defendant shall be asked by the Clerk if the case is defended. If undefended, judgment shall be entered up by consent, subject to such terms as may be imposed by the Court under section 97. If defended, the plaintiff (or his counsel) shall state his case, and adduce evidence in support of it. The defendant (or his counsel) shall then state his case and adduce evidence, and also sum up the evidence, after which the plaintiff may reply on the whole case. If the defendant does not at the close of the plaintiff's case state his intention to adduce evidence the plaintiff shall sum up his evidence, and the defendant shall reply generally. When a case not merely answering the case of the plaintiff is set up by the defendant, and evidence is adduced in support thereof, the plaintiff may adduce rebutting evidence, and shall postpone his general reply until he has called such rebutting evidence and the defendant has replied on his new evidence.

61. Cases not provided for.

If any case shall arise for which no form of procedure has been provided by the Act or these rules, the Court shall dispose of such case as nearly as may be in accordance with the provisions of the Act or the rules affecting any similar case, and, if there be no such provisions, then in such manner as the Court shall deem best calculated to promote the ends of justice.

62. Where no Forms in Appendix.

All proceedings and documents shall be in form similar to forms in Appendix A and Appendix B, where the same are applicable; and in cases where no forms are provided, parties shall frame the proceedings or documents, using as guides those contained in Appendix A or Appendix B.

63. Enlargement or Abridgment of Time.

Parties may, by consent, enlarge or abridge any of the times fixed by these rules, or by the Act, for taking any step, or filing any document, or giving any notice in any action or matter. Where such consent cannot be obtained, either party may apply to the Court or Magistrate, on notice to the non-consenting party, for an order to effect the object sought to have been obtained with the consent of the other party, and such order may be made, although the application for the order is not made until after the expiration of the time allowed or appointed.

64. Special Jurisdiction.

Proceedings under section 31 of the Act, and the fees to be collected, and the costs to be allowed in respect thereof, shall be subject and regulated, so far as the same can be, to and by the general rules, practice, and scale of fees of the Supreme Court for the time being relating to similar proceedings in that Court.

65. Allowances to Witnesses and Solicitors' Fees.

The expenses to be allowed to witnesses in accordance with section 84 of the Act, and the fees to which solicitors are entitled by virtue of section 168, shall be in accordance with the scales of witnesses' expenses and of solicitors' fees respectively in Appendix C hereto.

66. Fees of Court.

The fees to be taken in respect of proceedings under the Act shall be those in Appendix D hereto, and the Clerk shall require all fees to be prepaid (as directed by section 172) in stamps only, and shall affix and cancel the stamps in accordance with the regulations for the time being in force under "The Stamp Act, 1882," as to the payment of fees in stamps and the cancellation of the same.

APPENDICES.

APPENDIX A.

LIST OF FORMS IN APPENDIX A.

Number.	Title of Form.	Section of Act.	Rule.
1	Plaint-book	68	4
2	Civil record-book .. .. .	..	10
3	Warrant-book .. .. .	..	12
4	Foreign process receipt-book .. .. .	..	9
5	Search-book .. .. .	..	13
6	General form of heading for forms.		
7, 7A, 7B	Plaint-note (3 forms)	29 (e), 68, 175, 176, 178	5, 40
8	Indorsement on plaint .. .. .	..	5
9	Letter to be sent with summons to foreign Court	82	9
10	Letter to be sent with warrant to foreign Court .. .. .	..	9
11	Bailiff's notice of non-service of summons	82	15
12	General form of affidavit	42	..
13	General form of affirmation	42	1
14	Consent of defendant for issue of summons in particular Court	69	..
15	Agreement to give jurisdiction to Court	29, 30	..
16, 16 M.	Summons to defendant (2 forms)	10, 71	17
17	Short-service summons to defendant	72	17
18, 18 M.	Indorsement of a summons (2 forms) .. .. .	..	17
19	Affidavit of service of summons	42, 79 (4)	17
20	General form of affidavit of service of document	42, 79 (4)	..
21	Memorandum of attendance of Clerk at office.		
22	Affidavit in support of application for substituted service	79, 42	18
23	Order for substituted service	79	18
24	Notice of confession of judgment (whole amount)	105	23
25	Notice of acceptance of moneys paid in	110	23
26, 26 M.	Confession of claim (2 forms)	105	23
27	Confession in proceeding for recovery of tenement	105, 108	23, 42
28	Notice of offer to deliver chattel property	105, 108, 109	23
29	Consent to judgment	106	23
30	Notice of confession with condition attached	105	23
31	Notice of payment into Court of whole claim	108, 109	23
32	Notice of payment of part of claim	108, 109	23
33	Memorandum appointing Court-day	12	..
34	Notice of day fixed for hearing	73	..
35	Notice of set-off or counter-claim	74	..
36	Notice of special defence	75	..
37	Memorandum or notice of discontinuance	111	25
38	Memorandum or notice of discontinuance (in part)	111	25
39	Adjournment by consent of parties	99	21
40, 40 M.	Summons to witness to produce (2 forms)	10, 84	22
41, 41 M.	Summons to witness to appear (2 forms)	10, 84	22
42, 42 M.	Affidavit of service of witness-summons (2 forms)	79 (4)	22
43	Order to produce documents for inspection	87	24
44	Notice to produce documents for inspection	88	4
45	Notice to inspect documents	88	24
46	Notice to produce (general form)	88	24
47	Notice to admit and inspect	88	24
48, 48A	Notice of desire to take evidence (2 forms)	91	..
49	Notice of time and place for examination	92	..
50	Evidence of witnesses examined	93	..
51	Jurat to depositions of witnesses	93	..
52	Certificate of non-appearance	93	26
53	Certificate of costs under section 94	94	26
54	Notice of reinstatement	100	26
55	Notice of new hearing under section 101	101	28
56	Record of payment by instalments	97	29
57	Order for withdrawal of moneys .. .. .	..	53
58	Order to suspend order or judgment	120	..
59	Application for a rehearing	112, 156	27
60	Notice of application for a rehearing	156	27
61	Order for a rehearing	112, 156	27
62	Notice to defendant whose name has been added	61	32

LIST OF FORMS IN APPENDIX A—continued.

Number.	Title of Form.	Section of Act.	Rule.
63	Notice of application for an order for change of parties ..	65	33
64	Notice of application for change of venue	78	34
65	Order for change of venue under section 78	78	34
66	Notice of desire to examine defendant as to debts due to him..	135	35
67	Order for examination of judgment debtor	135 to 138	35, 36
68	Affidavit to support attachment order	137	36
69	Attachment order (interlocutory)	137, 138	36
70	Attachment order absolute	140	37
71	Sub-debtor's notice of payment or dispute	140	37
72	Consent to arbitration	148	39
73	Order of reference	148	39
74	Affidavit when plaintiff <i>in forma pauperis</i>	172	..
75	Consent to act by guardian <i>ad litem</i>	48	31
76	Undertaking by next friend of infant to be responsible for costs	48	30
77	Bailiff's notice of claim to goods taken in execution ..	133	51
78	Interpleader claim	133	51
79	Particulars of claim for rent	130	51
80	Interpleader summons to execution creditor.. ..	133	51
81	Interpleader summons to a claimant	133	51
82	Notice by execution creditor of admission of title of claimant..	..	51
83	Agreement not to appeal	159	..
84	Writ of arrest	145, 147	38
85	Notice to defendant arrested under writ	145, 147	38
86	Bail-bond to be given by defendant under section 145 ..	145	38
87	Consent for summary hearing	145	38
88	Affidavit of justification .. ..	..	43
89	Notice to Bailiff of appeal	166	..
90	Request for warrant of distress (or commitment)	117, 192, 194	45
91, 91 M.	Distress warrant (2 forms).. ..	117	45
92	Distress warrant under section 39	39	45
93	Distress warrant against goods of a married woman ..	117	45
94	Distress warrant for value of specific goods, damages, &c. ..	127	45
95	Distress warrant against the goods of a sub-debtor	140	37
96	Warrant to Bailiff to seize specific goods	127	..
97	Return to distress warrant when no effects .. ..	..	46
98	Order to return specific goods and imprisonment in default ..	127	..
99	Warrant of committal for refusing to return specific goods ..	127	..
100	Summons to a tenant or other person holding over	175, 178	40
101	Summons for recovery of tenement for non-payment of rent ..	176	40
102	Warrant for giving possession of tenement	175, 176, 178	40, 42
103	Information and request of landlord for possession when pre- mises deserted	177	41
104	Warrant to Bailiff to view deserted tenement	177	41
105	Notice to be affixed on deserted premises	177	41
106	Warrant to Bailiff to deliver possession of deserted premises ..	177	41, 42
107	Bond to be given by defendant under section 184	184	43
108	Notice of appeal	159	..
109	Bond as security from an appellant	159	43
110	Interlocutory summons	86	22
111	Order fining witness for non-attendance	86	22
112	Committal of witness in default of fine	86	22
113	Order of fine or, in default, imprisonment for contempt ..	192	..
114	Warrant of commitment for contempt in default of payment of a fine	192	..
115	Warrant of commitment for contempt	192	..
116	Order for imprisonment under section 194	194	..
117	Order for fine or imprisonment under section 194	194	..
118	Committal under section 194	194	..
119	Committal under section 194 in default of payment of fine ..	194	..
120	Warrant for release	194	..
121	Certified copy of order or judgment.. ..	4, 152	44
122	Bailiff's balance-sheet after executing distress warrant ..	125	46
123	Memorandum of satisfaction	155	29

APPENDIX A.

No. 1.
PLAINT-BOOK.

Sec. 68, Rule 4.

MAGISTRATE'S COURT AT

Date of Entry of Plaint.	No. of Plaintiff.	Residence.	Occupation.	Defendant.	Residence.	Occupation.	Cause of Action.	Amount sued for.	Date of Hearing.	Initials of Bailiff.	Date of Receipt by Bailiff.	Name of Foreign Court to which Sum- mons sent.	Date on which sent.	Date of Return from Foreign Court.
								£ s. d.						

No. 2.

CIVIL RECORD-BOOK.

Rule 10.

RECORD OF PROCEEDINGS IN CIVIL CASES IN THE MAGISTRATE'S COURT AT

Date.	No. of Plaintiff.	Plaintiff.	Defendant.	Amount of Claim.	Judgment.				
					For Whom.	Amount.	Court Costs.	Witnesses' Expenses.	Solicitor's Fees.
189 .				£ s. d.		£ s. d.			

Stipendiary Magistrate.

No. 3.

WARRANT-BOOK.

Rules 9 and 12.

RECORD OF WARRANTS ISSUED OUT OF THE MAGISTRATE'S COURT AT

No. of Plaintiff.	Date of Issue.	Plaintiff.	Defendant.	Nature of Warrant.	Amount.	Initials of Bailiff and Date.	Name of Foreign Court to which Warrant sent.	Date issued for.	Result.	Date of Return.	Amount received.
					£ s. d.						£ s. d.

No. 4.

FOREIGN PROCESS RECEIPT-BOOK.

RECORD OF DOCUMENTS RECEIVED FROM OTHER COURTS BY THE CLERK OF THE MAGISTRATE'S COURT AT Rule 9.

Received from	Date of Receipt.	Plaintiff.	Defendant.	Nature of Document.	Amount.	Date issued for.	Initials of Bailiff and Date of Receipt.	Date of Receipt from Bailiff.	How dealt with.	Date of Return to Foreign Court.
					£ s. d.					

No. 5.

SEARCH-BOOK, MAGISTRATE'S COURT AT

Rule 13.

Plaint No. .

I HEREBY apply for a search [or for a general search] in the case of

Plaintiff.
Defendant.

(One shilling stamp, or three shilling stamp.)

Signature of Applicant:

Searched:

Initials of Clerk.

No. 6.

GENERAL FORM FOR HEADING OF PRINTED FORMS.

New Zealand.
"The Magistrates' Courts Act, 1893."
Sec. , Rule .

[Title of Form.]

Plaint No. .

In the Magistrate's Court, holden at
Between
and

, plaintiff,
, defendant.

No. 7.

PLAINT-NOTE.

Sec. 68, Rule 5.

New Zealand.
"The Magistrates' Courts Act, 1893."

In the Magistrate's Court, holden at
Between
and

Plaint No. .

, plaintiff,
, defendant.

THE plaintiff claims to recover from the defendant the sum of , and requests that a summons

Dated at , this day of , 189 .

Plaintiff.

Amount of Stamps affixed.	Nature of Fee.	Date of Issue.

NOTE.—For indorsement see Form 8.

Secs. 68, 175, 176,
and 178; Rules 5, 40.

New Zealand.
"The Magistrates' Courts
Act, 1893."
In the Magistrate's Court, holden at
Between
and

No. 7A.

PLAINT-NOTE.

Plaint No. .

The plaintiff claims to recover from the defendant possession of a certain tenement situate at [Here describe the tenement], and the plaintiff also claims to recover the sum of pounds shillings and pence for rent [or mesne profits or damages], and requests that a summons may be issued forthwith.

Dated at , this day of , 189 .

Plaintiff.

Amount of Stamps affixed.	Nature of Fee.	Date of Issue.

NOTE.—For indorsement see Form 8.

Secs. 68 and 29(e);
Rule 5.

New Zealand.
"The Magistrates' Courts
Act, 1893."
In the Magistrate's Court, holden at
Between
and

No. 7B.

PLAINT-NOTE.

Plaint No. .

The plaintiff claims to recover from the defendant possession of a certain chattel, namely, one [or certain chattels described in the statement attached], value pounds shillings and pence, and the plaintiff also claims to recover the sum of pounds shillings and pence for damages, and requests that a summons may be issued forthwith.

Dated at , this day of , 189 .

Plaintiff.

Amount of Stamps affixed.	Nature of Fee.	Date of Issue.

NOTE.—For indorsement see Form 8.

No. 8.

[Indorsement to be printed on back of *Plaint-note, Forms 7, 7A, and 7B.*]

Plaint No. .
In the Magistrate's Court at .
Date of hearing :
Adjournments (if any) :

189 .

} Plaintiff.
£
} Defendant.

PARTICULARS OF JUDGMENT.

Judgment for plaintiff [defendant]							
For .. .. .	..	..	..	..	..	£	: : :
Costs .. .. .	..	..	..	..	..		: : :
Witnesses' expenses .. .. .	..	..	..	..	..		: : :
Solicitor's fee .. .. .	..	..	..	..	..		: : :
						£	: : :

NOTES.

Name of Magistrate hearing case :
Mr. for plaintiff.
Mr. for defendant.

Stipendiary Magistrate.

No. 9.

New Zealand.
 "The Magistrates' Courts Act, 1893." } LETTER TO BE SENT WITH SUMMONS TO FOREIGN COURT. Sec. 82, Rule 9.
 In the Magistrate's Court, holden at Plaintiff No.
 Between , plaintiff,
 and , defendant.

To the Clerk of the Magistrate's Court at
 I HEREBY request that you will cause the accompanying summons [or summonses] [or subpoenas to witnesses] to be served forthwith, and that you will return the original [or originals] of the same to me properly indorsed showing the fact and mode of service. The defendant [or person to be served] is said to reside at [Here insert full address as given by party].
 Dated at , this day of , 189

Clerk of the Court.

No. 10.

New Zealand.
 "The Magistrates' Courts Act, 1893." } LETTER TO BE SENT WITH WARRANT TO FOREIGN COURT. Rule 9.
 In the Magistrate's Court, holden at Plaintiff No.
 Between , plaintiff,
 and , defendant.

To the Clerk of the Magistrate's Court at
 I HEREBY request that you will hand the accompanying warrant to the Bailiff of your Court for execution, and that you will notify me in due course of the result.
 The solicitors for the , Mr. , of , have undertaken to satisfy your Bailiff's claim for fees on demand.

Dated at , this day of , 189

Clerk of the Court.

No. 11.

New Zealand.
 "The Magistrates' Courts Act, 1893." } BAILIFF'S NOTICE OF NON-SERVICE OF SUMMONS. Sec. 82, Rule 15.
 In the Magistrate's Court, holden at Plaintiff No.
 Between , plaintiff,
 and , defendant.

THE summons in this action has not been served for the following reason:—

Dated at , this day of , 189

To the Clerk of the Magistrate's Court at Bailiff.

No. 12.

New Zealand.
 "The Magistrates' Courts Act, 1893." } GENERAL FORM OF AFFIDAVIT. Sec. 42.
 In the Magistrate's Court, holden at Plaintiff No.
 Between , plaintiff,
 and , defendant.

I, , of [calling or profession], make oath and say as follows [Proceed in numbered paragraphs]:—

Sworn before me at , this day of , 189

Justice of the Peace [or Clerk of Court, or Solicitor].

No. 13.

New Zealand.
 "The Magistrates' Courts Act, 1893." } GENERAL FORM OF AFFIRMATION. Sec. 42, Rule 1.
 In the Magistrate's Court, holden at Plaintiff No.
 Between , plaintiff,
 and , defendant.

I, , of [profession or calling], do solemnly and sincerely affirm [Proceed in numbered paragraphs]:

Affirmed before me, at , this day of , 189

Justice of the Peace [or Clerk of Court or Solicitor].

No. 14.

Sec. 69. New Zealand. }
 "The Magistrate's Courts } CONSENT OF DEFENDANT FOR ISSUE OF SUMMONS IN PARTICULAR COURT
 Act, 1893." } Plaintiff No. .
 In the Magistrate's Court, holden at .
 Between , plaintiff,
 and , defendant.
 I, , residing at , the defendant in this action, hereby consent that the Clerk at
 shall issue the summons herein returnable for hearing at that place on the day of , 189 .
 Dated at , this day of , 189 Defendant [or Solicitor for Defendant].

No. 15.

Secs. 29 and 30. New Zealand. }
 "The Magistrates' Courts } AGREEMENT TO GIVE JURISDICTION TO COURT. Plaintiff No. .
 Act, 1893." }
 In the Magistrate's Court, holden at .
 Between , plaintiff,
 and , defendant.
 UNDER the provisions of section 29 [or 30] of "The Magistrates' Courts Act, 1893," we hereby agree
 that the Magistrate's Court holden at shall have power to try an action to be brought by
 the plaintiff against the defendant for the sum of* pounds shillings and
 pence for [debt or damages].
 Dated at this day of , 189 . Plaintiff [or Solicitor for Plaintiff].
 Defendant [or Solicitor for Defendant].

Witness to Signatures:

* NOTE.—The amount must not exceed £200, if the Court has the ordinary jurisdiction, or £500, if the extended jurisdiction.

No. 16.

Sec. 71, Rule 17. New Zealand. }
 "The Magistrates' Courts } SUMMONS TO DEFENDANT. Plaintiff No. .
 Act, 1893." } (Court Copy.)
 In the Magistrate's Court, holden at .
 Between , plaintiff,
 and , defendant.
 You are hereby summoned to attend at the Magistrate's Court to be holden at , on day,
 the day of , 189 , at the hour of o'clock in the forenoon, to answer the demand
 of the plaintiff for the sum of pounds shillings and pence, particulars whereof
 are hereunto annexed.
 Herein fail not, or the case will be heard and determined in your absence.
 Debt or claim £ : :
 Cost of summons : :
 Extra mileage : :
 Subpoenas : :
 Solicitor's fee for entering plaint : : Given under my hand and the seal of the Court,
 at , 189 .
 Total £ : :
 To the Defendant Clerk of Court.
 Hours of attendance at the office of the Clerk on , from till , except
 on , when the office will be closed at . [See notice indorsed.]
 [Indorsements Nos. 18 and 19.]

No. 16 (Maori).

Secs. 10, 71; Rule 17. New Zealand. }
 "The Magistrates' Courts } HAMENE KI TE KAI-WHAKAORAORA.
 Act, 1893." }
 I te Kooti Kai-whakawa ka noho kei .
 I te mea i a , kai-tono,
 raua ko , kai-whakaoraora.
 Kia
 HE Hamene atu tenei ki a koe kia haere mai koe ki te Kooti a te Kai-whakawa ka noho ki
 a te te o nga ra o 189 , a te o nga haora i te ki te whakahoki
 kupu mo te tono a mo nga moni pauna hereni pene, kua oti nei te
 tapiri ki tenei nga ritenga o aua moni.
 Kei turi koe kei rangona noatia tenei mea, a, whakaoti rawa i a koe e ngaro ana.
 He mea tuku atu i raro i toku ringa me te hiiri o te Kooti i tenei o nga
 ra o , 189 .
 Nga moni £ : :
 Utu ki te Kooti : :
 Utu Maero : :
 Hamene Tuara : :
 Utu ki te Roia : :
 Huihui katoa £ : :
 Karaka o te Kooti.
 Ko nga haora e puare ana te tari o te Karaka o te Kooti.
 Ka timata i te o nga haora o te ata tae noa ki te o nga haora o te awatea. Engari i
 nga rahori ka katia te tari i te o nga haora o te awatea.
 Tirohia te panuitanga ki tua.

No. 17.

New Zealand.
"The Magistrates' Courts
Act, 1893."

SHORT-SERVICE SUMMONS TO DEFENDANT.

Sec. 72, Rule 17.

In the Magistrate's Court, holden at
Between

Plaint No. _____
, plaintiff.
, defendant.

To _____ of _____ [and calling].

WHEREAS the undersigned Stipendiary Magistrate [or Clerk of the Court] issuing this summons is satisfied that you are about to remove to more than fifty miles distance from the Magistrate's Courthouse at _____ :

You are hereby summoned to attend at the Magistrate's Court, to be holden at _____ on _____ day, the _____ day of _____, 189____, at the hour of _____ o'clock in the noon, to answer the demand of [Christian and surname in full, and calling], for the sum of _____ pounds _____ shillings and _____ pence, particulars whereof are hereunto annexed.

Herein fail not, or the case will be heard and determined in your absence.
Permission is hereby given to serve this summons at any time before the holding of the above-named Court as aforesaid.

Debt or claim..	..	..	£	:	:
Cost of summons	..	..	..	:	:
Extra mileage	..	..	..	:	:
Affidavit	..	..	..	:	:
Subpoenas	..	..	..	:	:
Solicitor's fee for entering plaint	..	..	..	:	:

Given under my hand and the seal of the Court at _____ aforesaid, this _____ day of _____, 189____.

Total £ : : _____
Stipendiary Magistrate [or Clerk of the Court].

Hours of attendance at the office of the Clerk on _____, from _____ till _____, except on _____, when the office will be closed at _____.

[Indorsement No. 19.]

No. 18.

NOTICE.

[To be indorsed on the summons and the duplicate summons, Form 16.]

To the defendant.

If you pay to the Clerk of the Court the debt and costs as stated in the summons, and give notice to the plaintiff or his solicitor forty-eight hours at least before the time appointed for the hearing, the action will be stayed; but you may pay the same at any time before the hearing, subject to the payment of further costs.

If you wish to confess the plaintiff's claim or any part of it, you should sign and deliver your confession to the Clerk and serve a copy on the plaintiff before twelve o'clock noon of the day preceding the day of hearing. A confession must be signed in the presence of a Stipendiary Magistrate, a Clerk of Court, a Justice of the Peace, or a Solicitor of the Supreme Court.

You and the plaintiff may agree as to the amount due and mode of payment, and may any time before the hearing sign a statement of such agreement in the presence of a Stipendiary Magistrate, a Clerk of Court, a Justice of the Peace, or a solicitor of the Supreme Court. On such statement being filed with the Clerk he will enter up judgment accordingly.

If you rely on a set-off or counter-claim by way of defence, you must file a copy with the Clerk of the Court and serve a copy on the plaintiff or his solicitor two clear days before the time appointed for the hearing.

No plea of infancy, coverture, Statute of Limitations, or discharge in bankruptcy will be allowed unless notice thereof shall have been filed with the Clerk of the Court and served on the plaintiff or his solicitor at least twenty-four hours before the day appointed for the hearing.

This summons was sued out by _____, of _____ Street, solicitor for the plaintiff.

Summons for witnesses and for the production of documents will be issued on application at the office of the Clerk.

No. 18 (Maori).

Ki te Kaikaro.

MEHEMEA ka utua e koe te tono me nga utu o te Kooti kua whakaaturia nei ki roto ki te Hamene ki te Karaka o te Kooti, ka whakaaturia hoki e koe ki te Kaitono ki tona roia ranei kia wha tekau ma waru nga tino haora i mua o te wa i whakaritea mo te whakawa, ka whakamutua tonutia iho te keihi, a, e pai ana hoki kia utua e koe i roto i aua haora, engari ka nuku ake nga utu mo te Kooti.

A mehemea e hiahia ana koe ki te whakaae ki te tono a te Kaitono, ki tetahi wahi ranei, me tuhi tuhi to ingoa ki te whakaaetanga, ka hoatu taua whakaaetanga ki te Karaka o te Kooti, me hoatu hoki tetahi taurira ki te Kaitono, i mua atu o te tekau ma rua onga haora o te awatea o te ra i mua atu o te ra o te whakawakanga. Ko te whakaaetanga kaore e mana, mehemea kaore te ingoa o te tangata nona te whakaaetanga e tuhituhia ki te aroaro o tetahi Kaiwhakawa, Karaka o te Kooti ranei, ki te aroaro o tetahi Hatihi ranei, ki te aroaro ranei o tetahi roia o te Hupirimi Kooti.

E pai ana kia whakariterite korua ko te Kaitono i te tikanga mo te utu e tika ana kia utua e koe, me te peheatanga e ea ai, kia tuhi tuhia hoki e korua o korua ingoa ki tetahi pukapuka whakaatu i te tikanga o taua whakariteritenga, ki te aroaro o tetahi Kaiwhakawa, Karaka o te Kooti ranei, Hatihi ranei, Roia o te Hupirimi Kooti ranei.

Mehemea e mea ana koe kei a koe ano tetahi take tono ki te Kaitono, hei karo i tona take ki a koe, me tuhituhi e koe te tikanga o to take tono ki a ia, me hoatu tetahi taurira ki te Karaka o te Kooti, me hoatu hoki tetahi taurira ki te Kaitono ki tona roia ranei, ki a rua nga tino ra i mua o te wa i whakaritea mo te whakawa.

Kahore he ritenga whakakore ritenga ranei kia kaua e utua no te mea kahore ano i tae noa o tau ki te rua tekau ma tahi, tauarai i runga i nga ritenga o nga Ture e tau nei nga tikanga ki te marena, ritenga ranei kia kaua e utua no te mea kua poka atu i te'ono nga tau o taua take tono e haere ana, ritenga ranei kia kaua e utua i runga i te pekeraputanga, e tukuna mai e te Kooti hei karo mau, mehemea kaore e hoatu e koe teteahi pukapuka whakaatu ki te Karaka o te Kooti, ki te Kaitono hoki, ki tona roia ranei, kia rua tekau ma wha nga tino haora i mua atu o te ra i whakaritea mo te whakawa.

Ko tenei Hamene i whakaputaina i te Kooti e Roia mo te Kaitono.
Ko nga Hamene tuara, Hamene ranei kia whakakitea mai ai nga pukapuka, ka whakaputaina e, ka tonoa ki te Tari o te Karaka o te Kooti.

Secs. 42 and 79 (4);
Rule 17.

No. 19.

AFFIDAVIT OF SERVICE OF SUMMONS.

I, [name, residence, and occupation], do swear that I served the within-named with a summons, a true copy of which is within written, marked "A," together with a copy of the statement of claim hereunto annexed, marked "B," by delivering the same to him personally [If summons served otherwise than personally, state precisely mode of service] at , on the day of , 189 .

Sworn at , this day of , 189 , before me
Signature of Deponent.
Stipendiary Magistrate
[or Justice of the Peace for the Colony of New Zealand, or Clerk, Magistrate's Court, or Solicitor of Supreme Court.]

Secs. 42 and 79 (4).

No. 20.

GENERAL FORM FOR AFFIDAVIT OF SERVICE OF DOCUMENT.

I, of , [profession or calling], do swear that I duly served with a true copy of which is attached hereto marked "A" [or indorsed hereon], by delivering the same to him personally [or by leaving the same at his usual place of abode with some inmate thereof appearing to be above the age of fourteen years]. [or by leaving the same at the office of , solicitor for the said], at , on the day of , 189 .

Sworn at , this day of , 189 , before me
Justice of the Peace
[or Clerk, Magistrate's Court, or Solicitor not engaged in action].

No. 21.

Memorandum to be printed at Foot of every Summons, Warrant, or other Process of the Court.
Hours of attendance at the office of the Clerk on , from till , except on , when the office will be closed at
[NOTE.—This memorandum to be placed on the following forms: 16, 17, 30, 34, 54, 55, 62, 80, 81, 91, 92, 93, 94, 95, 96, 98, 100, 101, 102, 105, 106, 110, 111, 113, 116, 117.]

No. 22.

Secs. 79 and 42,
Rule 18.

New Zealand. } AFFIDAVIT IN SUPPORT OF APPLICATION FOR SUBSTITUTED SERVICE.
"The Magistrates' Courts }
Act, 1893." } Plaintiff No. .

In the Magistrate's Court, holden at .
Between , plaintiff,
and , defendant.
I , of [and calling], make oath and say I have made reasonable efforts to serve the summons issued against , the defendant, at the suit of , in that I have [State the facts, showing that the deponent has made inquiry at the defendant's place of abode more than once; that he could not be found; that there is just cause to believe he has absconded, or is keeping out of the way. Then state the deponent's means of knowledge of the facts deposed to.]
Sworn at , this day of , 189 , before me
Stipendiary Magistrate
[or Justice of the Peace, or Clerk, Magistrate's Court, or Solicitor not engaged in the action.]

No. 23.

Sec. 79, Rule 18.

New Zealand. } ORDER FOR SUBSTITUTED SERVICE.
"The Magistrates' Courts }
Act, 1893." } Plaintiff No. .

In the Magistrate's Court, holden at .
Between , plaintiff,
and , defendant.
Upon reading an affidavit of , of , sworn the day of , 189 , it is ordered that service on the above-named defendant [A.B.] of the summons in this action may be

effected by leaving the duplicate thereof, together with the statement of claim and a duplicate of this order, at the defendant's usual place of abode with some inmate thereof appearing to be above the age of fourteen years, provided that such service shall be effected at least fourteen days before the day appointed for the hearing.

Given under my hand and the seal of the Court, at _____, this _____ day of _____, 189 .
Stipendiary Magistrate
[or Justice of the Peace, or Clerk of the Court].

No. 24.

New Zealand. }
"The Magistrates' Courts } NOTICE OF CONFESSION OF JUDGMENT (WHOLE AMOUNT). Sec. 105, Rule 23.
Act, 1893." } Plaintiff No. .

In the Magistrate's Court, holden at _____ .
Between _____, plaintiff,
and _____, defendant.

TAKE notice that the defendant has confessed judgment for the amount sued for in this action, together with your costs herein.

Dated at _____, this _____ day of _____, 189 . Defendant [or Solicitor for defendant].
To the Plaintiff.

No. 25.

New Zealand. }
"The Magistrates' Courts } NOTICE OF ACCEPTANCE OF MONEYS PAID IN. Sec. 110, Rule 23.
Act, 1893." } Plaintiff No. .

In the Magistrate's Court, holden at _____ .
Between _____, plaintiff,
and _____, defendant.

TAKE notice that I accept the amount paid into Court as full satisfaction of my claim.
Plaintiff [or Solicitor for plaintiff].

Dated at _____, this _____ day of _____, 189 .
To the Defendant, and to the Clerk of the Court.

No. 26.

New Zealand. }
"The Magistrates' Courts } CONFESSION OF CLAIM. Sec. 105, Rule 23.
Act, 1893." } Plaintiff No. .

In the Magistrate's Court, holden at _____ .
Between _____, plaintiff,
and _____, defendant.

I, THE defendant, do hereby confess that the sum of £ _____, the amount claimed [or, the sum of £ _____, being part of the amount claimed (as set out in the statement hereto attached)], is due to the plaintiff from me, and I will pay the same in the manner following, that is to say :—

Dated at _____, this _____ day of _____, 189 .
Defendant [or Solicitor for the defendant].

Signed in the presence of—
Stipendiary Magistrate
[or Clerk of Court, or Solicitor, or Justice of the Peace].

I, THE plaintiff, do hereby consent to the above condition, and apply for judgment to be entered accordingly.

Signed in the presence of—
Plaintiff [or Solicitor for the plaintiff].
Stipendiary Magistrate
[or Clerk of Court, or Solicitor, or Justice of the Peace].

No. 26 (Maori).

New Zealand. }
"The Magistrates' Courts } TE WHAKAAE A TE KAI-WHAKAORA KI TE TONO A TE KAI-TONO. Sec. 105, Rule 23.
Act, 1893." }

I te Kooti Kai-whakawa ka noho kei _____, kai-tono.
I te mea i a _____, kai-whakaoraora.
raua ko _____

Ko au ko te kai-whakaoraora, e whakaae atu nei e tika ana kia atu e ahau nga moni £ _____, nga moni e tohea nei, [nga moni £ _____ tetahi wahi o nga moni e tohea nei] e te kai-tono nana tenei whakawa, a maku e utu atu ki ai a, ko te ritenga o te utu koia tenei :—

He mea tuhi i tenei _____ o nga ra o _____, 189 .
I te aroaro o _____

Kai-whakawa
[Karaka o te Kooti, Roia].

No. 27.

Secs. 105, 108;
Rules 23, 42.

New Zealand.
"The Magistrates' Courts } CONFESSION IN PROCEEDING FOR RECOVERY OF TENEMENT.
Act, 1893." } Plaintiff No.

In the Magistrate's Court, holden at
Between , plaintiff,
and , defendant.

I, THE above-named defendant, hereby confess and admit the plaintiff's right to immediate possession of the tenement mentioned in the statement attached to the plaint-note, and I will give up possession of the same on or before the day of 189 .

I further confess that the sum of £ , the amount claimed [or the sum of £ , being part of the amount claimed (as set forth in the particulars hereto attached)], is due to him from me for rent [mesne profits or damages], and I will pay the same in the manner following, that is to say: [or I have paid into Court £ by way of damages, or in satisfaction of plaintiff's claim for rent].

Dated at , this day of , 189 .
Defendant [or Solicitor for the defendant].

Signed in the presence of
Stipendiary Magistrate
[or Clerk of Court, or Solicitor, or Justice of the Peace].

I, THE plaintiff, do hereby consent to the above terms and conditions, and apply for judgment to be entered accordingly.

Signed in the presence of—
Stipendiary Magistrate
[or Clerk of Court, or Solicitor, or Justice of the Peace].
Plaintiff [or Solicitor for the plaintiff].

No. 28.

Secs. 105, 108, and
109; Rule 23.

New Zealand.
"The Magistrates' Courts } NOTICE OF OFFER TO DELIVER CHATTEL PROPERTY.
Act, 1893." } Plaintiff No.

In the Magistrate's Court, holden at
Between , plaintiff,
and , defendant.

I, THE above-named defendant, hereby acknowledge the plaintiff's right to possession of, and offer to deliver to the plaintiff the chattels claimed by him, viz. [or as enumerated in the following statement] :—

I have paid into Court the sum of £ as compensation for the detention thereof, and £ for plaintiff's costs [or I hereby confess judgment for the sum of £ as compensation for the detention thereof, and I will pay the same on the day of , 189 (or by instalments of)].

Dated at , this day of , 189 .
Defendant [or Solicitor for the defendant].

Signed in the presence of—
Stipendiary Magistrate
[or Clerk of Court, or Solicitor, or Justice of the Peace].

I, THE plaintiff, do hereby consent to the above terms and conditions, and apply for judgment to be entered accordingly.

Signed in the presence of—
Stipendiary Magistrate
[or Clerk of Court, or Solicitor, or Justice of the Peace].
Plaintiff [or Solicitor for the plaintiff].

No. 29.

Sec. 106, Rule 23.

New Zealand.
"The Magistrates' Courts } CONSENT TO JUDGMENT.
Act, 1893." } Plaintiff No.

In the Magistrate's Court, holden at
Between , plaintiff,
and , defendant.

WE, the plaintiff and defendant, do hereby agree that the amount of the debt or demand due from the defendant to the plaintiff is pounds shillings and pence, and that the same, with the sum of pounds shillings and pence for costs, shall be paid to the Clerk of the Court, at his office, in the manner following, viz. :—

Dated at , this day of , 189 .

Signed by the above-named plaintiff [or plaintiff's solicitor]
in the presence of

Signed by the above-named defendant [or defendant's solicitor].
in the presence of

[To be witnessed by any Magistrate, Clerk of the Court, Justice, or Solicitor not engaged in the action.]

No. 30.

New Zealand. "The Magistrates' Courts Act, 1893." } NOTICE OF CONFESSION (WITH CONDITION ATTACHED). Sec. 105, Rule 23. Plaintiff No.

In the Magistrate's Court, holden at . Between , plaintiff, and , defendant.

TAKE notice that the defendant has this day lodged with me his written confession of the cause of action herein, a copy of which is attached hereto. If you consent to the annexed condition, and sign the confession before a Justice of the Peace, or a solicitor not engaged in the action, and return the same to me by post or otherwise, judgment will be entered forthwith without your attendance.

Dated at , this day of , 189 . Clerk of Court.

To the plaintiff

Hours of attendance at the office of the Clerk on , from till , except on , when the office will be closed at .

No. 31.

New Zealand. The Magistrates' Courts Act, 1893." } NOTICE OF PAYMENT INTO COURT OF WHOLE CLAIM. Secs. 108 and 109; Rule 23. Plaintiff No.

In the Magistrate's Court, holden at . Between , plaintiff, and , defendant.

TAKE notice that the defendant has paid into Court the sum of pounds shillings and pence, being the full amount of your demand in this action, together with your costs herein, amounting to pounds shillings and pence. Defendant [or Solicitor for the defendant].

Dated at , this day of , 189 .

To the Plaintiff, and to the Clerk of the Court.

No. 32.

New Zealand. "The Magistrates' Courts Act, 1893." } NOTICE OF PAYMENT INTO COURT OF PART OF CLAIM. Secs. 108 and 109 Rule 23. Plaintiff No.

In the Magistrate's Court, holden at . Between , plaintiff, and , defendant.

TAKE notice that the above-named defendant [or , one of the defendants], has paid into Court the sum of £ in satisfaction of so much of the plaintiff's claim as relates to [insert particulars]. And further take notice that, notwithstanding such payment, the defendant denies his liability.

Dated at , this day of , 189 . Defendant [or Solicitor for the defendant].

To the Plaintiff, and to the Clerk of the Court.

No. 33.

New Zealand. "The Magistrates' Courts Act, 1893." } MEMORANDUM APPOINTING COURT-DAY. Sec. 12.

I HEREBY appoint , the day of , 189 , to be a day on which the Magistrate's Court shall sit at

Dated at , this day of , 189 . Stipendiary Magistrate.

To the Clerk of the Magistrate's Court at .

No. 34.

New Zealand. "The Magistrates' Courts Act, 1893." } NOTICE OF DAY FIXED FOR HEARING (UNDER SECTION 73, OR OTHERWISE). Sec. 73.

In the Magistrate's Court, holden at . Between , plaintiff, and , defendant.

TAKE notice that the above action is set down for hearing at the Magistrate's Court to be holden at , on , the day of 189 . Dated at , this day of 189 . Clerk of the Court.

To the Plaintiff [or the Defendant].

Hours of attendance at the office of the Clerk on , from till , except on , when the office will be closed at .

No. 35.

Sec. 74. New Zealand.
 "The Magistrates' Courts } NOTICE OF SET-OFF OR COUNTER-CLAIM.
 Act, 1893." }
 In the Magistrate's Court, holden at Plaintiff No.
 Between , plaintiff,
 and , defendant.
 TAKE notice that the defendant intends, at the hearing of this action, to claim a set-off or set up a
 counter-claim, particulars whereof are attached hereto.
 Dated at this day of , 189
 Defendant [or Solicitor for the defendant].
 To the Plaintiff, and the Clerk of the Court.

No. 36.

Sec. 75. New Zealand.
 "The Magistrates' Courts } NOTICE OF SPECIAL DEFENCE.
 Act, 1893." }
 In the Magistrate's Court, holden at Plaintiff No.
 Between , plaintiff,
 and , defendant.
 TAKE notice that the defendant intends, at the hearing of this action, to give evidence of and rely on
 the following ground of defence: [*Insert: Infancy, Statute of Limitations, or as the case may be, with
 particulars of such claim.*].
 Dated at this day of 189
 Defendant [or Solicitor for the defendant].
 To the Plaintiff, and the Clerk of the Court.

No. 37.

Sec. 111, Rule 25. New Zealand.
 "The Magistrate's Courts } MEMORANDUM OR NOTICE OF DISCONTINUANCE OF ACTION.
 Act, 1893." }
 In the Magistrate's Court, holden at Plaintiff No.
 Between , plaintiff,
 and , defendant.
 TAKE notice that I shall not proceed further in this action.
 Dated at this day of , 189
 Plaintiff [or Solicitor for the plaintiff].
 To the Defendant, and the Clerk of the Court.
 I HEREBY consent to this action being discontinued by the plaintiff.
 Dated at this day of , 189
 Defendant [or Solicitor for the defendant].

No. 38.

Sec. 111, Rule 25. New Zealand.
 "The Magistrates' Courts } MEMORANDUM OR NOTICE OF DISCONTINUANCE (IN PART).
 Act, 1893." }
 In the Magistrate's Court, holden at Plaintiff No.
 Between , plaintiff,
 and , defendant.
 TAKE notice that, in respect to that part of my cause of action set out in the statement hereto
 attached, I discontinue my claim.
 Dated at this day of , 189
 Plaintiff [or Solicitor for the plaintiff].
 To the Defendant, and the Clerk of the Court.

No. 39.

Sec. 99, Rule 21. New Zealand.
 "The Magistrates' Courts } ADJOURNMENT BY CONSENT OF PARTIES.
 Act, 1893." }
 In the Magistrate's Court, holden at Plaintiff No.
 Between , plaintiff,
 and , defendant.
 WE hereby request that the hearing of this action may be adjourned to the day
 of , 189
 Dated at this day of , 189
 Plaintiff [or Solicitor for the plaintiff].
 Defendant [or Solicitor for the defendant].
 Adjournment fee:

No. 40.

New Zealand.
"The Magistrates' Courts
Act, 1893."

SUMMONS TO WITNESS TO PRODUCE.

Sec. 84, Rule 22.

Plaint No. .

In the Magistrate's Court, holden at .
Between .
and .

, plaintiff,
, defendant.

To [Name in full, description, and residence of witness].

You are hereby commanded to attend at the Magistrate's Court at ., on ., the day of ., at the hour of . o'clock in the ., to give evidence on behalf of the plaintiff [or defendant], 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 action which may be in your custody, possession, or power. Herein fail not at your peril.

Given under my hand and the seal of the Court, at ., this . day of ., 189 .

Clerk of the Court [or Justice of the Peace].

[Indorsement No. 42].

No. 40 (Maori).

New Zealand
"The Magistrates' Courts
Act, 1893."

SUMMONS TO A MAORI WITNESS.

Secs. 10 and 84;
Rule 22.

Plaint No. .

Kooti Kai-whakawa, kei .
I te mea i a .
raua ko .
Kia .
o .

, kai-tono,
, kai-whakaoraora.

He kupu atu tenei ki a koe kia haere mai koe ki te Kooti a te Kai-whakawa i ., a te ., te . o nga ra o ., a te . o nga haora i te ., ki te whakaatu korero mai mo te taha ki a . a hei reira koe whakakite mai ai i . me era atu pukapuka, tuhituhinga, aha ranei, e whai tikanga ana ano me taua whakawa nei, kei a koe e tiaki ana, e puritia ana ranei e koe. Kei turi koe i runga i tenei kupu kei he koe.

He mea tuku atu i raro i toku ringa me te hiiri o te Kooti i ., i tenei . o nga ra o ., 189 .

Karaka o te Kooti [or Kai-whakawa].

No. 41.

New Zealand.
"The Magistrates' Courts
Act, 1893."

SUMMONS TO WITNESS TO APPEAR.

Sec. 84, Rule 22.

Plaint No. .

In the Magistrate's Court, holden at .
Between .
and .

, plaintiff.
, defendant.

To [Name in full, description, and residence of witness].

You are hereby commanded to attend at the Magistrate's Court at ., on ., the day of ., at the hour of . o'clock in the ., to give evidence on behalf of the plaintiff [or defendant]. Herein fail not at your peril.

Given under my hand and the seal of the Court, at ., this . day of ., 189 .

Clerk of the Court [or Justice of the Peace].

No. 41 (Maori).

New Zealand
"The Magistrates' Courts
Act, 1893."

SUMMONS TO A MAORI WITNESS.

Secs. 10 and 84;
Rule 22.

Plaint No. .

Kooti Kai-whakawa, kei .
I te mea i a .
raua ko .
Kia .
o .

, kai-tono,
, kai-whakaoraora.

He kupu atu tenei ki a koe kia haere mai koe ki te Kooti a te Kai-whakawa i ., a te ., te . o nga ra o ., a te . o nga haora i te . ki te whakaatu korero mai mo te taha ki a .

Kei turi koe i runga i tenei kupu kei he koe.

He mea tuku atu i raro i toku ringa me te hiiri o te Kooti i ., i tenei . o nga ra o ., 189 .

Karaka o te Kooti [or Kai-whakawa].

No. 42.

AFFIDAVIT OF SERVICE OF WITNESS-SUMMONS.

Sec. 79 (4), Rule 22.

I [Name, residence, and occupation], do swear that I served the within-named . with a summons, a true copy of which is within written, by delivering the same to him personally, on . day, the . day of ., 189 , at . [If expenses tendered or paid, say so.]

Sworn at ., this . day of ., 189 , before me, .

Clerk of Court [or Justice of the Peace, or Solicitor].

No. 42 (Maori).

Sec. 79 (4), Rule 22. Niu Tireni. }
 "Ture Kooti Kai-whakawa, 1893." } AFFIDAVIT OF SERVICE (MAORI).
 (To be used when summons to witness is served by a Maori party).
 KUPU WHAKAOATI MO TE TANGATA NANA I HOATU TE HAMENE KI TE TANGATA ME TUHI TENEI KI WAHO O TE HAMENE.

I te Kooti Whakawa o
 I te mea i a
 raua ko
 Ko ahau ko , e oati pono ana i hoatu e ahau he Hamene ki a , e mau nei tana ingoa
 ki reto nei ko te ahua tonu a taua Hamene koia tenei e mau ki tua nei, he mea tuku tinana e
 ahau ki tona ringa i , i te , o nga ra o , 189 .
 He me whakacati ki , i tenei o nga ra o , 189 , ki te aroaro o
 Kai-whakawa [Karakā o te Kooti ranei, Roia ranei].

No. 43.

Sec. 87, Rule 24. New Zealand. }
 "The Magistrates' Courts } ORDER TO PRODUCE DOCUMENTS FOR INSPECTION.
 Act, 1893." } Plaintiff No. .

In the Magistrate's Court, holden at
 Between , plaintiff,
 and , defendant.

UPON hearing , It is ordered that the produce at the hearing of this action [or at all
 reasonable times produce to , at] the following documents, viz.: [Describe docu-
 ments required] and that the be at liberty to inspect and peruse the documents so produced,
 and to take copies and abstracts thereof and extracts therefrom at expense.

Given under my hand and the seal of the Court, at , this day of , 189 .
 Stipendiary Magistrate.

No. 44.

Sec. 88, Rule 24. New Zealand. }
 "The Magistrates' Courts } NOTICE TO PRODUCE DOCUMENTS FOR INSPECTION.
 Act, 1893." } Plaintiff No. .

In the Magistrate's Court, holden at
 Between , plaintiff,
 and , defendant.

TAKE notice that the requires you to produce for his inspection the following documents
 [Describe documents required].
 Dated at , this day of , 189 .
 To the Plaintiff [or Defendant, or his Solicitor].

No. 45.

Sec. 88, Rule 24. New Zealand. }
 "The Magistrates' Courts } NOTICE TO INSPECT DOCUMENTS.
 Act, 1893." } Plaintiff No. .

In the Magistrate's Court, holden at
 Between , plaintiff,
 and , defendant.

TAKE notice that you can inspect the documents mentioned in your notice [or the following docu-
 ments mentioned in your notice], at , on next, the instant, between the hours
 of and , [or that the objects to give you inspection of the documents men-
 tioned in your notice of the day of , 189 , on the ground (State the ground.)]
 Dated at , this day of , 189 .
 To the Plaintiff [or Defendant, or his Solicitor].

No. 46.

Sec. 88, Rule 24. New Zealand. }
 "The Magistrates' Courts } NOTICE TO PRODUCE (GENERAL FORM).
 Act, 1893." } Plaintiff No. .

In the Magistrate's Court, holden at
 Between , plaintiff,
 and , defendant.

TAKE notice that you are hereby required to produce and show to the Court, on the trial of the above
 action, all books, papers, letters, copies of letters, and other writings and documents in your custody,
 possession, or power containing any entry, memorandum, or minute relating to the matters in
 question in this action, and particularly [Specify documents required].
 Dated at , this day of , 189 .
 To the Plaintiff [or Defendant, or his Solicitor].

No. 47.

New Zealand. }
"The Magistrates' Courts }
Act, 1893."

NOTICE TO ADMIT AND INSPECT.

Plaint No. .

Sec. 88, Rule 24.

In the Magistrate's Court, holden at .
Between
and

, plaintiff,
, defendant.

TAKE notice that the plaintiff [or defendant] in this action proposes to adduce in evidence the several documents hereunder specified, and that the same may be inspected by the defendant [or plaintiff] his solicitor or agent, at , on the day of , 189 , between the hours of 11 a.m. and 4 p.m., and the defendant [or plaintiff] is hereby required, within forty-eight hours from the last-mentioned hour, to admit, saving all just exceptions to the admissibility of all such documents as evidence in this action, that such of the said documents as are specified to be originals were respectively written, signed, or executed as they purport respectively to have been, that such as are specified as copies are true copies, and that such documents as are stated to have been served, sent, or delivered were so served, sent, or delivered respectively.

Dated at , this day of , 189 .

Plaintiff

To the Defendant [or Plaintiff, or his Solicitor]. [or Defendant, or Solicitor for].

No. 48.

New Zealand }
"The Magistrates' Courts }
Act, 1893."

NOTICE OF DESIRE TO TAKE EVIDENCE OF WITNESS RESIDING
TWENTY MILES FROM COURT FOR HEARING.

Plaint No. .

Sec. 91.

In the Magistrate's Court, holden at , being the Court for hearing.
Between
and

, plaintiff,
, defendant.

Amount sued for, £

TAKE notice that I, the above-named defendant [or plaintiff], desire to use, at the hearing of this action, the evidence of myself, at present residing at , and of , at present residing at , and of , at present residing at , each residence being more than twenty miles from the Courthouse where the hearing of the action is appointed to be held, at the hearing of the said action, and I desire you to appoint a time and place for such examination.

Dated at , this day of , 18 .

To the Clerk of the Magistrate's Court for Examination, holden at .

IN pursuance of section 92 of "The Magistrates' Courts Act, 1893," I hereby appoint the day of , 18 , at the hour of o'clock in the noon, as the time, and the Magistrate's Courthouse at as the Court for Examination, for taking the examination required by the above notice.

Dated at , this day of , 18 .

Clerk of Court for Examination.

No. 48A.

New Zealand }
"The Magistrates' Courts }
Act, 1893."

NOTICE OF DESIRE TO TAKE EVIDENCE OF WITNESS ABOUT TO GO
TWENTY MILES FROM COURT FOR HEARING.

Plaint No. .

Sec. 91.

In the Magistrates' Court, holden at .
Between
and

, plaintiff,
, defendant.

Amount sued for, £

TAKE notice that I, the above-named defendant [or plaintiff], desire to use, at the hearing of this action, the evidence of [myself and of], who is [are all and each of us them] about to go and remain until after the hearing of the action a distance of more than twenty miles from the Court for hearing, at the hearing of the said action, and I desire you to appoint a time and place for such examination.

Dated at , this day of , 18 .

To the Clerk of the Magistrate's Court for examination, holden at .

IN pursuance of section 92 of "The Magistrates' Courts Act, 1893," I hereby appoint the day of , 18 , at the hour of o'clock in the noon as the time, and the Magistrate's Courthouse at as the Court for Examination, for taking the examination required by the above notice.

Dated at , this day of , 18 .

Clerk of Court for Examination.

No. 49.

New Zealand. }
"The Magistrates' Courts }
Act, 1893."

NOTICE OF TIME AND PLACE FOR EXAMINATION.

Plaint No. .

Sec. 92.

In the Magistrate's Court, holden at , being the Court for hearing.
Between
and

, plaintiff,
, defendant.

To the above-named

TAKE notice that, in pursuance of section 92 of "The Magistrates' Courts Act, 1893," the day of , 189 , at o'clock in the forenoon, has been appointed as the time, and the

No. 54.

New Zealand. }
"The Magistrates' Courts }
Act, 1893."

NOTICE OF REINSTATEMENT.

Sec. 100, Rule 26.

In the Magistrate's Court holden at
Between
and

Plaint No. .
, plaintiff,
, defendant.

TAKE notice that this action was this day [or on the day of , 189] struck out on account of the non-appearance of the plaintiff, but the Court has ordered the action to be reinstated, and to be heard at the Magistrate's Court at , on , the day of , 189 .

Dated at , this day of , 189 .

Clerk of the Court.

To the Defendant.

Hours of attendance at the office of the Clerk on , from till , except on , when the office will be closed at .

No. 55.

New Zealand. }
"The Magistrates' Courts }
Act, 1893."

NOTICE OF NEW HEARING, UNDER SECTION 101.

Sec. 101, Rule 28.

In the Magistrate's Court, holden at
Between
and

Plaint No. .
, plaintiff,
, defendant.

TAKE notice that on the day of , 189 , judgment herein was given for the plaintiff, that on cause shown the Court has set aside the judgment, and that a new hearing of the action will be had at the Magistrate's Court, , on , the day of , 189 .

Dated at this day of , 189 .

Clerk of the Court.

To the Plaintiff.

Hours of attendance at the office of the Clerk on , from till , except on , when the office will be closed at .

No. 56.

New Zealand. }
"The Magistrates' Courts }
Act, 1893."

RECORD OF PAYMENT BY INSTALMENTS.

Sec. 97, Rule 29.

In the Magistrate's Court, holden at
Between
and

Plaint No. .
, plaintiff,
, defendant.

DATE of order for payment by instalments:
By whom made:
Order:

Date when Instalment due.	Date of Payment.	By Whom paid.	Amount.	Remarks.

No. 57.

New Zealand. }
"The Magistrates' Courts }
Act, 1893."

ORDER FOR WITHDRAWAL OF MONEYS.

Rule 53.

In the Magistrate's Court, holden at
Between
and

Plaint No. .
, plaintiff,
, defendant.

I, the in this action, hereby authorise Mr. , of , to receive out of Court all moneys which now are or may become payable to me in this action.

Dated at , this day of , 189 .

Plaintiff [or Defendant].

Signature of Solicitor:

No. 58.

New Zealand. }
"The Magistrates' Courts }
Act, 1893."

ORDER TO SUSPEND ORDER OR JUDGMENT.

Sec. 120.

In the Magistrate's Court, holden at
Between
and

Plaint No. .
, plaintiff,
, defendant.

It is ordered that the judgment [or order, or that the execution under the judgment or order] of this Court, in this action, bearing date the day of , 189 , be suspended until the day of , 189 , on the following conditions [if any]:

Given under my hand and the seal of the Court, at , this day of , 189 .
Stipendiary Magistrate.

No. 59.

Secs. 112 and 156; Rule 27. } New Zealand. }
 "The Magistrates' Courts } APPLICATION FOR A REHEARING. }
 Act, 1893." } }
 In the Magistrate's Court, District of , holden at } Plaintiff No. . }
 Between , plaintiff, }
 and , defendant. }
 Judgment for , plaintiff [or defendant], for the amount of , given on the }
 day of , 189 . }
 I, , being the plaintiff [or defendant] in this action, hereby apply to have a rehearing of the }
 said action [or the order made on the day of , 189 ,] on the following grounds: }
 [Here state grounds for application]. }
 Dated at , this day of , 189 . }
 To the Clerk of the Court. } (Signed.)

No. 60.

Sec. 156, Rule 27. } New Zealand. }
 "The Magistrates' Courts } NOTICE OF APPLICATION FOR A REHEARING. }
 Act, 1893." } }
 In the Magistrate's Court, holden at } Plaintiff No. . }
 Between , plaintiff, }
 and , defendant. }
 TAKE notice that the has applied for a rehearing of this action [or the order made on the }
 day of , 189 ,] on the following grounds: [Stating them], and his application will }
 be heard before the Stipendiary Magistrate at on , the day of }
 189 , at the hour of in the noon. }
 Dated at , this day of , 189 . }
 To the Plaintiff [or Defendant]. } Clerk of the Court.

No. 61.

Secs. 112 and 156; Rule 27. } New Zealand. }
 "The Magistrates' Courts } ORDER FOR A REHEARING. }
 Act, 1893." } }
 In the Magistrate's Court, holden at } Plaintiff, }
 Between , defendant. }
 and }
 It is ordered that the judgment [or order] in this action and all subsequent proceedings be set }
 aside, and a rehearing had between the parties on [Set out the terms and conditions, if any]. }
 Given under my hand [or our hands] and the seal of the Court, at , this day of }
 , 189 . }
 Stipendiary Magistrate [or Justices of the Peace].

No. 62.

Sec. 61, Rule 32. } New Zealand. }
 "The Magistrates' Courts } NOTICE TO DEFENDANT WHOSE NAME HAS BEEN ADDED. }
 Act, 1893." } }
 In the Magistrate's Court, holden at } Plaintiff No. . }
 Between , plaintiff, }
 and , defendant. }
 TAKE notice that by order of the Court, dated the day of , 189 , a copy of which }
 order is hereunto annexed, together with a copy of the summons and statement of claim in the }
 action, you were ordered to be added as one of the defendants. }
 And, further, take notice that the hearing has been adjourned to the day of , }
 189 , at o'clock in the noon; and if you do not then attend at the Courthouse, }
 , such order will be made and proceedings taken as the Court may think fit. }
 Given under my hand and the seal of the Court, at , this day of , 189 . }
 Clerk of the Court. }
 To }
 Hours of attendance at the office of the Clerk on , from till , except }
 on , when the office will be closed at }
 [Indorsement No. 18.]

No. 63.

Sec. 65, Rule 33. } New Zealand. }
 "The Magistrates' Courts } NOTICE OF APPLICATION FOR AN ORDER FOR CHANGE OF PARTIES. }
 Act, 1893." } }
 In the Magistrate's Court, holden at } Plaintiff No. . }
 Between , plaintiff, }
 and , defendant. }
 TAKE notice that, at the sitting of the Court on the day of , 189 , I shall apply to }
 the Court [State order asked for, and grounds of application]. }
 Dated at , this day of , 189 . }
 Plaintiff [or Solicitor for plaintiff]. }
 Defendant [or Solicitor for defendant]. }
 To the Clerk of the Court, and the Plaintiff [or the Defendant].

No. 64.

New Zealand. }
 "The Magistrates' Courts } NOTICE OF APPLICATION FOR CHANGE OF VENUE. Sec. 78, Rule 34.
 Act, 1893." }
 In the Magistrate's Court, holden at Plaintiff No.
 Between , plaintiff,
 and , defendant.
 I HEREBY give you notice that, on the day of , 189 , I shall apply to the Court to
 change the venue of this action to the Court holden at , on the following grounds: [*State*
the grounds].
 Dated at , this day of , 189 [or Solicitor for the].
 To the , and to the Clerk of the Court at

No. 65.

ORDER FOR CHANGE OF VENUE UNDER SECTION 78. Sec. 78, Rule 34.
 [*To be indorsed on the plaint-note.*]
 It is ordered that the venue in the within action be changed, and the action be sent for hearing to
 the Magistrate's Court holden at ; and that the costs of this order be
 Dated at , this day of , 189
 (L.S.) By the Court.
 Stipendiary Magistrate.

No. 66.

New Zealand. }
 "The Magistrates' Courts } NOTICE OF DESIRE TO EXAMINE DEFENDANT AS TO DEBTS DUE TO HIM. Sec. 135, Rule 35.
 Act, 1893." }
 In the Magistrate's Court, holden at Plaintiff No.
 Between , plaintiff,
 and , defendant.
 I, THE above-named plaintiff, am desirous, should I succeed in obtaining a judgment against the
 defendant, of having him examined forthwith, after I have obtained such judgment, as to whether or
 not debts are owing or accruing to him.
 I request that a witness-summons may be issued to the defendant, and also to
 Dated at , this day of , 189
 To the Clerk of the Court. Plaintiff.

No. 67.

New Zealand. }
 "The Magistrates' Courts } ORDER FOR EXAMINATION OF JUDGMENT DEBTOR. Secs. 135 to 138 ;
 Act, 1893." } Rules 35, 36.
 In the Magistrate's Court, holden at Plaintiff No.
 Between , plaintiff, now the judgment creditor,
 and , defendant, now the judgment debtor.
 UPON hearing , for the plaintiff [and upon reading the affidavit of filed the
 day of , 189]. It is ordered that the judgment debtor appear before at
 on , the day of , 189 , at the hour of o'clock in the noon, for
 the purpose of being examined as to what debts are owing or accruing to him, and that the said
 judgment debtor do then and there produce [*State documents required to be produced*].
 Given under my hand and the seal of the Court, at , this day of , 189
 (L.S.) By the Court.
 Stipendiary Magistrate.

No. 68.

New Zealand. }
 "The Magistrates' Courts } AFFIDAVIT TO SUPPORT ATTACHMENT ORDER, OR FOR LEAVE TO SUMMON SUB-DEBTOR. Sec. 137, Rule 36.
 Act, 1893." }
 In the Magistrate's Court, holden at Plaintiff No.
 Between , judgment creditor,
 and , judgment debtor,
 and , sub-debtor.
 I, of , the above-named judgment creditor [or Solicitor for the above-named judg-
 ment creditor] make oath and say,—
 1. That on the day of , 189 in the Magistrate's Court holden at , the
 above-named judgment creditor obtained a judgment in this action against the above-named judg-
 ment debtor for the sum of £ , and £ for costs.

2. That [the said judgment [or the sum of £ , part of the said judgment] is still unsatisfied.

3. That I verily believe that the above-named sub-debtor is [or sub-debtors are] indebted to the said judgment debtor in the sum of £ or thereabouts [or in the sums following]:

Sworn at , this day of , 189 ,
Before me,

No. 69.

Secs. 137, 138;
Rule 36.

New Zealand. }
"The Magistrates' Courts } ATTACHMENT ORDER (INTERLOCUTORY).
Act, 1893." }

Plaint No. .

In the Magistrate's Court, holden at .

Between , judgment creditor,
and , judgment debtor,
and , sub-debtor.

Upon reading the affidavit of , filed herein on the day of , 189 , and upon application by the judgment creditor,—

It is ordered that all debts owing or accruing from the above-named sub-debtor to the judgment debtor be attached to answer the judgment debt herein; and it is further ordered that the said sub-debtor appear before the Magistrate in Chambers [or before] at , at o'clock in the noon of the day of , 189 , to show cause why he should not pay to the judgment creditor the debt due from him to the judgment debtor, or so much thereof as may be sufficient to satisfy the judgment debt and costs; and it is further ordered that the costs of the application and this order be

Dated at , this day of , 189 .

	(L.S.)			
Amount of judgment	.. £	:	:	
Costs .. ..	..	:	:
Total £	:	:	

Stipendiary Magistrate.

No. 70.

Sec. 140, Rule 37.

New Zealand. }
"The Magistrates' Courts } ATTACHMENT ORDER ABSOLUTE.
Act, 1893." }

Plaint No. .

In the Magistrate's Court, holden at .

Between , judgment creditor,
and , judgment debtor,
and , sub-debtor.

Upon reading the attachment order made herein on the day of , 189 , and upon application by the judgment creditor, and the sub-debtor not having paid into Court the amount due from him to the judgment debtor, or an amount equal to the judgment debt, and not disputing the debt due or claimed to be due, and not having appeared upon summons,—

It is ordered that the above-named sub-debtor pay forthwith to the judgment creditor the debt due from him to the said judgment debtor, or so much thereof as may satisfy the judgment debt, and that in default thereof execution may issue for the same.

And it is further ordered that the costs of this order be
Dated at , this day of 189 .

	(L.S.)			
Amount of judgment	.. £	:	:	
Costs .. ..	..	:	:
Total £	:	:	

Stipendiary Magistrate.

No. 71.

Sec. 140, Rule 37.

New Zealand. }
"The Magistrates' Courts } SUB-DEBTOR'S NOTICE OF PAYMENT OR DISPUTE.
Act, 1893." }

Plaint No. .

In the Magistrate's Court, holden at .

Between , judgment creditor,
and , judgment debtor,
and , sub-debtor.

TAKE notice that I dispute [or do not dispute] the debt claimed to be due from me to the judgment debtor, and that I have paid into Court the sum of £ , amount due from me to the judgment debtor [or an amount equal to the judgment debt].

Dated at , this day of , 189 .
Sub-debtor [or Solicitor for Sub-debtor].

Witness to signature:
Justice of the Peace [or Clerk of Court, or Solicitor of Supreme Court].

No. 72.

New Zealand. }
"The Magistrates' Courts }
Act, 1893."

CONSENT TO ARBITRATION.

Sec. 148, Rule 39.

Plaint No. .

In the Magistrate's Court, holden at .
Between
and

, plaintiff,
, defendant.

We hereby agree that this action, with other matters within the jurisdiction of this Court in dispute between us [*Here specify them*] shall, if this Court so order, be referred to the arbitration of and , as arbitrators, and of , as umpire; [or the arbitrators to choose their own umpire; or to the arbitration of such arbitrator as the Court may appoint].

Dated at , this day of , 189 .

Plaintiff [or Solicitor for the plaintiff].
Defendant [or Solicitor for the defendant].

No. 73.

New Zealand. }
"The Magistrates' Courts }
Act, 1893."

ORDER OF REFERENCE.

Sec. 148, Rule 39.

Plaint No. .

In the Magistrate's Court, holden at .
Between
and

, plaintiff,
, defendant.

By the consent of the plaintiff and defendant, it is ordered that this action [and other matters within the jurisdiction of this Court in dispute between the said parties, that is to say [*Here specify them*], be referred to , of , and to , of , as arbitrators, and to , of , as umpire [or the said arbitrators to choose their own umpire], whose award, to be made or given on or before the day of , 189 [*not more than one month from date*], shall be entered as the judgment in this action: And in case either of the said parties shall neglect or refuse to attend any appointment to be made by the said arbitrators for proceeding under this order after two days' notice thereof in writing shall have been given to him, by serving the same personally or by leaving it at his last or usual place of abode, the said arbitrators shall be at liberty to proceed *ex parte* on the matters of the said reference, and their [or his] certificate shall be as valid as if both the said parties had attended before them [or him]; and it is further ordered that the costs of this reference shall be paid by , to abide the event of the action.

Dated at , this day of , 189 .
(l.s.) By the Court.

Stipendiary Magistrate.

No. 74.

New Zealand. }
"The Magistrates' Courts }
Act, 1893."

AFFIDAVIT WHEN PLAINTIFF *in forma pauperis*.

Sec. 172.

Plaint No. .

In the Magistrate's Court, holden at .
Between
and

, plaintiff,
, defendant.

I, , of , make oath and say:—(1) That I , the above-named plaintiff, have a meritorious cause of action; (2) I am unable by reason of poverty to pay the prescribed fees of Court.

Plaintiff.

Sworn at , this day of , 189 ,
Before
Justice of the Peace [or Clerk of Court, or Solicitor].

No. 75.

New Zealand. }
"The Magistrates' Courts }
Act, 1893."

CONSENT TO ACT BY GUARDIAN AD LITEM.

Sec. 48, Rule 31.

Plaint No. .

In the Magistrate's Court, holden at .
Between
and

, plaintiff,
, defendant.

I, , of , [*calling*], consent to be appointed and to act as guardian *ad litem* to the defendant in this action, who is an infant [and to be responsible for costs (*if so ordered by Court*)].
(Signed.)

Dated at , this day of , 189 .

Witness to signature:
Clerk of Court or Justice of the Peace, or Solicitor of Supreme Court.]

No. 76.

Sec. 48, Rule 30.

New Zealand. } UNDERTAKING BY NEXT FRIEND OF INFANT TO BE
 "The Magistrates' Courts } RESPONSIBLE FOR COSTS.
 Act, 1893." } Plaintiff No. .

In the Magistrate's Court, holden at .

Between
and, plaintiff,
, defendant.

I, THE undersigned, of , [occupation], being the next friend of , an infant, the plaintiff [or the claimant in an interpleader proceeding] in this action, hereby undertake to be responsible for the costs of the defendant [or plaintiff] in the manner following, viz.: If the said plaintiff fail to pay to the defendant [or plaintiff], when and in such manner as the Court shall order, all such costs of such action as the Court shall direct him to pay to the said defendant [or plaintiff], I will forthwith, after notice of such default, pay the same to the Clerk of the Court.

Dated at , this day of , 189 . Next friend of plaintiff [or claimant.]

Witness to signature:
, Clerk of the Court.

No. 77.

Sec. 133, Rule 51.

New Zealand. } BAILIFF'S NOTICE OF CLAIM TO GOODS TAKEN IN EXECUTION.
 "The Magistrates' Courts } Plaintiff No. .
 Act, 1893." }

In the Magistrate's Court, holden at .

Between
and, plaintiff,
, defendant.

TAKE notice that , of , [and calling], has claimed the goods [or certain goods enumerated in the list attached hereto] taken in execution by me under the warrant of distress issued in this action. If you admit the title of the said to the said goods, give notice thereof to me by return of post or otherwise, with a view of saving further costs.

Dated at , this day of , 189 . Bailiff of the Court.

To the Execution Creditor.

No. 78.

Sec. 133, Rule 51.

New Zealand. } INTERPLEADER CLAIM.
 "The Magistrates' Courts } Plaintiff No. .
 Act, 1893." }

In the Magistrate's Court, holden at .

Between
and, plaintiff,
, defendant.

TAKE notice that I, , of , [and calling], claim certain goods and chattels [or moneys] as specified in the Schedule hereto attached, taken in execution under process issuing out of the Magistrate's Court at , in this action, and that the grounds of my claim are [Here state grounds].

Dated at , this day of , 189 . Claimant [or Solicitor for the Claimant].

To the Bailiff of the Court.

[Schedule.]

No. 79.

Sec. 130, Rule 51.

New Zealand. } PARTICULARS OF CLAIM FOR RENT.
 "The Magistrates' Courts } Plaintiff No. .
 Act, 1893." }

In the Magistrate's Court, holden at .

Between
and, plaintiff,
, defendant.

TAKE notice that , the execution debtor, is my tenant of a certain house and premises situate at , that [the goods and chattels taken in execution under process issuing out of this Court in this action, were in and upon the said house and premises, and that there was at the date of the said execution due to me from the said the sum of pounds shillings and pence for rent of the said house and premises, and that the said sum of £ is still due and owing from the said to me, and that I claim payment of sum of £ out of the proceeds of the execution.

Dated at , this day of , 189 . (Signed) Name:
Address:
Description:

To the Execution Creditor, and the Bailiff of the Court.

[NOTE.—A landlord is entitled to claim eight weeks' rent when the tenement is let by the week; the rent of two terms of payment, when it is let for any other term less than a year; and the rent of one year in any other case.]

No. 80.

New Zealand. } INTERPLEADER SUMMONS TO EXECUTION CREDITOR. Sec. 133, Rule 51.
"The Magistrates' Courts } Act, 1893." Plaintiff No.

In the Magistrate's Court, holden at
Between
and

, plaintiff,
, defendant.

WHEREAS , of , hath made a claim to certain goods and chattels [or moneys] taken in execution under process issued out of the Magistrate's Court at , at your instance [or certain rent alleged to be due to him], you are therefore hereby summoned to appear at the Magistrate's Court, to be holden at , on the day of , at the hour of in the forenoon, when the said claim will be adjudicated upon, and such order made thereon as to the Court shall seem just.

Given under my hand and the seal of the Court, at , this day of , 189 . Stipendiary Magistrate

To the Execution Creditor. [or Justice of the Peace, or Clerk of the Court].

Hours of attendance at the office of the Clerk on , from till , except on , when the office will be closed at .

No. 81.

New Zealand. } INTERPLEADER SUMMONS TO A CLAIMANT. Sec. 133, Rule 51.
"The Magistrates' Courts } Act, 1893." Plaintiff No.

In the Magistrate's Court, holden at
Between
and

, plaintiff,
, defendant.

You are hereby summoned to appear at the Magistrate's Court, to be holden at , on the day of , 189 , at the hour of in the forenoon, to support a claim made by you to certain goods or chattels [or moneys, &c.] taken in execution under process issued in this cause at the instance of the execution creditor, and in default of your then establishing such claim the said goods and chattels will be sold [or the said moneys paid over] according to the exigency of the said process.

Given under my hand and the seal of the Court, at , this day of , 189 . Stipendiary Magistrate

To . [or Justice of the Peace, or Clerk of the Court].

Hours of attendance at the office of the Clerk on , from till , except on , when the office will be closed at .

No. 82.

New Zealand. } NOTICE BY EXECUTION CREDITOR OF ADMISSION OF TITLE Rule 51.
"The Magistrates' Courts } OF CLAIMANT. Plaintiff No.
Act, 1893."

In the Magistrate's Court, holden at
Between
and

, plaintiff,
, defendant.

TAKE notice that I admit the title of to the goods [or to the following goods (when part only is admitted)] seized by you under the distress warrant issued under the judgment in this action, and that I desire proceedings to be stayed in respect thereof.

Dated at , this day of , 189 .

Execution Creditor.

To the Bailiff of the Court.

RECEIVED by me, this day of , 189 . Bailiff.

No. 83.

New Zealand. } AGREEMENT NOT TO APPEAL. Sec. 159.
The Magistrates' Courts } Plaintiff No.
Act, 1893."

In the Magistrate's Court, holden at
Between
and

, plaintiff,
, defendant.

WE, the above-named plaintiff and defendant, do hereby agree that the judgment of the Magistrate's Court in this cause shall be final.

Witness our hands, this day of 189 .
Plaintiff [or Solicitor, or Agent for plaintiff].
Defendant [or Solicitor, or Agent for defendant].

No. 84.

Secs. 145 and 147; Rule 38.

New Zealand. } "The Magistrates' Courts Act, 1893."

WRIT OF ARREST.

Plaint No. .

In the Magistrate's Court, holden at .

Between , of , plaintiff, and , of , defendant. To , Bailiff of the Magistrate's Court at [or to , Police Constable at] .

WHEREAS it has been made to appear to the satisfaction of me, the undersigned Stipendiary Magistrate having jurisdiction to the amount of the plaintiff's claim, by the affidavit of , the plaintiff in the above action, that he, the above-named plaintiff, has a good cause of action against the above-named defendant for the sum of pounds shillings and pence, for which a summons has been issued out of this Court [or the Magistrate's Court holden at], and that there is probable cause for believing he, the said defendant, is about to leave the Colony of New Zealand and to evade the payment of the said sum of £

Now, therefore, I do hereby command you, by virtue of powers given to me by the one hundred and forty-fifth section of The "Magistrates' Courts Act, 1893," that, unless the said defendant shall deposit with you, or with the Clerk to the Court, the said sum of £ , together with costs, £ , to be paid, applied, and disposed of according to the judgment of the Court in this action, you do immediately bring him, the said defendant, before me, the said Stipendiary Magistrate at , to be further dealt with according to law.

And I do further command you to certify to me without delay what you shall do under this warrant.

Given under my hand and the seal of the Court, at , this day of , 189 .

Stipendiary Magistrate.

No. 85.

Secs. 145 and 147; Rule 38.

New Zealand. } "The Magistrates' Courts Act, 1893."

NOTICE TO DEFENDANT ARRESTED UNDER WRIT.

Plaint No. .

In the Magistrate's Court, holden at .

Between , plaintiff, and , defendant.

TAKE NOTICE, that if you deposit with the officer executing the Writ of Arrest issued by me this day, or with the Clerk of the Court at , the sum of pounds shillings and pence, being the amount claimed, and £3 for costs, you will be discharged from custody, and the said sum will be paid, applied, and disposed of according to the final judgment of the Court.

Dated at , this day of 189 . To the Defendant.

Stipendiary Magistrate.

No. 86.

Sec. 145, Rule 38.

New Zealand. } "The Magistrates' Courts Act, 1893."

BAIL-BOND TO BE GIVEN BY DEFENDANT UNDER SECTION 145.

Plaint No. .

In the Magistrate's Court, holden at .

Between , plaintiff, and , defendant.

Know all men by these presents that we , of , and , of , and , are jointly and severally held and firmly bound to , of , in the sum of pounds, to be paid to the said , for which payment to be made we bind ourselves and each and every of us jointly and severally firmly by these presents.

Sealed with our seals, and dated at , this day } of , one thousand eight hundred and

WHEREAS on , the day of last past, the above-named entered a plaint against the above-bounden , in the Magistrate's Court holden at , to recover the sum of pounds shillings and pence, and pounds shillings and pence for costs: And whereas it has been made to appear to the satisfaction of the undersigned Stipendiary Magistrate, by the affidavit of , that there is probable cause for believing that the above-bounden was about to leave the colony and to evade payment of such sum: And whereas a writ of arrest was issued, and the above-bounden has been arrested, but desires to be released on bail: Now the condition of this obligation is such that if the above-bounden shall appear at the Magistrate's Courthouse at , on the day of , 189 , at o'clock in the noon, to answer the demand of the said , and shall not depart until the judgment of the Court is given, then this obligation shall be void, otherwise shall remain in full force.

Signed, sealed, and delivered by the above-bounden and in the presence of

I APPROVE of this bond.

Stipendiary Magistrate.

No. 87.

New Zealand. }
 "The Magistrates' Courts }
 Act, 1893." } CONSENT FOR SUMMARY HEARING. Sec. 145, Rule 98.
 In the Magistrate's Court, holden at Plaintiff No.
 Between , plaintiff,
 and , defendant.
 I, THE above-named defendant, against whom a writ of arrest has been issued under section 145 of
 "The Magistrates' Courts Act, 1893," do hereby consent that the plaintiff's claim may be summarily
 heard and finally adjudicated on forthwith [or at the hour of in the noon of the
 day of 189].
 Dated at , this day of , 189 Defendant.
 Signed in the presence of
 Justice of the Peace [or Clerk of Court, or Solicitor].

No. 88.

New Zealand. }
 "The Magistrates' Courts }
 Act, 1893." } AFFIDAVIT OF JUSTIFICATION. Rule 43.
 In the Magistrate's Court, holden at Plaintiff No.
 Between , plaintiff,
 and , defendant.
 I of one of the proposed sureties for the plaintiff [or defendant], make oath and
 say, that I possess property to the amount of pounds over and above what will pay my
 just debts and every other sum for which I am now surety.
 Sworn before me, at , this day of , 189
 Justice of the Peace [or Clerk of Court, or Solicitor].

No. 89.

New Zealand. }
 "The Magistrates' Courts }
 Act, 1893." } NOTICE TO BAILIFF OF APPEAL. Sec. 166.
 In the Magistrate's Court, holden at Plaintiff No.
 Between , plaintiff,
 and , defendant.
 TAKE notice that the having given notice of appeal to the Supreme Court, and the appellant
 having given the required security, proceedings on the execution are now stayed.
 Dated at , this day of , 189
 Clerk of the Court.
 To the Bailiff of the Court.

No. 90.

New Zealand. }
 "The Magistrates' Courts }
 Act, 1893." } REQUEST FOR WARRANT OF DISTRESS (OR COMMITMENT) Secs. 117, 192, and
 ON A JUDGMENT OR ORDER. 194 ; Rule 45.
 Plaintiff No.
 To the Stipendiary Magistrate at , or other the Justices of the Peace,
 Between , plaintiff,
 and , defendant.
 I REQUEST that a warrant of may be issued against of , for the
 sum of pounds shillings and pence sterling (£), being the
 unpaid portion (as per subjoined statement) of the sum (viz., £) and costs which
 he was on the day of , 189 , adjudged to pay me in the Magistrate's
 Court at
 Amount of judgment .. £ : :
 Costs : :
 £ : :
 Amount paid in part satis-
 faction of above judgment £ : :
 Balance still unpaid, for
 which distress or com-
 mitment is requested .. : :
 £ : :
 Given under hand at , this day of , 189 , at o'clock in
 the noon.
 Witness to signature : Plaintiff [or Solicitor for the Plaintiff].

Warrant issued accordingly,
 this day of
 189
 Clerk of the Court.

No. 91.

Sec. 117, Rule 45.

New Zealand.
The Magistrates' Courts
Act, 1893.

DISTRESS WARRANT.

Plaint No.

In the Magistrate's Court, holden at

Between
and

, plaintiff,
, defendant.

To , Bailiff of the Magistrate's Court [or To] .

I certify that the amount of £
remains un-
satisfied on this judgment.
Clerk of Court.

WHEREAS , of , in the said colony, , was on the
day of ,
189 , duly adjudged [or ordered] by the Magistrate's Court sitting at
to pay the sum
of pounds shillings and pence, claimed by one , of
for debt [or damages], together with the sum of pounds shillings and
pence for costs and expenses allowed by the said Court, making together the sum of
pounds shillings and pence, to the Clerk of the said Court on the
day of [or by instalments of for every days]: And whereas
default has been made in payment according to the said judgment [or order]:

This is therefore to command you forthwith to levy the sum of £ , and the
further expenses incurred therein, by distress and sale of the goods and chattels of and be-
longing to the said , except the wearing apparel and bedding of him or his family, and
the tools and implements of his trade (if any), to the value in all of twenty-five pounds; and
also to seize and take away any money, cheques, bills of exchange, promissory notes, bonds,
or other securities for money of the said , or such part or so much thereof as may
be sufficient to satisfy this execution, and the costs of making and executing the same.
And you are hereby commanded to pay what you shall so levy forthwith to the Clerk of
this Court, and to make return of what you shall do by virtue of this warrant immediately
upon the execution thereof.

Given under my hand and the seal of the Court, at , this day of ,
189 .

Stipendiary Magistrate.
[or Justice of the Peace.]

Table with 4 columns: Description, £, s, d. Rows include Amount adjudged to be paid, Costs of previous executions, Warrant, Mileage, and Total.

The Bailiff is entitled to demand and levy one shilling per mile, reckoned one way only, for every
mile beyond two from the Courthouse to the place where seizure is made, and the cost of keeping
possession of goods seized, which is not to exceed eight shillings per day, commencing after the first
hour.

NOTICE.—If the amount to be levied be paid to the Bailiff within one hour after entry, he is not to
receive any further sum than the amount directed to be levied as stated above, with mileage. The
goods and chattels are not to be sold until after the end of five days next following the day on which
they were taken, unless they be of a perishable nature, or at the request of the Defendant.

Application was made to the Stipendiary Magistrate for this warrant at minutes
past the hour of in the noon of the day of , 189 .

Clerk of the Court.

Hours of attendance at the office of the Clerk on , from till , except
on , when the office will be closed at .

[Indorsement No. 97.]

No. 91 (Maori).

Secs. 10 and 117;
Rule 45.

New Zealand.
The Magistrates' Courts
Act, 1893.

WARATI TAU TAIMAHA.

I te Kooti Whakawa o

I te mea i a
raua ko

, kai-tono,
, kai-whakaoraora.

Ki a karere o taua Kooti nei.

NOTEMEA i kiia e te Kooti i runga i te mana o te mahi whakawa a te Kooti i noho ki
te o nga ra o , 189 , me utu e o nga moni pauna
hereni pene he moni i kiia e o nana, mo te me tetahi atu
moni hoki pauna hereni pene, utu ki te Kooti, aha aha, na te Kooti i
ki kia utua ki te Karaka o te Kooti a te o nga ra o , me utu ranei e ia nga
moni i roto i te . A no te mea kahore i rite i a ia ta te Kooti i whakarite nei, ara
te utu i taua ritenga nei. He kupu atu tenei naku ki a koe kia tangohia mai e koe he moni i roto i
nga taonga o taua ars me hoko nga taonga e tangohia aua e koe me tetahi atu moni hoki
hei utu i nga ritenga katoa o tenei Warati. Otiia ko nga kakahu anake me nga kakahu moenga me
ana mea mahi me waiho ki a ia [mehemea e whai mea pera ana] kia tae ki te rua tekau ma rima
pauna o ana katoa e whakatoa ki a ia, me tango hoki koe i nga moni ahakoa pukapuka moni
pehea ranei i nga pukapuka katoa e whai ritenga ana kia puta ake he moni i roto i te pera ki
taua ko etahi anake ranei o ana mea te tango, te hoko, kia rite ki taua kawenga nei me te
whakahaeretanga i nga ritenga o tenei Warati. Nga he kupu atu hoki tenei ki a koe mau e hoatu

nga moni e puta mai ki a koe i runga i tenei Warati, ki te Karaka o tenei Kooti, mau hoki e whakaatu mai ki a ia muri toa iho, nga mea katoa kua oti i a koe i runga i te mana o tenei Warati.

He mea tuku atu tenei i raro i toku ringa me te hiiri o te Kooti tenei o nga ra o 189 . Kaiwhakawa Tuturu.

Ko nga moni i kiia i runga i te whakawa kia utua ..	£	:	:
Utu mo etahi atu Warati .. .. .	..	..	..
Utu mo tenei Warati .. .. .	..	..	..
Utu maero .. .. .	..	..	..
	£	:	:

He tika hoki kia tangohia e te Karere he moni, kia kotahi hereni mo te maero o tana haeretanga atu anake, me timata te tatau te mamao a te taenga ki te rua maero tana haere te tawhangawhanga atu i te Kooti, a tao noa ki te wahi kei reira te tangohanga o nga taonga. Me tetahi atu moni hoki hei utu mo te tiakikanga i nga taonga i tangohia. Otiia kua e neke ake taua utu i te waru hereni mo te ra; he mea noa te haora tuatahi.

WHAKAATURANGA.—Mehemea ka utua atu ki te Karere te moni nei, i te mea kahore ano i tao noa ki te kotahi haora tana nohoanga ki roto ki te whare, kahore he moni ke atu e hoatu ki te Karere, heoi ano ko tera moni ra anake. E whakaturia ana i roto i te Warati me te moni mo te maero o tana haeretanga kua nga taonga o te tangata e hokona kia kapi ra ano nga ra e rima ki muri atu o te ra o te tangohanga, otira, mehemea he taonga mate noa e ahei ano te hoko me ka tonoa e te tangata nana nga taonga; ko te utu mo te tiaki taonga kua oti te tango kua e neke ake i nga hereni e waru mo te ra.

I puta mai te tono ki te Kai-whakawa Tuturu mo tenei Warati kia whakaputaina i te o nga miniti ki muri iho o te i te te o nga ra o 189 .

No. 92.

New Zealand.
"The Magistrates' Courts }
Act, 1893."

DISTRESS WARRANT.
(under Section 39 of the Act.)

Sec. 39, Rule 45.

Plaint No. .

In the Magistrate's Court, holden at

Between
and

, plaintiff,
, defendant.

To , Bailiff of the Magistrate's Court [or To].

WHEREAS a certificate under the seal of the Supreme Court of New Zealand has been filed in this Court, setting forth that the plaintiff on the day of 189 , obtained a judgment against the defendant for [or an order to pay to the plaintiff] the sum of pounds shillings and pence, and the sum of pounds shillings and pence for costs, and there is now due to the plaintiff for interest on such judgment the sum of pounds shillings and pence, making together the sum of pounds shillings and pence.

This is therefore to command you forthwith to levy the sum of pounds, and the further expenses incurred therein, by distress and sale of the goods and chattels of and belonging to the said , except the wearing apparel and bedding of him or his family, and the tools and implements of his trade (if any), to the value in all of twenty-five pounds, and also to seize and take any money, cheques, bills of exchange, promissory notes, bonds, or securities for money, of the said , or such part or so much thereof as may be sufficient to satisfy this execution, and the costs of making and executing the same. And you are hereby commanded to pay what you shall so levy forthwith to the Clerk of this Court, and to make return of what you shall do by virtue of this warrant immediately on the execution thereof.

Given under my hand and the seal of the Court, at , this day of 189 .

Stipendiary Magistrate.

Amount adjudged to be paid ..	£	:	:
Interest .. .. .	..	..	..
Warrant .. .. .	..	..	..
Costs of previous executions ..	..	..	..
Mileage .. .. .	..	..	..
Total	£	:	:

The Bailiff is entitled to demand and levy one shilling per mile, reckoned one way only, for every mile beyond two from the Courthouse to the place where seizure is made, and the cost of keeping possession of goods seized, which is not to exceed eight shillings per day, commencing after the first hour.

NOTICE.—If the amount to be levied be paid to the Bailiff within one hour after entry, he is not to receive any further sum than the amount directed to be levied as stated above, with mileage. The goods and chattels are not to be sold until after the end of five days next following the day on which they were taken, unless they be of a perishable nature, or at the request of the defendant.

Application was made to the Stipendiary Magistrate for this warrant at minutes past the hour of in the noon of the day of 189 .

Clerk of Court.

Hours of attendance at the office of the Clerk on , from till , except on , when the office will be closed at .

[Indorsement No. 97.]

No. 93.

Sec. 117, Rule 45.

New Zealand. }
"The Magistrates' Courts }
Act, 1893."

DISTRESS WARRANT.

(Against the Goods of a Married Woman).

Plaint No.

In the Magistrate's Court, holden at

Between
and

, plaintiff,
, defendant.

To , Bailiff of the Magistrate's Court [or To].

remains unsatisfied on this judgment.
Clerk of Court.

WHEREAS , of , in the said colony, wife of , was on the day of 189 , duly adjudged [or ordered] by the Magistrate's Court sitting at , to pay the sum of pounds shillings and pence, claimed by one of for debt [or damages], together with the sum of pounds shillings and pence for costs and expenses allowed by the said Court, making together the sum of pounds shillings and pence, to the Clerk of this Court forthwith on the day of , or by instalments of for every days: And, further, it was ordered that the execution upon the judgment be limited to the separate property of the said not subject to any restriction against anticipation, unless by reason of section 22 of "The Married Women's Property Act, 1884," such property should be liable to execution notwithstanding such restriction: And whereas default has been made in payment according to the said order: This is therefore to command you forthwith to levy the sum of £ and the further expenses incurred herein, by distress and sale of the goods and chattels of and belonging to the said or her separate estate, except the wearing-apparel and bedding of her or her family, and the tools and implements of her trade (if any) to the value in all of twenty-five pounds, and also to seize and take away any money, cheques, bills of exchange, promissory notes, bonds, or other securities for money of the said , or such part or so much thereof as may be sufficient to satisfy this execution and the costs of making and executing the same. And you are hereby commanded to pay what you shall so levy forthwith to the Clerk of this Court, and to make return of what you shall do by virtue of this warrant immediately on the execution thereof.

Given under my hand and the seal of the Court, at , this day of 189 .

Stipendiary Magistrate.
[or Justice of the Peace.]

I certify that the amount of £

Amount adjudged to be paid ..	..	£	:	:
Costs of previous execution ..	..	:	:	:
Warrant ..	..	:	:	:
Mileage ..	..	:	:	:
Total ..	..	£	:	:

The Bailiff is entitled to demand and levy one shilling per mile, reckoned one way only, for every mile beyond two from the Courthouse to the place where seizure is made, and the cost of keeping possession of goods seized, which is not to exceed eight shillings per day, commencing after the first hour.

NOTICE.—If the amount to be levied be paid to the Bailiff within one hour after entry, he is not to receive any further sum than the amount directed to be levied as stated above, with mileage. The goods and chattels are not to be sold until after the end of five days next following the day on which they were taken unless they be of a perishable nature, or at the request of the defendant.

Application was made to the Stipendiary Magistrate for this warrant at minutes past the hour of in the noon of the day of , 189 .

Clerk of the Court.

Hours of attendance at the office of the Clerk on , from till , except on , when the office will be closed at .

[Indorsement No. 97.]

No. 94.

Sec. 127, Rule 45.

New Zealand. }
"The Magistrates' Courts }
Act, 1893."

DISTRESS WARRANT FOR THE VALUE OF SPECIFIC GOODS,
DAMAGES, AND COSTS.

Plaint No.

In the Magistrate's Court, holden at

Between
and

, plaintiff,
, defendant.

To , Bailiff of the Magistrate's Court at [or to].

WHEREAS , of , the defendant, was on the day of 189 , duly adjudged [or ordered] by the Magistrate's Court sitting at to return to the plaintiff

I certify that the damages and costs adjudged have not been paid into Court.

Clerk of the Court.

certain specific goods and chattels wrongfully detained by the defendant, namely: [Name the goods detained], being of the value of £ ; and also to pay £ damages for the detention of the said goods and chattels, and £ for costs allowed by the said Court, making together the sum of £

And whereas the said goods and chattels have [not] been returned, as ordered by the Court, and whereas default has been made in payment of the said damages and costs: This is therefore to command you forthwith to levy the sum of £ , and the further expenses incurred herein, by distress and sale of the goods and chattels of and belonging to the said , except the wearing apparel and bedding of him or his family, and the tools and implements of his trade (if any) to the value in all of twenty-five pounds, and also to seize and take any money, cheques, bills of exchange, promissory notes, bonds, or other securities for money, of the said , or such part or so much thereof as may be sufficient to satisfy this execution, and the costs of making and executing the same. And you are hereby commanded to pay what you shall so levy forthwith to the Clerk of this Court, and to make return of what you shall do by virtue of this warrant immediately on the execution thereof.

Given under my hand and the seal of the Court, at , this day of 189 . Stipendiary Magistrate.

Amount adjudged to be paid ..	£	:	:
Costs of previous executions ..		:	:
Warrant ..		:	:
Executing same ..		:	:
Total ..	£	:	:

The Bailiff is entitled to demand and levy one shilling per mile, reckoned one way only, for every mile beyond two from the Courthouse to the place where seizure is made, and the cost of keeping possession of the goods seized, which is not to exceed eight shillings per day, commencing after the first hour.

NOTICE.—If the amount to be levied be paid to the Bailiff within one hour after entry, he is not to receive any further sum than the amount directed to be levied as stated above, with mileage. The goods and chattels are not to be sold until after the end of five days next following the day on which they were taken, unless they be of a perishable nature, or at the request of the defendant.

Application was made to the Stipendiary Magistrate for this warrant at minutes past the hour of in the noon of the day of , 189 . Clerk of the Court.

Hours of attendance at the office of the Clerk on , from till , except on , when the office will be closed at

[Indorsement No. 97.]

No. 95.

New Zealand. "The Magistrates' Courts Act, 1893." In the Magistrates' Court, holden at

DISTRESS WARRANT (AGAINST THE GOODS OF A SUB-DEBTOR). Plaintiff No.

Sec. 140, Rule 37.

Between , judgment creditor, and , judgment debtor, and , sub-debtor. To , Bailiff of the Magistrate's Court, [or to]

I certify that the amount of £ remains due and unsatisfied on this judgment.

Clerk of Court.

WHEREAS on the day of , 189 , the judgment creditor obtained a judgment [or order] against the judgment debtor for the sum of pounds shillings and pence, and pounds shillings and pence for costs, making together the sum of pounds shillings and pence: And whereas it was on the day of , 189 , ordered by the Court that all debts owing or accruing from to the judgment debtor be attached to answer the judgment debt: And whereas the said has not paid into Court the amount due by him to the judgment debtor, or an amount equal to the judgment debt, and has not disputed the debt claimed to be due from him to the judgment debtor, and, further, has failed to appear on summons:

This is therefore to command you forthwith to levy the sum of £ , and the further expenses incurred herein, by distress and sale of the goods and chattels of and belonging to the said , except the wearing apparel and bedding of him or his family, and the tools and implements of his trade (if any) to the value in all of twenty-five pounds, and also to seize and take away any money, cheques, bills of exchange, promissory notes, bonds, or securities for money of the said , or such part or so much thereof as may be sufficient to satisfy this execution, and the cost of making and executing the same. And you are hereby commanded to pay what you shall so levy forthwith to the Clerk of this Court, and to make return of what you shall do by virtue of this warrant immediately on the execution thereof.

Given under my hand and the seal of the Court, at , this day of 189 . Stipendiary Magistrate.

Amount adjudged to be paid	.. £	:	:
Warrant	.. ..	:	:
Costs of previous executions	.. ..	:	:
Mileage	.. ..	:	:
		£	:

The Bailiff is entitled to demand and levy one shilling per mile, reckoned one way only, for every mile beyond two from the Courthouse to the place where seizure is made, and the cost of keeping possession of goods seized, which is not to exceed eight shillings per day, commencing after the first hour.

NOTICE.—If the amount to be levied be paid to the Bailiff within one hour after entry, he is not to receive any further sum than the amount directed to be levied as stated above, with mileage. The goods and chattels are not to be sold until after the end of five days next following the day on which they were taken, unless they be of a perishable nature, or at the request of the defendant.

Application was made to the Stipendiary Magistrate for this warrant at _____ minutes past the hour of _____ in the _____ noon of the _____ day of _____, 189____. Clerk of the Court. Hours of attendance at the office of the Clerk on _____, from _____ till _____, except on _____, when the office will be closed at _____ [Indorsement No. 97.]

No. 96.

Sec. 127. New Zealand. } WARRANT TO BAILIFF TO SEIZE SPECIFIC GOODS. Plaintiff No. _____
 "The Magistrates' Courts }
 Act, 1893." }
 In the Magistrate's Court, holden at _____
 Between _____, plaintiff,
 and _____, defendant.
 To _____, Bailiff of the said Court [or To _____].
 WHEREAS _____, of _____, the defendant, was on the _____ day of _____, 189____, duly adjudged or ordered by the Magistrate's Court sitting at _____ to return to _____ of _____ [Here enumerate goods ordered to be returned], wrongfully detained by the said _____: And whereas the said goods have not been returned according to the said order: This is therefore to command you to demand of the said _____ and seize the said goods, if they can be found by you, and to deliver them to the said _____, and to make return what you shall do by virtue of this warrant immediately on the execution thereof.
 Given under my hand and the seal of the Court, at _____, this _____ day of _____, 189____. Stipendiary Magistrate.
 Hours of attendance at the office of the Clerk on _____, from _____ till _____, except on _____, when the office will be closed at _____.

No. 97.

Rule 46. RETURN TO DISTRESS WARRANT WHEN NO EFFECTS.
 Magistrate's Court, }
 holden at _____ }
 I, _____, of _____, do hereby certify unto the Magistrate's Court sitting at _____, that by virtue of this warrant I have made diligent search for the goods and chattels of the within-named _____, and that I can find no sufficient goods and chattels of the said _____ whereon to levy the sums within mentioned.
 Dated at _____ this _____ day of _____, 189____.
 [To be indorsed on Nos. 91, 92, 93, 94, and 95.]

No. 98.

Sec. 127. New Zealand. } ORDER TO RETURN SPECIFIC GOODS, AND IMPRISONMENT IN DEFAULT.
 "The Magistrates' Courts }
 Act, 1893." }
 In the Magistrate's Court, holden at _____ Plaintiff No. _____
 Between _____, plaintiff,
 and _____, defendant.
 WHEREAS _____, of _____, the defendant, was on the _____ day of _____, 189____, duly adjudged or ordered by the Magistrate's Court sitting at _____ to return to the plaintiff certain specific goods wrongfully detained by the said defendant, that is to say [Here specify them]: And whereas the said goods have not been returned according to the said judgment; and whereas a warrant was on the _____ day of _____ issued to the Bailiff of the Court commanding him to seize the said goods, and to deliver them to the plaintiff; and whereas the Bailiff has now certified to the Court that he has demanded the said goods, but has been unable to find, obtain possession of, or seize the same: Now, therefore, it is ordered that the said goods be returned by the defendant to the plaintiff forthwith, and if the defendant refuse or neglect to return the goods for twenty-four hours after service on him of a sealed copy of this order, that he be imprisoned in the prison at _____ for the space of _____, unless he shall in the meantime cause the goods so detained to be returned to the plaintiff.
 Dated at _____ this _____ day of _____, 189____. Stipendiary Magistrate.
 (L.S.)
 Hours of attendance at the office of the Clerk on _____, from _____ till _____, except on _____, when the office will be closed at _____.

No. 99.

New Zealand. }
 "The Magistrates' Courts } WARRANT OF COMMITTAL FOR REFUSAL TO RETURN SPECIFIC GOODS. Sec. 127.
 Act, 1893." }

In the Magistrate's Court, holden at Plaintiff No. .
 Between , plaintiff,
 and , defendant.

To, Bailiff of the Court,, and to the Gaoler of the prison at
 WHEREAS on the day of, 189, the plaintiff entered a plaint in accordance with "The Magistrates' Courts Act, 1893," in the Magistrate's Court at, claiming the return or recovery of certain specific goods, viz. [*Here specify them*]: And whereas on the hearing of the said claim on the day of, 189, judgment was given by Esquire, a Stipendiary Magistrate under the said Act, in favour of the plaintiff for the recovery of the said goods, and damages for their detention; and whereas a warrant under the hand of the said Stipendiary Magistrate was issued to the Bailiff of the Court requiring him to demand and seize the said goods; and whereas the Bailiff has certified to the said Stipendiary Magistrate that he has demanded the said goods, and that he was unable to find, obtain possession of, or seize the same: And whereas the said Stipendiary Magistrate on the application of the plaintiff, on the day of, 189, ordered the immediate return of the said goods, and by the same order it was further ordered that if the defendant should refuse or neglect to return the said goods after service on him of a sealed duplicate of the said order, he should be imprisoned in the prison at for the space of days, unless he should in the meantime cause the said goods to be returned to the plaintiff: And whereas it has been proved to me, the undersigned Stipendiary Magistrate, that a sealed duplicate of the said order was on the day of, 189, served on the defendant, but that he has not returned the said goods to the plaintiff as required by the said order, now therefore I command you the said Bailiff to arrest and apprehend the said defendant,, and him safely convey and deliver to the Gaoler of the prison at, and you the said Gaoler to receive the said into the said prison, and there to imprison him for the space of days unless the said shall in the meantime cause the said goods to be returned to the plaintiff.

Given under my hand and the seal of the Court, at, this day of, 189
 Stipendiary Magistrate.

No. 100.

New Zealand. }
 "The Magistrates' Courts } SUMMONS TO A TENANT OR OTHER PERSON HOLDING OVER. Secs. 175, 178 ;
 Act, 1893." } No. of Plaintiff Rule 40.

In the Magistrate's Court of, holden at
 Between, plaintiff,
 and, defendant.

You are hereby summoned to appear at the Magistrate's Court to be holden at, on the day of, 189, at the hour of in the forenoon, to answer the claim of the plaintiff for possession of a certain [message with appurtenances, or part of a house, or as the case may be, describing the tenement so as to distinguish it], situate at: And take notice that the plaintiff claims of you for rent [*or mesne profits, or damages*], the sum of £, for a period from the day of, 189, to the day of, 189: And further take notice that if you do not appear at the said Court and show cause why you do not deliver up possession as aforesaid, the Magistrate may order a warrant to issue to give possession to the plaintiff: And further take notice that, if the plaintiff in this action be not your immediate landlord, you must, upon being served with this summons, or if this summons shall come to your knowledge, forthwith give notice hereof to your immediate landlord, and if you do not give such notice you will be liable to forfeit to your immediate landlord three years' rack-rent of the premises held by you of him in respect of which the summons shall have issued.

Given under my hand and the seal of the Court, at, this day of, 189
 To the Defendant. Clerk of the Court.

Claim for . . . . .	..	..	..	£	:	:
Costs . . . . .	..	..	..	..	:	:
Mileage for service of summons..	..	..	..	..	:	:
Total . . . . .	..	..	..	£	:	:

Hours of attendance at the office of the Clerk on, from till, except on, when the office will be closed at

[Indorsement No. 19.]

No. 101.

New Zealand. }
 "The Magistrates' Courts } SUMMONS FOR RECOVERY OF TENEMENT FOR NONPAYMENT OF RENT. Sec. 176, Rule 40.
 Act, 1893." }

In the Magistrate's Court, holden at Plaintiff No. .
 Between, plaintiff.
 and, defendant.

You are hereby summoned to appear at the Magistrate's Court to be holden at, on the day of, 189, at the hour of in the forenoon, to answer the claim of the plaintiff for possession of a certain [*Here describe the house or other tenement so as to distinguish it*], situate at

held by you as a [Insert weekly, or as the case may be] tenant should not be given up to the plaintiff by reason of the rent payable in respect thereof by you being _____ days in arrear, and the plaintiff having right by law to re-enter for the non-payment thereof. If you shall pay to the Clerk the rent in arrear and the costs of this action, as stated at the foot of this summons, five days before the day you are required to appear to this summons, this action will cease. And take notice that if you do not pay such rent in arrear, and costs, or appear at the said Court and show cause why possession of the said _____ should not be recovered against you, you may be ordered by the Court to give possession of such premises to the plaintiff, and that if such order be not obeyed a warrant may issue to give possession to the plaintiff: And further take notice that, if the plaintiff in this action be not your immediate landlord you must, upon your being served with this summons, or if this summons shall come to your knowledge, forthwith give notice hereof to your immediate landlord; and if you do not give such notice you will be liable to forfeit to your immediate landlord three years' rack-rent of the premises held by you of him in respect of which this summons is issued.

Given under my hand and the seal of the Court, at _____, this _____ day of _____, 189 ____.

 Clerk of the Court.

Rent in arrear from the _____ day of _____ to _____	..	£	:	:
the _____ day of _____ ..	..	£	:	:
Costs .. .. .	..	£	:	:
Mileage for service of summons .. .. .	..	£	:	:
<hr/>				
Total .. .. .	..	£	:	:

Hours of attendance at the office of the Clerk on _____, from _____ till _____, except on _____, when the office will be closed at _____.

[Indorsement No. 19.]

No. 102.

Secs. 175, 176, and 178; Rules 40, 42. } New Zealand. "The Magistrates' Courts Act, 1893." } WARRANT FOR GIVING POSSESSION OF TENEMENT. Plaintiff No. _____
 In the Magistrate's Court of _____, holden at _____
 Between _____, plaintiff,
 and _____, defendant.

To the Bailiff of the Court [or To _____].
 WHEREAS at _____, on the _____ day of _____, 189 ____, it was ordered by the Magistrate's Court holden at _____, that the defendant should give the plaintiff possession of a certain [house, &c., as in summons], situate at _____, [and that the plaintiff should recover against the defendant], the sum of _____ pounds shillings and _____ pence for costs, or the sum of _____ pounds shillings and _____ pence for rent or mesne profits [or rent and mesne profits, or damages, and _____ pounds shillings and _____ pence for costs], making together the sum of _____ pounds shillings and _____ pence.* [Insert here, if possession is to be given on account of non-payment of rent in arrear, instead of the words between asterisks: "or else should, on or before the _____ day of _____, pay to the said _____ the rent in arrear, and the sum of £ _____ for costs"]; And whereas it was further ordered by the Court that this warrant should issue: This is therefore to authorise and require you, on or before the _____ day of _____, 189 ____, to enter, by force if needful, into the premises, between the hours of nine in the morning and four in the afternoon, and to give possession of the said hereinbefore mentioned premises to the plaintiff. And this is further to require and order you forthwith to make and levy by distress and sale of the goods and chattels of the defendant, wheresoever they may be found (except the wearing apparel and bedding of the defendant or his family, and the tools and implements of his trade, if any, to the value in all of twenty-five pounds), the said sum, and the costs of this warrant and execution; and also to seize and take any money or bank-notes, and any cheques, bills of exchange, promissory notes, bonds, or securities for money of the defendant which may be there found, or such part or so much thereof as may be sufficient to satisfy this execution, and the costs of making and executing the same, and to pay what you shall so levy forthwith to the Clerk of this Court, and to make return to me of what you shall do under this warrant immediately on the execution thereof.

Given under my hand and the seal of the Court, at _____, this _____ day of _____, 189 ____.

 Stipendiary Magistrate.

Amount adjudged to be paid ..	£	:	:
Warrant	£	:	:
Mileage	£	:	:
<hr/>			
Amount to be levied ..	£	:	:

NOTICE.—The Bailiff is entitled to demand and levy one shilling per mile, reckoned one way only, for every mile beyond two from the Courthouse to the tenement of which possession is to be given, and mileage at the same rate, to the place where any seizure of goods is made, if sufficient distress be not found on such tenement.

The goods and chattels are not to be sold until after the end of five days next following the day on which they were seized, unless they be of a perishable nature, or at the request of the defendant.

If the amount to be levied be paid to the Bailiff within one hour after seizing, he is not to receive any further sum than the amount directed to be levied, as stated above, with mileage.

The cost of keeping possession of goods seized is not to exceed eight shillings per day.

Application was made to the Stipendiary Magistrate for this warrant at _____ minutes past the hour of _____ in the _____ noon of the _____ day of _____, 189 ____.

Hours of attendance at the office of the Clerk on _____, from _____ till _____, except on _____, when the office will be closed at _____.

No. 103.

New Zealand. } INFORMATION AND REQUEST OF LANDLORD FOR POSSESSION WHERE Sec. 177, Rule 41.
 "The Magistrates' Courts } TENANT HAS DESERTED PREMISES LEAVING RENT DUE.
 Act, 1893." } Plaintiff No.

In the Magistrate's Court, holden at

Between
 and

, plaintiff,
 , defendant.

THE information and request of , of , taken and made before me , Esquire, Magistrate at , this day of , 189 , who saith that he the said did demise at rack-rent, [or at a rent three-fourths of the yearly value,] the house [lands, or tenements, now or late called], situate at in the said district, and that , of , is the tenant holding the same, and that on the day of , last passed, there was in arrear and due unto him the said , from him the said , rent thereof amounting to the sum of , and that he the said hath deserted the said demised premises and left the same uncultivated and unoccupied, so that no sufficient distress can be had to countervail the arrears of rent. Whereupon he the said doth request me the said Magistrate to command the Bailiff of the Court or some constable to go upon and view the premises, and affix on the most conspicuous part thereof notice in writing on what day he will return to take a second view, in order that he the said as such landlord and lessor may be put into possession of the said premises according to the Act in that case made and provided.

Taken before me the day and year first mentioned, at

Stipendiary Magistrate.

No. 104.

New Zealand. } WARRANT TO BAILIFF TO GO AND VIEW DESERTED TENEMENT Sec. 177, Rule 41.
 "The Magistrates' Courts } AND AFFIX NOTICE THEREUPON
 Act, 1893." } Plaintiff No.

In the Magistrate's Court, holden at

Between
 and

, plaintiff,
 , defendant.

To , Bailiff of the Magistrate's Court holden at [or Constable stationed at].

WHEREAS an information and request has this day been made before me , Esquire, Stipendiary Magistrate, sitting at , by , who says that [as in the information], and the matter of such information has now been proved to my satisfaction upon oath. This is to authorise and command you the said to go upon and view the premises, and if upon such view you shall find the said premises to be deserted and without sufficient distress thereupon, you are hereby authorised and commanded to affix upon the most conspicuous part thereof notice in writing that on a day to be in such notice mentioned, and not being less than fourteen days from such first view, you will return to take a second view thereof, and that if upon such second view the tenant or some person on his behalf shall not appear and pay the rent in arrear, and there be no sufficient distress on the premises, the said may be put in possession of the said demised premises, pursuant to the statute in such case made and provided. And you are hereby further authorised and commanded to return to such premises and take a second view thereof upon the day to be in such notice mentioned, and to certify to me the said Magistrate, on or before the day of next, what you shall have done hereunder, and whether upon such second view as aforesaid any person shall have appeared and paid the rent in arrear, or whether there be then sufficient distress on the premises to countervail the arrears of rent.

Given under my hand and the seal of the Court, this day of , 189 , at

Stipendiary Magistrate.

No. 105.

New Zealand. } NOTICE TO BE AFFIXED ON DESERTED PREMISES. Sec. 177, Rule 41.
 "The Magistrates' Courts }
 Act, 1893." } Plaintiff No.

In the Magistrate's Court, holden at

Between
 and

plaintiff,
 defendant.

To [the tenant.]

TAKE notice that on , the day of last, information and request was made to , Stipendiary Magistrate, sitting at , by , of , for that [Setting forth the matter as in the information]. And the said Stipendiary Magistrate thereupon issued his warrant authorising and commanding me, , to come upon and view the said demised premises; and I do find the said premises to be deserted and without sufficient distress thereupon, and on the day of the present month of I will return, in obedience to the said warrant, to take a second view thereof; and if upon such second view you, or some person on your behalf, shall not appear and pay the said rent in arrear, or there shall not be sufficient distress on the premises, the said may be put in possession of the said demised premises pursuant to the statute in that case made and provided.

Witness my hand, this day of , 189 .

Bailiff.

Hours of attendance at the office of the Clerk on , from till , except on , when the office will be closed at .

Sec. 177, Rules 41 and 42.

No. 106.

New Zealand. } WARRANT TO THE BAILIFF OR A CONSTABLE TO DELIVER POSSESSION
 "The Magistrates' } OF DESERTED PREMISES TO LANDLORD.
 Courts Act, 1893."

Plaint No. .

In the Magistrate's Court, holden at .

Between .
 and .

, plaintiff,
 , defendant.

To ., Bailiff of the Court [or To .].

WHEREAS on the . day of . last, information and request was made to me ., Stipendiary Magistrate, sitting at ., by ., of ., for that [Setting forth the matter as in the information]. And whereas I did thereupon issue my warrant authorising and commanding ., Bailiff of the Court aforesaid, to enter upon and view the premises in the said information mentioned, and to affix upon the most conspicuous part thereof a notice stating upon what day he would return to take a second view thereof, pursuant to the statute in such case made and provided: And whereas it appears to me by the return of the said . to the said warrant that the said . went upon and viewed the said premises, and affixed thereupon such notice as aforesaid, and that the said ., upon the day in such notice mentioned, returned to the said premises and took a second view thereof, and that neither the tenant nor any person on his behalf appeared and paid the rent in arrear, nor was there sufficient distress on the premises to countervail the arrears of rent: This is therefore to authorise and command you, on or before the . day of ., 189 ., to enter upon the said demised premises, with such assistants as you shall deem necessary, between the hours of nine in the morning and four in the afternoon, and to deliver possession thereof to the said ., and for your so doing this shall be your sufficient warrant.

Given under my hand and the seal of the Court, at ., this . day of ., 189 .
 Stipendiary Magistrate.

Hours of attendance at the office of the Clerk on ., from . til ., except on ., when the office will be closed at .

No. 107.

Sec. 184, Rule 43.

New Zealand. } BOND TO BE GIVEN BY DEFENDANT UNDER SECTION 184.
 "The Magistrates' Courts }
 Act, 1893."

Plaint No. .

the Magistrate's Court, holden at .

Between .
 and .

, plaintiff,
 , defendant.

Know all men by these presents that we . of ., and . of ., and . of ., are jointly and severally held and firmly bound to ., of ., in the sum of £ . to be paid to the said ., for which payment to be made we bind ourselves and each and every of us jointly and severally firmly by these presents.

Sealed with our seals and dated at .
 this . day of . one thousand .
 eight hundred and .

WHEREAS on ., the . day of . last past, the above-named . entered a plaint against the above-bounden . in the Magistrate's Court holden at ., to recover possession of [Here describe the tenements sought to be recovered]. And whereas the above-bounden . disputes the right of the said . to the possession of the said tenements, and is ready to sue the said . with effect and without delay in a Court of competent jurisdiction; and in case the plaintiff shall not recover judgment in such action, or shall discontinue, or be nonsuited, to pay to the defendant the costs which the defendant shall be therein adjudged to recover, and also the costs of the proceedings in the Magistrate's Court, and damages for the illegal occupation of the land up to the time of such judgment: And whereas the security intended to be hereby given has been approved of by ., Stipendiary Magistrate, as appears by his allowance at the foot hereof. Now the condition of this obligation is such that if the above-bounden . shall sue the above-named . with effect and without delay in a Court of competent jurisdiction, and if in case the plaintiff shall not recover judgment in such action, or shall discontinue, or be nonsuited, the above-bounden ., or ., or any of them shall pay to the said ., his executors, administrators, or assigns, the costs which the defendant shall therein be adjudged to recover, and also the costs of the proceedings in the Magistrate's Court, and damages for the illegal occupation of the land up to the time of such judgment, then this obligation shall be void, otherwise shall remain in full force.

(Signed.)

Signed, sealed, and delivered by the above-bounden ., and . in the presence of .

I APPROVE of this bond—

Stipendiary Magistrate.

No. 108.

Sec. 159.

New Zealand. } NOTICE OF APPEAL.
 "The Magistrates' Courts }
 Act, 1893."

Plaint No. .

In the Magistrate's Court, holden at .

Between .
 and .

, plaintiff,
 , defendant.

TAKE notice that the . intends to appeal to the Supreme Court against the judgment [or order] of ., Esquire, Stipendiary Magistrate, given or made on the hearing of the above action at ., on the . day of ., 189 ., on the grounds [Set out grounds in numbered paragraphs].

Dated at ., this . day of ., 189 .

Solicitor for the .
 [or Plaintiff or Defendant in person.]

To the Clerk of the Court at .
 and to the Plaintiff [or Defendant].

No. 109.

New Zealand. }
 "The Magistrates' Courts } BOND WHICH MAY BE TAKEN AS SECURITY FROM AN APPELLANT. Sec. 159, Rule 43.
 Act, 1893." } Plaintiff No.

In the Resident Magistrate's Court, holden at . . .
 Between . . . , plaintiff,
 and . . . , defendant.

Know all men by these presents that we, . . . of . . . , and . . . of . . . , and . . . of . . . , are jointly and severally held and firmly bound to . . . of . . . , in the sum of . . . pounds, to be paid to the said . . . , for which payment to be made we bind ourselves and each and every of us jointly and severally firmly by these presents.

Sealed with our seals and dated at . . . , this . . . day }
 of . . . , one thousand eight hundred and ninety- . }

WHEREAS an action is now depending in the Magistrate's Court holden at . . . , wherein the above-bounden . . . is plaintiff [or defendant], and the above-named . . . is defendant [or plaintiff]: And whereas the said action came on for hearing in the said Court on the . . . day of . . . , when a judgment was given for the said . . . : And whereas the said . . . is dissatisfied with such judgment, and intends to appeal to the Supreme Court of New Zealand at . . . according to "The Magistrates' Courts Act, 1893." And whereas it is by the said Act provided that the party who shall appeal as aforesaid shall give security to the satisfaction of the Court, to abide the event of the appeal: And whereas the above-bounden . . . and . . . , at the request of the said . . . , have agreed to enter into the above-written obligation for the purposes aforesaid, and the security intended to be hereby given has been approved of by the Court, as appears by the allowance at the foot hereof: Now the condition of this obligation is such that if the above-bounden . . . shall perform the final order of the Supreme Court to be made upon such appeal, then this obligation shall be void, otherwise shall remain in full force.

Signed, sealed, and delivered by the above-bounden . . . (Signed).
 in the presence of . . .

I APPROVE of this bond—
 By the Court. . . Stipendiary Magistrate.

No. 110.

New Zealand. }
 "The Magistrates' Courts } INTERLOCUTORY SUMMONS. Sec. 86, Rule 22.
 Act, 1893." } Plaintiff No.

In the Magistrate's Court, holden at . . .
 Between . . . , plaintiff,
 and . . . , defendant.

LET the plaintiff [or defendant] [or W. T., a witness for the plaintiff or defendant] attend before the Stipendiary Magistrate, at . . . [or before the Magistrate's Court to be holden at . . .], on . . . the . . . day of . . . , 189 . . . , at the hour of . . . in the . . . noon, to show cause why . . .

Given under my hand and the seal of the Court, at . . . , this . . . day of . . . , 189 . . . Clerk of the Court.

Hours of attendance at the office of the Clerk on . . . , from . . . till . . . , except on . . . , when the office will be closed at . . .

No. 111.

New Zealand }
 "The Magistrates' Courts } ORDER FINING WITNESS FOR NON-ATTENDANCE. Sec. 86, Rule 22.
 Act, 1893." } Plaintiff No.

In the Resident Magistrate's Court, holden at . . .
 Between . . . , plaintiff,
 and . . . , defendant.

WHEREAS on the . . . day of . . . , 189 . . . , of . . . , was duly served with a witness-summons, ordering him to appear before the Magistrate's Court at . . . at . . . o'clock in the forenoon of the . . . day of . . . , 189 . . . , and then and there to produce . . . : And whereas at the time of service of the said witness-summons payment or tender of the said expenses on the prescribed scale was made, but the said . . . did not attend according to the exigency of the summons, but therein made default: And whereas the said . . . was on the . . . day of . . . , 189 . . . , served with an interlocutory summons requiring him to show cause why he should not be punished for his disobedience to the first-recited summons: And whereas the said . . . did not appear as required by the said last-recited summons [or Upon hearing the said . . .], it is ordered by the Court that the said . . . pay forthwith [or on or before the . . . day of . . . , 189 . . .] to the Clerk of the Court, as penalty for his disobedience to the said witness-summons, the sum of . . . or in default that he the said . . . be imprisoned in the public prison at . . . for the space of . . . days.

Given under my hand and the seal of the Court, at . . . , this . . . day of . . . , 189 . . . Stipendiary Magistrate.

[NOTE.—If the witness is fined for refusing to give evidence, alter accordingly.]

Hours of attendance at the office of the Clerk on . . . , from . . . till . . . , except on . . . , when the office will be closed at . . .

No. 112.

Sec. 86, Rule 22. New Zealand. }
 "The Magistrates' Courts } COMMITTAL OF WITNESS IN DEFAULT OF FINE.
 Act, 1893." }

Plaint No. .

In the Magistrate's Court, holden at .

Between
and, plaintiff,
, defendant.

To , Bailiff, of , and to the Gaoler of the public prison at .

WHEREAS on the day of , 189 , of , was duly served with a witness-summons, ordering him to appear before the Magistrate's Court at , at in the noon of the day of , 189 , and then and there to produce : And whereas at the time of service of the said witness-summons payment or tender of the said expenses on the prescribed scale was made, but the said did not attend according to the exigency of the summons, but therein made default: And whereas the said was, on the day of , 189 , served with an interlocutory summons to show cause why he should not be punished for his disobedience to the first-recited summons: And whereas the said did not appear as required by the said last-recited summons [or Upon hearing the said], it was ordered by the Court that the said shall pay to the Clerk of the Court forthwith [or on or before the day of 189] the sum of pounds as penalty for his disobedience, and in default that he should be imprisoned in the public prison at for the space of days [Insert, if the witness did not appear in answer to the interlocutory summons]. And whereas it has now been proved to me that the said has been served with a sealed duplicate of the said order: And whereas the said has not obeyed the said order.

These are therefore to require you, the said Bailiff, to arrest and apprehend the said , and him safely convey and deliver to the Gaoler of the said prison at , and you, the said Gaoler, to receive the said into the said prison, and there to imprison him for the space of days, unless he shall sooner pay the said penalty of imposed upon him by me, and for your so doing this shall be your warrant.

Given under my hand and the seal of the Court, at , this day of , 189 .
 Stipendiary Magistrate.

No. 113.

Sec. 192. New Zealand. }
 "The Magistrates' Courts } ORDER OF FINE, OR IN DEFAULT IMPRISONMENT FOR CONTEMPT.
 Act, 1893." }

In the Magistrate's Court, holden at .

WHEREAS at a sitting of a Magistrate's Court at , held this day before me , a Stipendiary Magistrate, of , did wilfully insult me the said Stipendiary Magistrate whilst I was acting in civil proceedings, by then and there [Here describe the insult], [or, did wilfully insult , Clerk of the Magistrate's Court, during his attendance in Court, by , or wilfully interrupted the proceedings of the said Court by then and there (Here describe the interruption), or was guilty of a wilful contempt in the face of the Court by then and there (Here describe the contempt)].

Now, therefore, it is ordered that the said , as penalty for such contempt, pay to the Clerk of this Court forthwith [or on or before the day of , 189], the sum of pounds, or in default be imprisoned in the public prison at for the space of days, unless the said shall sooner pay the said sum of pounds.

Given under my hand and the seal of the Court, at , this day of , 189 .
 Stipendiary Magistrate.

Hours of attendance at the office of the Clerk on , from till , except on , when the office will be closed at .

No. 114.

Sec. 192. New Zealand. }
 "The Magistrates' Courts } WARRANT OF COMMITMENT FOR CONTEMPT IN DEFAULT
 Act, 1893." } OF PAYMENT OF A FINE.

In the Magistrate's Court, holden at .

To , Bailiff, and to the Gaoler of the prison at .

WHEREAS at a sitting of a Magistrate's Court at held this day before me, , a Stipendiary Magistrate, of , did wilfully insult me, the said Stipendiary Magistrate, whilst I was acting in civil proceedings by then and there [Here describe the insult], [or did wilfully insult , Clerk of the Magistrate's Court, during his attendance in Court, by , or wilfully interrupted the proceedings of the said Court by then and there (Here describe the interruption); or was guilty of a wilful contempt in the face of the Court by then and there (Here describe the contempt)]: And whereas it was ordered by the Court that the said should for such contempt pay to the Clerk of this Court forthwith [or on or before the day of , 189] the sum of pounds, or in default should be imprisoned in Prison for the space of days: And whereas it has been proved to me that a sealed duplicate of the said order has been served on the said , but the said has not obeyed the said order:

This is therefore to require you, the said Bailiff, to take the said and deliver him to the said Gaoler of the public prison at ; and I do hereby command you, the said Gaoler, to receive the said into your custody, and there to imprison him for the space of days, unless he shall sooner pay the penalty of pounds imposed upon him by me, or until he shall be sooner discharged by due course of law, and for your so doing this shall be your sufficient warrant.

Given under my hand and the seal of the Court, at , this day of , 189 .
 Stipendiary Magistrate.

No. 115.

New Zealand. } "The Magistrates' Courts Act, 1893." WARRANT OF COMMITMENT FOR CONTEMPT. Sec. 192.

In the Magistrate's Court, holden at To , Bailiff, and to the Gaoler of the Prison at WHEREAS at a sitting of a Magistrate's Court at held this day before me, a Stipendiary Magistrate, of , did wilfully insult me, the said Stipendiary Magistrate, whilst I was acting in civil proceedings by then and there [Here describe the insult], [or did wilfully insult , Clerk of the Magistrate's Court, during his attendance in Court, by ; or wilfully interrupted the proceedings of the said Court by then and there (Here describe the interruption), or was guilty of a wilful contempt in the face of the Court by then and there (Here describe the contempt)]:

This is therefore to require you, the said Bailiff, to take the said and deliver him to the said Gaoler of the public prison at ; and I do hereby command you, the said Gaoler, to receive the said into your custody, and there to imprison him for the space of days, or until he shall be sooner discharged by due course of law, and for your so doing this shall be your sufficient warrant.

Given under my hand and the seal of the Court, at , this day of , 189 . Stipendiary Magistrate.

No. 116.

New Zealand. } "The Magistrates' Courts Act, 1893." ORDER FOR IMPRISONMENT UNDER SECTION 194. Sec. 194.

In the Magistrate's Court, holden at Between , plaintiff, and , defendant.

WHEREAS by an order of this Court, dated the day of , 189 , it was lawfully ordered [Here state particulars]: And whereas it has been proved to me, the undersigned Stipendiary Magistrate, that the said has disobeyed the said order: And whereas the said was on the day of , 189 , duly served with an interlocutory summons to show cause why he should not be fined or imprisoned for his disobedience to the said order: And whereas the said did not appear as required by the said summons [or Now, therefore, after hearing the said], it is ordered by the Court that the said be imprisoned in the public prison at for the term of months, or until he shall give security to the satisfaction of me, the said Stipendiary Magistrate, or of some other Stipendiary Magistrate, that he will obey the first-recited lawful order.

Given under my hand and the seal of the Court, at , this day of , 189 . Stipendiary Magistrate.

Hours of attendance at the office of the Clerk on , from till , except on , when the office will be closed at .

No. 117.

New Zealand. } "The Magistrates' Courts Act, 1893." ORDER FOR FINE OR IMPRISONMENT UNDER SECTION 194. Sec. 194.

In the Magistrate's Court, holden at Between , plaintiff, and , defendant.

WHEREAS by an order of this Court, dated the day of , 189 , it was lawfully ordered that [Here state particulars]: And whereas it has been proved to me, the undersigned Stipendiary Magistrate, that the said has disobeyed the said order: And whereas the said was on the day of , 189 , duly served with an interlocutory summons to show cause why he should not be fined or imprisoned for his disobedience to the said order: And whereas the said did not appear as required by the said summons [or Now, therefore, after hearing the said], it is ordered that the said pay forthwith the sum of pounds to the Clerk of the Court as penalty for his disobedience, and the sum of pounds as costs of this order, or in default of payment be imprisoned in the public prison at for the space of days, unless he shall sooner pay the said sum of pounds.

Given under my hand and the seal of the Court, at , this day of , 189 . Stipendiary Magistrate.

Hours of attendance at the office of the Clerk on , from till , except on , when the office will be closed at .

No. 118.

New Zealand. } "The Magistrates' Courts Act, 1893." WARRANT OF COMMITMENT UNDER SECTION 194. Sec. 194.

In the Magistrate's Court, holden at Between , plaintiff, and , defendant.

To , Bailiff of the Court , and to the Gaoler of the public prison at WHEREAS by an order of this Court, dated the day of , 189 , it was lawfully ordered [Here state particulars]: And whereas it was proved that the said disobeyed the said order: And whereas the said was, on the day of , 189 , duly served with an inter-

I certify that the above is a true extract from the records in my custody, showing the minute of judgment or order in the above case, and that, according to the records of this office, the amount still due upon such judgment or order is as follows:—

	£	s.	d.
Amount remaining due on judgment			
Subsequent costs			
Total	£		

Given under my hand and the seal of the Court, at _____, this _____ day of _____, 189 .
Clerk, Magistrate's Court at _____

No. 122.

New Zealand. } BALANCE-SHEET OF BAILIFF AFTER EXECUTING DISTRESS WARRANT. Rule 46.
"The Magistrates' Courts }
Act, 1893." } Plaintiff No. .

In the Magistrate's Court, holden at _____
Between _____, plaintiff,
and _____, defendant.

RETURN to Warrant of Distress from the Bailiff of the Magistrate's Court at _____ to the Clerk
of the Magistrate's Court at _____

	Voucher	£	s.	d.	£	s.	d.
Gross amount seized or received, as per inventory attached ..							
Payments in deduction							
Net amount payable to credit of Execution Creditor							

Bailiff.

I hereby certify that the above charges are correct, that all disbursements are supported by vouchers, and that the sum of _____ pounds _____ shillings and _____ pence was paid into Court this _____ day of _____, 189 .

Clerk of the Court.

No. 123.

New Zealand. } MEMORANDUM OF SATISFACTION. Sec. 155, Rule 29.
"The Magistrates' Courts }
Act, 1893." } Plaintiff No. .

In the Magistrate's Court, holden at _____
Between _____, plaintiff,
and _____, defendant.

I HEREBY consent to the Clerk of the Court entering satisfaction of the judgment herein obtained by me in the Magistrate's Court at _____ on the _____ day of _____, 189 .

Amount of judgment .. £ : :
Costs : :
£ : :

Plaintiff
[or Solicitor for Plaintiff].

Dated at _____, this _____ day of _____, 189 .

Witness to signature:
Clerk of Court [or Justice of the Peace, or Solicitor].

APPENDIX B.

TABLE OF FORMS OF STATEMENTS OF CLAIM.

1. For Goods Sold and Delivered.
2. Same by an Executor or Administrator.
3. Claim against an Executor or Administrator.
4. Claim against a Married Woman.
5. Claim against Husband and Wife upon Cause of Action before Marriage.
6. For Goods Bargained and Sold.
7. For not Accepting Goods.
8. For not Delivering Goods.
9. On a Warranty of Goods sold by Sample.
10. For Breach of Warranty of a Horse.
11. For Goods Wrongfully Taken.
12. For Goods Wrongfully Detained.
13. Against Bailee for not Safely Keeping Goods.
14. For Rent.
15. For Use and Occupation.
16. For Agistment.
17. Against Tenant for not using in a Tenant-like Manner.
18. For Work done as a Solicitor.
19. For Work done by a Medical Practitioner.
20. For Work done by a Commission Agent.
21. Claim by a Warehouseman.
22. Claim by a Carrier.
23. For Freight.
24. For Wages.
25. For Work done by Contract.
26. For Wrongful Dismissal.
27. For Money Lent.
28. For Money Paid.
29. Action for Contribution.
30. For Money had and received.
31. On Account stated.
32. On a Promissory Note (Payee *v.* Maker).
33. On a Promissory Note (Indorsee *v.* Maker).
34. On a Promissory Note (Indorsee *v.* Indorser).
35. On a Dishonoured Cheque.
36. On a Guarantee.
37. For Balance of Partnership Account.
38. For Assault.
39. Claim by Husband and Wife for Assault on the Wife.
40. For Assault, with Special Damage.
41. For Injury to Stock by Dogs.
42. For Negligent Driving.
43. For Negligent Care of Premises.
44. Claim against a Local Body for Obstruction on a Highway.
45. Against Carrier for Loss of Goods.
46. For Unlawfully Impounding Cattle.
47. Against Steamship Company for Loss of Luggage.
48. General Form stating several Causes of Action.

NOTE.—For statement of special defence, see Form No. 36 in Appendix A.

FORMS OF STATEMENTS OF CLAIM.

No. 1.—CLAIM FOR GOODS SOLD AND DELIVERED.

THE plaintiff claims £ for [or the balance of] goods sold and delivered by the plaintiff to the defendant, as in the "Particulars" hereto attached [or hereunder written].

No. 2.—CLAIM BY AN EXECUTOR OR ADMINISTRATOR.

THE plaintiff, as executor [or administrator] of A.B., deceased, claims £ for [or the balance of] goods sold and delivered by the said A.B. to the defendant, as in the "Particulars" hereto attached [or hereunder written].

No. 3.—CLAIM AGAINST AN EXECUTOR OR ADMINISTRATOR.

THE plaintiff claims from the defendant, as executor or administrator of A.B., deceased, £ for [or the balance of] goods sold and delivered by the plaintiff to the said A.B., as in the "Particulars" hereto attached [or hereunder written].

No. 4.—CLAIM AGAINST A MARRIED WOMAN.

THE plaintiff claims against the separate estate of C.D., a married woman, and the wife of A.B., for goods sold and delivered by the plaintiff to the said C.D., as in the "Particulars" hereto attached [or hereunder written].

No. 5.—CLAIM AGAINST HUSBAND AND WIFE UPON CAUSE OF ACTION BEFORE MARRIAGE.

THE plaintiff claims £ for goods sold and delivered by the plaintiff to the said [Hannah], the wife of the defendant, before her marriage, as in the "Particulars" hereto attached [or hereunder written].

No. 6.—CLAIM FOR GOODS BARGAINED AND SOLD.

THE plaintiff claims £ for goods bargained and sold by the plaintiff to the defendant on or about the day of , 189 .

No. 7.—ACTION FOR NOT ACCEPTING GOODS.

THE plaintiff claims £ , damages sustained by reason of the defendant refusing to accept and pay for goods bargained and sold by the plaintiff to the defendant on or about the day of , 189 .

No. 8.—ACTION BY PURCHASER FOR NOT DELIVERING GOODS.

THE plaintiff claims £ , damages sustained by reason of the defendant not delivering goods bargained and sold by the defendant to the plaintiff on the day of , 189 , and agreed to be delivered by the defendant to the plaintiff within days [or in a reasonable time] after the sale.

No. 9.—ACTION ON A WARRANTY OF GOODS SOLD BY SAMPLE.

THE plaintiff claims £ for that the defendant warranted that [bags of oats] sold by the defendant to the plaintiff for £ were equal in quality and description to a sample shown to the plaintiff, yet the said [bags of oats] were not equal in quality and description to the sample, whereby the plaintiff lost the price paid by him for the same [or lost the difference between the price paid and the real value of the oats].

No. 10.—ACTION FOR BREACH OF WARRANTY OF A HORSE.

THE plaintiff claims £ for that the defendant sold a horse to the plaintiff for £ warranted sound [or here state actual warranty given], whereas the horse was not sound [or as above], and was resold by the plaintiff at a loss of £ , and the plaintiff was put to expense in keeping the horse until the resale.

No. 11.—ACTION FOR GOODS WRONGFULLY TAKEN.

THE plaintiff claims the following goods, that is to say [Here enumerate and describe them carefully], of the value of £ , the property of the plaintiff, taken by the defendant on or about the day of , 189 , and the plaintiff claims possession of the said goods, or £ in case possession cannot be had, and £ damages for the detention thereof.

No. 12.—ACTION FOR GOODS WRONGFULLY DETAINED.

THE plaintiff claims the following goods, that is to say [Here enumerate and describe them carefully], of the value of £ , the property of the plaintiff, and detained by the defendant from the day of , 189 , until the date of the entering of the plaint herein; and the plaintiff says that before the entering of such plaint, to wit, on the day of , 189 , the plaintiff demanded the said goods from the defendant, but the defendant refused to deliver them. The plaintiff claims possession of the said goods, or £ in case possession cannot be had, and £ damages for their detention.

No. 13.—ACTION AGAINST BAILEE FOR NOT SAFELY KEEPING GOODS.

THE plaintiff claims £ , the damages sustained by him by reason of the defendant not safely keeping and taking care of certain goods of the plaintiff placed in the care of the defendant, upon his promise to safely keep and take care of them and to redeliver them to the plaintiff on request, and which goods were spoiled, broken, and damaged while in the defendant's care.

No. 14.—CLAIM FOR RENT.

THE plaintiff claims from the defendant the sum of £ for rent of a certain cottage let by the plaintiff to the defendant on the day of , 189 , at a weekly rental of shillings, of which rent weeks, to wit, from the day of , 189 , to the day of , 189 , are still due and unpaid.

No. 15.—CLAIM FOR USE AND OCCUPATION.

THE plaintiff claims from the defendant the sum of £ for the defendant's use and occupation of pasture-land of the plaintiff, and the grazing thereon by the defendant's sheep, from the day of , 189 , to the day of , 189 . The plaintiff says that no agreement was made for the use by the defendant of the said pasture-land, but that the use therefor for the said period is reasonably worth £ .

No. 16.—CLAIM FOR AGISTMENT.

THE plaintiff claims £ for the agistment, feeding, and taking care of horses, cattle, and sheep by the plaintiff for the defendant, at his request, between the day of , 189 , and the day of , 189 , as under:—
4 horses @ 1s. 6d. per week, 4 weeks, £ , &c.

No. 17.—ACTION AGAINST TENANT FOR NOT USING IN A TENANT-LIKE MANNER.

THE plaintiff claims £ , damages sustained by the plaintiff by reason of the untenant-like and improper use by the defendant of a house, buildings, and furniture, of which the defendant was tenant to the plaintiff upon the terms that the defendant should use the said house, buildings, and furniture in a tenant-like and proper manner. [*Here state the particulars of neglect.*]

No. 18.—ACTION FOR WORK DONE AS A SOLICITOR.

THE plaintiff claims £ for services rendered [and moneys paid] by him as the solicitor of and for the defendant, full particulars of which have been already given in a signed bill delivered to the defendant before the commencement of this action, copy of which bill is hereto attached.

No. 19.—ACTION BY MEDICAL PRACTITIONER.

THE plaintiff claims £ for attendance and visits as a medical practitioner upon, and medicines supplied to [the family of] the defendant, between the day of , 189 , and the day of , 189 , as under [*or detailed particulars of which are hereto attached*].

No. 20.—WORK DONE BY COMMISSION AGENT.

THE plaintiff claims £ for the work, journeys, and attendance of the plaintiff, performed for the defendant at his request, as a commission agent in the sale of a certain farm, the property of the defendant, namely: A commission at the rate of per centum on £ , as previously agreed between the plaintiff and the defendant [*or as the case may be*].

No. 21.—CLAIM BY A WAREHOUSEMAN.

THE plaintiff claims £ for work done by the plaintiff in keeping and taking care of goods for the defendant, at his request, and for warehouse room for the said goods by the plaintiff found and provided for the defendant, at his request, between the day of , 189 , and the day of , 189 .

No. 22.—CLAIM BY CARRIER FOR CARRIAGE OF GOODS.

THE plaintiff claims £ for the conveyance of goods by the plaintiff for the defendant at his request [*or at the request of A.B., the agent of the defendant*], as follows [*Insert the items, with dates and amounts*]:—

No. 23.—CLAIM FOR FREIGHT.

THE plaintiff claims £ for freight for the conveyance of goods in a certain steamship called the ["British Queen"] by the plaintiff for the defendant, at his request [*or at the request of A.B., the agent of the defendant*], as follows [*Insert the items, with dates and amounts*]:—

No. 24.—CLAIM FOR WAGES.

THE plaintiff claims £ for wages as the hired servant of the defendant, from the day of , 189 , to the day of , 189 , at the rate of shillings a day [*or week*].

No. 25.—CLAIM FOR WORK DONE BY CONTRACT.

THE plaintiff claims £ for materials furnished and work and labour done by the plaintiff for the defendant at his request, in [*State work done*] under a written agreement entered into by the plaintiff with the defendant on the day of , 189 , as follows [*Insert items, with dates and amounts*]:—

No. 26.—CLAIM FOR WRONGFUL DISMISSAL.

THE plaintiff claims £ for that, the plaintiff being the hired servant of the defendant, at the wages of £ per year, payable monthly, the defendant wrongfully dismissed the plaintiff on the day of , 189 , during the current year of his service.

No. 27.—CLAIM FOR MONEY LENT.

THE plaintiff claims £ , the amount of money lent by the plaintiff to the defendant on the day of , 189 , and which has not been repaid [or, if lent at several times, say "as follows," and insert dates and amounts].

No. 28.—CLAIM FOR MONEY PAID.

THE plaintiff claims £ , the amount of money paid by the plaintiff to A.B. for the defendant at his request, on the day of , 189 [or, if paid at several times or to different persons, say "as follows," and insert dates, names, and amounts].

No. 29.—ACTION FOR CONTRIBUTION (SECTION 58 OF ACT).

THE plaintiff claims £ as the amount of contribution due in law from the defendant to the plaintiff by reason of the plaintiff having been sued in the Magistrate's Court at by A.B. for the sum of £ , recoverable against the plaintiff and the defendant jointly, and judgment recovered against the plaintiff, and paid and satisfied by him on the day of , 189 . The plaintiff claims the same sum as money paid by him to defendant's use. The statement of claim plaintiff was sued on is as underwritten [or hereto attached].

No. 30.—CLAIM FOR MONEY HAD AND RECEIVED.

THE plaintiff claims £ , the amount of money received by the defendant on or about the day of , 189 , from A.B. for the use of the plaintiff [If received at several times or from more than one person, say "as follows," and insert dates, names, and amounts].

No. 31.—CLAIM ON AN ACCOUNT STATED.

THE plaintiff claims £ on an account stated between the plaintiff and the defendant on the day of , 189 [when the defendant gave the plaintiff an I.O.U. for that sum].

No. 32.—CLAIM ON A PROMISSORY NOTE (PAYEE *v.* MAKER).

THE plaintiff claims £ , the amount of a promissory note dated the day of , 189 , and made by the defendant and payable to the plaintiff on demand [or months after date], and which the defendant has not paid, which note was in the words and figures following [Insert copy of note]; and the plaintiff claims the further sum of £ for interest, at the rate of per centum per annum, down to the date of judgment.

No. 33.—CLAIM ON A PROMISSORY NOTE (INDORSEE *v.* MAKER).

THE plaintiff claims £ as the indorsee of a promissory note for £ , dated the day of , 189 , made by the defendant and payable on demand [or months after date] to A.B. or order, and indorsed to the plaintiff, and which the defendant has not paid, and which note was in the words and figures following [Insert copy of note]; and the plaintiff claims the further sum of £ for interest, at the rate of per centum per annum, down to the date of judgment.

No. 34.—CLAIM ON A PROMISSORY NOTE (INDORSEE *v.* INDORSER).

THE plaintiff claims £ as the indorsee of a promissory note for £ , dated the day of , 189 , made by A.B., and payable on demand [or months after date] to the defendant or order, who indorsed the same to the plaintiff, and which said note was dishonoured on presentment, and notice of such dishonour was given to the defendant, and which said note was in the words and figures following [Insert copy of note]; and the plaintiff claims the further sum of £ for interest, at the rate of per centum per annum, down to the date of judgment.

No. 35.—CLAIM ON A DISHONoured CHEQUE.

THE plaintiff claims £ , the amount of a cheque drawn by the defendant on the Bank of , at , payable to the plaintiff or bearer, and dishonoured on presentment; and the plaintiff claims the further sum of £ for interest, at the rate of per centum per annum, down to the date of judgment.

No. 36.—CLAIM ON A GUARANTEE.

THE plaintiff claims £ , the price of goods sold and delivered to A.B. [full particulars of which are underwritten or attached hereto] on the written guarantee and promise of the defendant, dated the day of , 189 , to be responsible to the plaintiff for the due payment of the price of the goods.

No. 37.—CLAIM FOR BALANCE OF PARTNERSHIP ACCOUNT.

THE plaintiff claims £ , the unliquidated balance of the partnership account between the plaintiff and the defendant, and due to the plaintiff at the time of the dissolution of the partnership on or about the day of , 189 .

No. 38.—CLAIM FOR ASSAULT.

The plaintiff claims £ _____ damages for an assault committed by the defendant on the plaintiff on the _____ day of _____, 189 _____.

No. 39.—CLAIM BY HUSBAND AND WIFE FOR ASSAULT ON THE WIFE.

The plaintiff claims £ _____ damages for that the defendant, on the _____ day of _____, 189 _____, assaulted and beat the said [Hannah], the wife of the plaintiff, whereby she became sick and wounded and unable to attend to her duties.

No. 40.—CLAIM FOR ASSAULT WITH SPECIAL DAMAGE.

The plaintiff claims £ _____ damages for that the defendant, on the _____ day of _____, 189 _____, assaulted and beat the plaintiff until he became insensible. The plaintiff was thereby prevented from attending to his business [for six weeks altogether], and was compelled to pay £ _____ for medical attendance, which sum the plaintiff claims as special damages.

No. 41.—CLAIM FOR INJURY TO STOCK BY DOGS.

The plaintiff claims £ _____, the value of [ten] sheep worried and killed, on or about the day of _____, 189 _____, by the defendant's dog.

No. 42.—CLAIM FOR NEGLIGENT DRIVING.

The plaintiff claims £ _____, damages sustained by reason of the defendant, on the _____ day of _____, 189 _____, by his servant, so negligently and unskilfully driving and managing a horse and cart in a public highway that the same were forced against a horse belonging to the plaintiff, whereby the horse was injured.

No. 43.—CLAIM FOR NEGLIGENT CARE OF PREMISES.

The plaintiff claims £ _____ for that, by reason of the defendant wrongfully suffering his cellar immediately adjoining a public highway to be left open, without any railing, door, or fence, or other protection, the plaintiff fell into the said cellar, and was wounded and seriously injured, and was thereby prevented from attending to his business [for six weeks thereafter], and was compelled to pay the sum of £ _____ for medical attendance, which the plaintiff claims as special damages.

No. 44.—CLAIM AGAINST A LOCAL BODY FOR OBSTRUCTION ON A HIGHWAY.

The plaintiff claims £ _____ for that the defendant wrongfully suffered certain earth, stones, and broken road-metal, placed by their servants on a public highway, to wit [High Street, in the Borough of _____], to remain there during the night without any light or means to prevent persons from driving against the same, whereby the plaintiff driving along the said highway on the night of the _____ day of _____, 189 _____, drove his horse and gig against the said earth, stones, and broken road-metal, and upset the gig, and broke and injured it and the harness, and injured and lamed the horse.

No. 45.—CLAIM AGAINST CARRIER FOR LOSS OF GOODS.

The plaintiff claims £ _____, the value of goods intrusted to the defendant on or about the _____ day of _____, 189 _____, to be safely carried for the plaintiff from _____ to _____, and there delivered in a reasonable time, and which were not delivered to the plaintiff.

No. 46.—CLAIM FOR UNLAWFULLY IMPOUNDING CATTLE.

The plaintiff claims £ _____ for that the defendant unlawfully seized and took the plaintiff's cattle and impounded them, and kept them impounded for a long time, whereby the plaintiff was deprived of the use of them, and incurred expense in getting them returned to him [viz.: Pound fees, £ _____; driving, £ _____], and the cattle were deteriorated in value.

No. 47.—CLAIM AGAINST STEAMSHIP COMPANY FOR LOSS OF LUGGAGE.

The plaintiff claims £ _____, the value of wearing apparel, and of the portmanteau which contained the said apparel, delivered to the defendants to be safely and securely conveyed with the plaintiff as his luggage from _____ to _____, on the _____ day of _____, 189 _____, and lost by the defendants.

No. 48.—GENERAL FORM STATING SEVERAL CAUSES OF ACTION.

The plaintiff claims £ _____ for goods sold and delivered, goods bargained and sold, for work done and materials provided, for money lent, and on accounts stated as follows: [Insert dates, items, and amounts, and credit sums paid on account, if any].

APPENDIX C.

ALLOWANCES AND COSTS.

ALLOWANCES TO WITNESSES.

GENTLEMEN, merchants, bankers, and professional men, per diem 15s. to 20s.
 Auctioneers, accountants, clerks, farmers, and tradesmen, per diem 8s. " 15s.
 Artisans and journeymen, per diem 7s. " 8s.
 Labourers per diem 5s. " 7s.
 Female witnesses: One-half the above sums.
 Children: A reasonable amount for expenses, to be fixed by the Court.
 Travelling expenses: The cost of conveyance by railway, coach, or other public conveyance, or, if no such conveyance, 9d. per mile, one way. Witnesses of the artisan and labourer classes to be allowed second-class fare; the others first-class.
 If the witnesses attend in more than one action they will be entitled to a proportionate part in each action only.
 Where the witness is a plaintiff he will not be entitled to any allowance except for travelling, unless he is an artizan, labourer, journeyman, miner, or person engaged in manual labour.

ALLOWANCES TO SCIENTIFIC OR EXPERT WITNESSES.

For qualifying to give evidence, from 10s. to £5.
 Attending Court on trial, per diem 10s. " £2.
 In estimating the amount to be allowed, the character of the action, the professional standing of the witness (if a professional man), and the propriety of retaining the particular witness, are to be considered, and in no case is the maximum allowance to be exceeded. Travelling expenses to be allowed on the same scale as to an ordinary witness.
 The above allowances shall not apply to persons who prepare plans, drawings, models, &c., for the purpose of illustration, and who, if called at the hearing of the action, prove the correctness of such plans, drawings, models, &c., only, but in lieu thereof these may be allowed the sum reasonably paid for the same if prepared for the purposes of the action. Any such person shall be allowed expenses upon the scale for ordinary witnesses.
 Either party to an action may be allowed the sum reasonably expended in the conveyance of any chattel for production before the Court.

SOLICITORS' FEES.

	Under £2.	£2 and under £5.	£5 and under £20.	£20 and under £45.	£45 and over that Sum.
For entering plaint	No fee	£ 0 s. d. 0 5 0	£ 0 s. d. 0 5 0	£ 0 s. d. 0 10 0	£ 1 s. d. 1 0 0
Appearance in Court to conduct action in defended cases	"	1 1 0	1 1 0	2 2 0	5 per cent.
Appearance in undefended cases	"	No fee.	0 10 6	1 1 0	2½ per cent.
Appearance in Tenement cases	£1 1s. to £2 2s.				

In case of discontinuance, payment into Court, or confession, no solicitor's fee for appearance will be allowed if the party discontinuing, paying into Court, or confessing judgment, file notice with the Clerk of the Court and serve notice upon the other party, or at the office of his solicitor, not later than noon of the day preceding the day fixed for the hearing of the case: Provided that if the day preceding the day of hearing be a Sunday, or Court holiday, the notice must be filed and served not later than noon of the next preceding business day. If notice be not so given the Court will allow half the solicitor's fee, as per scale.
 No allowance will be made in cases of payment into Court or confession unless the name and address of the solicitor for plaintiff appears upon the statement of claim:
 Provided that a Magistrate may allow a fee not exceeding £2 2s. to the plaintiff on any amount recovered, however small, or to a defendant who successfully defends an action brought for any amount, however small, provided that the Magistrate certifies in writing in the Civil Record-book that the action involved some novel or difficult point of law, or that the question litigated was of importance to some class or body of persons, or of general or public interest. A Magistrate may further, in his discretion, award a fee not less than 5s. or more than £2 2s. for appearance either in Court or Chambers on any interlocutory proceeding or other matter within his jurisdiction under the Act.

INTERPRETERS' FEES.

Interpreter's fee for interpreting in Court, each case,—	£	s.	d.
If engaged less than one hour	0	10	6
If engaged over one hour (but not to exceed £2 2s. a day)	£1 1s.	to 2	2 0
Filing in Maori duplicate of summons and translating claim,—			
If merely a tradesman's account	2s. 6d.	to 0	5 0
If there is a statement of claim other than such account, if under fifty words ..	0	5	0
If over fifty words, per folio of seventy-two words, after the first fifty ..	0	5	0
Translating any document required in proceedings, per folio of seventy-two words ..	0	5	0

In no case are numerals to count. The above fees are for the document and the duplicate thereof (if required).
 An interpreter may also, where necessary, be allowed travelling-expenses on the scale allowed to witnesses.
 The Magistrate may, in special cases, order higher or other fees than the above to be paid to an Interpreter. Such order shall be entered in the minute-book, and shall show the reason for making it.

APPENDIX D.

FEES.

TABLE of FEES to be taken in respect of Proceedings under "The Magistrates' Courts Act, 1893."

	Any Amount or where no Amount claimed.	Not exceeding £5.	Not exceeding £10.	Not exceeding £20.	Not exceeding £50.	Not exceeding £100.	Not exceeding £150.	Not exceeding £200.
Entering plaint, filing plaint-note, issuing summons, and service within two miles	s. d. .. 3 0	s. 3	s. 5	s. 10	s. 15	s. 20	s. 25	s. 30
Entering plaint, filing plaint-note, issuing summons, and service within two miles, when application received by post (extra) ..	1 0	..	..	..	..	..	..	..
Each additional summons and service, when more than one defendant	3 0	..	..	..	..	..	..	..
Reissue of summons under section 81, and service of same within two miles	3 0	..	..	..	..	..	..	..
Issue of new summons under section 103, and service within two miles	5 0	..	..	..	..	..	..	..
Hearing and judgment (either first or subsequent hearing) ..	3 0	3	5	10	15	20	25	30
Hearing and judgment, if no amount claimed	3 0	..	..	..	..	..	..	..
Judgment on confession, by consent or by default (when no witness is sworn) .. .. .	..	2	3	5	8	10	15	20
Interlocutory summons, and service within two miles	3 0	..	..	..	..	..	..	..
Summons to a witness, in any proceeding under the Act	2 0	..	..	..	..	..	..	..
Interpleader summons, and service within two miles, for each summons	3 0	..	..	..	..	..	..	..
Filing notice of counter-claim (on amount of counter-claim) ..	..	2	3	5	8	10	15	20
Filing notice of amended claim or counter-claim	2 0	..	..	..	..	..	..	..
Adjournment of hearing or of examination of witnesses on application of party, by consent, or by Court, if Court order payment of fee .. .. .	..	1	2	2	3	3	4	4
Application for examination of witnesses, and service of notice within two miles .. .. .	..	3	3	3	4	4	5	5
Extra notice and service on additional party, for each party ..	3 0	..	..	..	..	..	..	..
Examination of witnesses under section 92, for each witness examined	3 0	..	..	..	..	..	..	..
Certificate of costs allowed under section 94	1 0	..	..	..	..	..	..	..
Examination of judgment debtor or of sub-debtor, on application for attachment of debts	3 0	..	..	..	..	..	..	..
Hearing application for rehearing	2 0	..	..	..	..	..	..	..
Filing agreement to give jurisdiction, or agreement not to appeal ..	2 0	..	..	..	..	..	..	..
Order for reinstatement under section 100, or for new hearing under section 101	2 0	..	..	..	..	..	..	..
Order for rehearing of action under section 156 .. .. .	..	1	2	3	4	5	8	10
Order for rehearing of interlocutory proceeding under section 156 ..	2 0	..	..	..	..	..	..	..
Order for production of documents	3 0	..	..	..	..	..	..	..
Order on interpleader summons, to include hearing (on the value of goods claimed) .. .. .	..	3	5	10	15	20	25	30
Order of reference to arbitration	5 0	..	..	..	..	..	..	..
Order giving leave to appeal	5 0	..	..	..	..	..	..	..
Any order not otherwise mentioned, and all extra duplicates, each [NOTE.—The fee for any document includes one duplicate.] ..	2 0	..	..	..	..	..	..	..
Certified copy of any judgment or order	2 0	..	..	..	..	..	..	..
Every application to the Court not otherwise mentioned	2 0	..	..	..	..	..	..	..
Swearing and filing affidavit (except affidavits of service)	1 0	..	..	..	..	..	..	..

TABLE OF FEES—continued.

	Any Amount or where no Amount claimed.	Not exceeding £5.	Not exceeding £10.	Not exceeding £20.	Not exceeding £50.	Not exceeding £100.	Not exceeding £150.	Not exceeding £200.
	s. d.	s.	s.	s.	s.	s.	s.	s.
Filing any notice or document not otherwise mentioned, or entering any memorandum in respect to any case ..	1 0	..	..	..	..	..	..	..
Warrant of distress, or to seize specific goods, and execution, within two miles (on amount for which execution issued) ..	..	3	4	5	7	10	15	20
Writ of arrest, and execution, within two miles ..	..	5	5	5	7	10	15	20
Warrant of committal, and execution, within two miles ..	..	5	5	5	7	10	15	20
For search in any one action	1 0	..	..	..	..	..	..	..
For general search	3 0	..	..	..	..	..	..	..
Settling case for appeal, not exceeding five folios (1s. each additional folio) of 72 words	10 0	..	..	..	..	..	..	..
Copy of Magistrate's notes, each folio of 72 words	0 8	..	..	..	..	..	..	..
Copy of any document, each folio of 72 words	0 8	..	..	..	..	..	..	..
On giving security by bond or deposit under sections 145, 159, 184, or otherwise .. .. .	..	3	3	3	4	4	5	5
Entering plaint and filing plaint-notes for recovery of tenement, summons, and service within two miles, if amount claimed ..	..	8	8	10	15	20	25	30
Same, if no amount claimed	8 0	..	..	..	..	..	..	..
Warrant for delivery of tenements, and execution, within two miles	6 0	..	..	..	..	..	..	..
Information and request of landlord under section 177	5 0	..	..	..	..	..	..	..
Warrant to view, and view thereunder	3 0	..	..	..	..	..	..	..
Notice to affix	1 0	..	..	..	..	..	..	..

Drawing any document or form required in proceedings where no form has been prescribed, not exceeding two folios, 2s.; every additional folio, 1s.
 Service of any summons, process, or notice not otherwise provided for, unless served by the parties, within two miles, 2s.
 Mileage for service of any summons, process, or notice, unless served by the parties, or execution of any warrant, 1s. a mile after the first two, from the Courthouse or police-station from which service is to be effected to the residence of the party or the place where the service or execution takes place, or such sum as may be fixed by the Magistrate, in any exceptional case.
 For each man left by the Bailiff in possession on any premises when necessary, 8s. a day or portion of a day.
 For storage, carriage, or removal of goods, or advertising same for sale, amount actually and reasonably paid.
 Commission on sale by auctioneer or Bailiff, 5 per centum.

[For fees in respect of proceedings under special jurisdiction, see Rule No. 64.]

By Authority: SAMUEL COSTALL, Government Printer, Wellington.

