

*Sessions Courts.*

## A TABLE OF DUTIES OF CUSTOMS

PAYABLE ON GOODS, WARES, AND MERCHANDIZE IMPORTED INTO THE COLONY OF NEW ZEALAND AND ITS DEPENDENCIES.

SPIRITS OR STRONG WATERS:—For every gallon of such Spirits or Strong Waters, of any strength not exceeding the strength of Proof by Sykes' Hydrometer, and so in proportion for any greater strength than the strength of Proof, and for any greater or less quantity than a gallon, viz. :—

	£	s.	d.
Not being spirits or strong waters the produce of the United Kingdom, of any British Possession in America, or of New South Wales or Van Diemen's Land ... ..	0	5	0
Spirits or strong waters the produce of the United Kingdom, of the British Possessions in America, and of New South Wales and Van Diemen's Land ... ..	0	4	0
Wine, for every hundred pounds value ... ..	15	0	0
Tobacco, unmanufactured, per lb. ... ..	0	0	9
Ditto, manufactured (except cigars and snuff) ... ..	0	1	0
Cigars and snuff ... ..	0	2	0
Tea, sugar, flour, meal, wheat, rice, and other grain and pulse, for every hundred pounds value... ..	5	0	0
On all other goods (except goods the produce and manufacture of the United Kingdom, or of New South Wales or Van Diemen's Land), for every hundred pounds value ... ..	10	0	0

## No. IV.

AN ORDINANCE for instituting and regulating Courts of General and Quarter Sessions in the Colony of New Zealand, and to authorize the holding of Petty Sessions within the same, and for defining their respective powers and determining the places at which the same shall be holden, and for repealing within the Colony of New Zealand certain Acts of the Governor and Council of New South Wales, adopted and now in force within the said Colony of New Zealand. [24th June, 1841.]

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WHEREAS it is expedient to institute and regulate Courts of General Quarter and Petty Sessions, and to consolidate the laws relating thereto in the Colony of New Zealand, and to define the respective powers and authorities of the said Courts, and to determine by proper authority the places at which the said Courts shall be respectively holden: And whereas for these purposes it is expedient and necessary that certain Acts of the Governor and Council of New South Wales should be repealed so far as relates to the said Colony of New Zealand:

I. Be it therefore enacted and ordained by His Excellency the Governor in and over the Colony of New Zealand, with the advice and consent of the Legislative Council of the said Colony, that a certain Act of the Governor and Council of New South Wales, passed in the tenth year of the reign of His late Majesty King George the

Preamble.  
New South Wales,  
Acts of.

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- 10 Geo. IV., No. 7. Fourth, intituled "*An Act for instituting and regulating Courts of General and Quarter Sessions in New South Wales;*" and a certain other Act of the said Governor and Council of New South Wales, passed in the third year of the reign of His late Majesty King William the Fourth, intituled "*An Act to consolidate and amend the Laws for the Transportation and Punishment of Offenders in New South Wales, and for defining the respective powers and authorities of General Quarter Sessions and of Petty Sessions, and for determining the places at which the same shall be holden, and for better regulating the summary jurisdiction of Justices of the Peace, and for repealing certain Laws and Ordinances relating thereto;*" and a certain other Act of the said Governor and Council of New South Wales, passed in the fourth year of the reign of His said late Majesty King William the Fourth, intituled "*An Act to amend an Act of the Governor and Council, intituled 'An Act for instituting Courts of General and Quarter Sessions in New South Wales;'*" and a certain other Act of the said Governor and Council of New South Wales, passed in the third year of the reign of Her present Majesty, intituled "*An Act to alter and improve the mode of electing a Chairman for the Courts of General and Quarter Sessions in New South Wales;*" and a certain other Act of the said Governor and Council of New South Wales, passed in the fourth year of the reign of Her said Majesty, intituled "*An Act to provide for the more effectual Administration of Justice in New South Wales and its Dependencies;*" and also a certain other Act of the said Governor and Council of New South Wales, made and passed in the fourth year of Her said present Majesty's reign, intituled "*An Act to provide for the Trial by Jury in civil and criminal cases in the Circuit and other Courts to be holden within the Colony of New South Wales and its Dependencies;*" all which said Acts of the Governor and Council of New South Wales were adopted and are now in force within the said Colony of New Zealand, shall, from and after the passing of this Ordinance, be and the same are hereby repealed so far as regards the said Colony of New Zealand.
- 3 Wm. IV., No. 3.
- 4 Wm. IV., No. 16.
- 3 Vict., No. 10.
- 4 Vict., No. 22.
- 4 Vict., No. 28.
- Repealed so far as regards New Zealand.

Courts of General and Quarter Sessions to be holden for the Colony of New Zealand at Auckland, Port Nicholson, and Russell, and such other places and at such times as the Governor by any Proclamation shall appoint.  
Powers of such Court.

Courts to have power to make rules, forms, practice, proceeding, and process for the conduct and despatch of business.

A copy thereof to be transmitted to the Judge or Judges of the Supreme Court of New Zealand, who may revoke or alter the same.

2. And be it further enacted and ordained, That Courts of General and Quarter Sessions for the Colony of New Zealand shall be holden in and for the said Colony at the following places, that is to say,—At Auckland, Port Nicholson, Russell, and at such other places within the said Colony and at such times respectively as the Governor for the time being by any Proclamation to be duly issued for that purpose shall from time to time appoint and at no other place whatsoever.

3. And be it further enacted and ordained, That the said Courts of General and Quarter Sessions shall have full power and authority to take cognizance of all matters and things cognizable in Courts of General and Quarter Sessions in England, so far as the circumstances and conditions of the said Colony of New Zealand shall require and admit.

4. And be it further enacted and ordained, That the said Courts of General and Quarter Sessions, when and as the same shall be established throughout the said Colony of New Zealand, shall or lawfully may from time to time make and prescribe all such rules and forms practice proceeding and process for the conduct and despatch of business therein respectively as to such Courts shall seem proper, and the same from time to time shall or may revoke alter or vary as occasion shall or may require: Provided always that a copy of every such rule and form so made and prescribed shall, within two months next following the making thereof, be transmitted by the Clerk of the Peace acting at or in such Court to the Judge or Judges of the Supreme

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Supreme Court of New Zealand, or in the non-appointment or absence of such Judge or Judges, to such other person or persons as the Governor of the said Colony may appoint, who shall have power to approve revoke or alter the same as to him or them shall seem expedient: Provided that until so revoked or altered by the Judge or Judges, or such other person or persons as aforesaid, the said rules and forms shall and may be acted upon in the said Courts.

Rules may be acted upon until so revoked or altered.

5. And be it further enacted and ordained, That until the Governor of New Zealand for the time being, with the advice and consent of the Legislative Council thereof, shall extend and apply the form and manner of proceeding by grand jury in the presentment of all crimes misdemeanours issues matters and things, and until further provision be made therein, all crimes misdemeanours and offences cognizable in the said Courts of General and Quarter Sessions within the said Colony of New Zealand shall be prosecuted in the name of Her Majesty's Attorney-General for the said Colony, or in the name of such other officer as the Governor for the time being of the said Colony shall for such purpose duly appoint; and all issues of fact joined on every such information shall be tried before and at the said Courts of General and Quarter Sessions by a jury of twelve of the inhabitants of the said Colony.

Until grand jury appointed, or further provision made, all crimes misdemeanours and offences cognizable at Courts of General and Quarter Sessions to be prosecuted in the name of Her Majesty's Attorney-General or other officers appointed by the Governor for that purpose, and tried by a jury of twelve inhabitants.

6. And be it further enacted and ordained, That every man (except as hereinafter excepted) between the ages of twenty-one and sixty years, residing within fifty miles of each of the towns appointed or hereafter to be appointed as places at which such Courts of General and Quarter Sessions shall be holden under this Ordinance, and who shall have resided in the said Colony for at least six months, and who shall be of good fame and character, shall be qualified and liable to serve on juries for the trials of crimes offences and misdemeanours and of all such issues joined in the said Courts of General and Quarter Sessions as aforesaid.

Qualification of jurors.

7. And be it further enacted and ordained, That the following persons shall not be liable (except by and with their own consent) to serve upon any jury at the said General and Quarter Sessions as aforesaid, that is to say,—All the Judges of the Supreme Court, Commissioners of the Courts of Requests, Chairman of the Courts of Sessions, and all ministerial officers of the said Courts respectively; all members of the Executive or Legislative Councils and Justices of the Peace; all persons holding offices under the Department of Customs; all clergymen in holy orders, priests of the Roman Catholic faith, and Dissenting Ministers, duly licensed as such; all barristers, attorneys, and solicitors, duly admitted to practice and actually practicing in the Supreme Court, or in the said Courts of General and Quarter Sessions; coroners and gaolers; physicians, surgeons, and apothecaries, in actual practice; all military and naval officers on full pay, licensed pilots, and masters of vessels actually employed in the service of the Crown; sheriff's officers, stipendiary constables or peace officers, schoolmasters, and parish clerks: Provided that each of such persons shall, either by themselves or agent, claim such exemption at each special Petty Sessions for revising the lists.

Exemptions.

8. And be it enacted ordained and declared, That the following persons shall not be qualified to serve on any such jury as aforesaid, that is to say,—Every man not being a natural-born or naturalized subject of the Queen, and every man who hath been or shall be attainted of any treason or felony or convicted of any crime that is infamous (unless he shall have received for such crime a pardon, or shall be under the benefit and protection of some Act of Parliament having the force and effect of a pardon, under the Great Seal, for such crime),

Disqualifications.

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crime), and every man of bad fame or of dishonest life or conduct or of immoral character or repute.

Governor may appoint Courts of Petty Sessions.

Two or more Justices in Petty Sessions to have the same powers as Benches of Magistrates.

Power for Justices at Petty Sessions to adjourn the Courts to other places in their districts.

Two or more Justices may assemble and form the adjourned Court of Petty Sessions.

All proceedings valid.

And to be recorded.

Power for Governor to appoint Visiting Justices for distant parts of the Colony.

Speedily.

Preparation of Jury Lists.

9. And be it further enacted and ordained, That it shall and may be lawful for the Governor for the time being, by any notice published in the *New Zealand Government Gazette*, to appoint places at which Petty Sessions shall be holden, and to nominate one fit and proper person to be Clerk to every such Petty Sessions, who shall attend at the place for which he shall be nominated; and that any two or more of Her Majesty's Justices assigned to keep the peace, assembled and sitting in open Court at any such place so appointed in manner aforesaid (such Court not being a Court of General or Quarter Sessions as aforesaid), shall be deemed to be and shall be a Court of Petty Sessions; and every such Court of Petty Sessions shall have and exercise all the powers and authorities and perform all the duties which in and by any Act or Ordinance now or hereafter to be in force within the said Colony of New Zealand are given and required to be performed by Benches of Magistrates and Clerks of the Bench: Provided always and be it further enacted and ordained, That it shall and may be lawful for the Justices in each and every of such Courts of Petty Sessions assembled when and as often as they shall deem the state of business in their respective districts to require the holding of a Petty Sessions of the Peace at a place other than the one appointed under this Ordinance, to adjourn such Court of Petty Sessions to any place or places within their said district not exceeding twenty miles from the place appointed by the Governor under this Ordinance, which adjournment shall be publicly notified as such Justices shall direct; and any two or more Justices of the Peace acting within and for the said Colony of New Zealand shall and may assemble at such adjourned Petty Sessions on the day and at the place appointed, and shall form the adjourned Court of Petty Sessions at such place, and shall and may hear and determine such business as shall come before them; and all proceedings had by and before any two or more Justices of the Peace so assembled at such adjourned Petty Sessions shall be as good and effectual in the law to all intents and purposes as if the same were had before the Court of Petty Sessions assembled and sitting at its usual and ordinary place appointed under this Ordinance; and the proceedings of such adjourned Courts of Petty Sessions shall be entered on the registry or record hereinafter mentioned.

10. And whereas there are in various remote parts of the said Colony divers whaling and other fishing establishments and other settlements and other places of business in or near which justice can only be well and speedily administered by Visiting Justices of the Peace: Be it therefore further enacted and ordained, That it shall and may be lawful for the Governor for the time being, from time to time and as often as he shall think proper, to nominate and appoint two or more Justices of the Peace of the said Colony to visit and perambulate in all or any of the districts thereof; and such Visiting Justices shall and may proceed at any place or places (except where Petty Sessions are appointed to be holden as aforesaid, or within twenty miles thereof) to hear and determine all matters and business cognizable by and before two Justices, and to have act upon and possess all the powers and authorities of a Court of Petty Sessions under this Ordinance; and the proceedings of such Visiting Justices shall be entered in a registry or record thereof, to be transmitted by such Justices to such Court of Petty Sessions as the Governor for the time being shall direct.

11. And be it further enacted and ordained, That the Justices in Special Petty Sessions assembled shall in the first week of the month of July

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July in this present year, or so soon thereafter as can be, and in the first week of the month of January in every succeeding year, prepare or cause to be prepared lists of all men of good fame and character within their respective townships or districts liable to serve on the said juries, setting forth their Christian and surnames, residences, titles, additions, and qualifications according to the form annexed to this Ordinance in Schedule A; and the said Justices, or any two or more of them so assembled as aforesaid, shall subscribe the said lists with a declaration that such list contains to the best of their knowledge and belief the names of all persons liable to serve on juries in the district for which it is made under this Ordinance.

12. And be it further enacted and ordained, That the said Justices in Petty Sessions shall cause a copy of the lists which shall be made out as aforesaid to be, within three days after the same shall be prepared, affixed in such place or places as they shall deem best calculated for the publication and inspection thereof, with a notice signed by such Justices so assembled as aforesaid, or any two of them, that the Justices of the Peace acting in and for the said towns and districts respectively will assemble and hear at the then next Petty Sessions directed to be held for that purpose as hereinafter mentioned all objections to the said lists: Provided always that the said Justices shall cause the Clerk to every Petty Sessions to keep the said original lists or copies of the same at the Police Office or other place where such Petty Sessions shall be generally held, to which the inhabitants of the said towns or districts respectively shall have access at any reasonable time within fourteen days after the date of such notice, without fee, in order that due notice may be given of names improperly omitted or inserted.

Lists to be affixed for publication and inspection.

13. And be it further enacted and ordained, That special Petty Sessions shall be holden in the third week of the month of August in this year, and in the third week of the month of January in every succeeding year, in each of the said towns or districts, at which the said Justices of the Peace residing at or acting within such towns or districts respectively shall attend, and the lists so prepared and verified as aforesaid shall be thereupon produced, and the Justices so assembled shall examine such lists *seriatim*, and shall strike out of such lists the names of all persons, at the instance or application of such persons, not liable to serve or disqualified from serving as jurors, and also of such as are disabled by lunacy (or inability of mind) deafness blindness or other permanent infirmity, and shall insert all names improperly omitted, and correct all errors and mistakes in such lists; and the said Justices shall within two days after the meeting of such Petty Sessions cause notice in writing to be given by the Clerk of Petty Sessions to the parties who may be affected by such omissions insertions or corrections, and require them respectively on a day certain to show cause if any they may have against the same; and the said Justices shall fix a day not being more than six days after such notice for hearing the said parties, and the Justices then assembled or any two of them shall then finally settle the said lists, and the same when so settled shall be final and shall continue in force until the Jury Lists for the year next ensuing shall be made out and transmitted to the Sheriff or Deputy Sheriff as hereinafter is directed.

Special Petty Sessions to be holden for correcting the lists.

14. And be it further enacted and ordained, That it shall and may be lawful for every Justice of the Peace present at such Petty Sessions to assist and vote therein upon all questions which may be put respecting the character qualification disqualification or exemption of every person named in such list or of every person whose name

All Justices may assist and vote at such Sessions.

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Justices to elect a  
Chairman at each  
Petty Sessions.

Vote by ballot.

Certificate to be sub-  
joined to lists.

Magistrates in each  
district to be sum-  
moned to Petty  
Sessions.

Twenty pounds  
penalty for non-  
attendance.

Clerks of Petty  
Sessions to make  
report of absentees,  
to the Attorney-  
General.

Jury Lists to be  
transmitted to the  
Sheriff, to be entered  
in a book.

Copies to be sent to  
the Clerks of the  
Peace.

may be proposed to be added thereto: Provided that the Justices so assembled at each Petty Session as aforesaid shall and they are hereby required, before proceeding to make out and settle such Jury List as aforesaid, to elect by a majority of voices one of the said Justices so present to be Chairman at such Petty Sessions, and such Chairman shall have as well a deliberate as a casting vote in case of equality in numbers: Provided always that if any question shall arise respecting the striking out or adding of a name, the same shall be decided by ballot.

15. And be it enacted and ordained, That after the said lists shall have been finally settled and approved in Petty Sessions in manner as aforesaid, a certificate shall be subjoined to each such list and subscribed by each Justice there present, stating that the same has been carefully examined and corrected according to the best of the knowledge and belief of the Justices then present, and that all persons then named in such lists are qualified to serve on juries according to the provisions of this Ordinance.

16. And be it enacted and ordained, That the Clerks of Petty Sessions shall cause all Magistrates of their districts respectively to be especially summoned to attend each of the said special Petty Sessions, and the Justices there assembled shall sit *de die in diem* until the Jury Lists shall be settled as hereinbefore directed; and if any Magistrate after having been so summoned shall neglect or fail to attend at any such special Petty Sessions, or if attending shall refuse or fail to vote accordingly upon any question that shall be put, every such Magistrate so neglecting or failing to attend or so refusing or failing to vote, unless he can show reasonable cause, shall forfeit and pay for every such offence the sum of twenty pounds, to be sued for recovered and appropriated as hereinafter is directed; and the Clerks of the Petty Sessions respectively shall note the names of all such Magistrates as shall attend the said special Petty Sessions and as shall be absent from the same from day to day, and at the close of the said Sessions shall transmit a certified list thereof to the Attorney-General.

17. And be it further enacted and ordained, That as soon as the said Jury Lists shall be settled as aforesaid, the same shall immediately be transmitted by the said Justices to the Sheriff of the Colony or Deputy Sheriff of the district as the case may be, and each Deputy Sheriff upon receiving the lists of jurors within his district shall within five days after the receipt thereof in each and every year cause the same to be transcribed fairly in a book to be kept in his office, and forthwith transmit the original lists to the Sheriff, and the Sheriff, upon receiving the original lists, as well from the Justices as from the Deputy Sheriff or Deputy Sheriffs, shall within ten days after the receipt thereof in each and every year cause the same to be transcribed fairly in a book to be kept in his office, and such book shall be styled "The Jurors' Book," and shall contain the names of all persons mentioned and contained in such lists respectively, with the addition of their respective titles and qualifications in alphabetical order, beginning under each letter of the alphabet with the surname of each person, and such Jurors' Book shall thereupon be and continue in force until the Jury Lists for the year ensuing shall be transcribed by the Sheriff and Deputy Sheriff into the Jurors' Book of that year.

18. And be it further enacted and ordained, That true and faithful copies of the said Jurors' Book shall be made and certified by the said Sheriff in each and every year as soon as conveniently may be, and shall be delivered by the said Sheriff to each Clerk of the Peace for the said Courts of General and Quarter Sessions, in order that the same may be referred to in the said Courts respectively at the trial of every issue as aforesaid.

19. And

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19. And be it further enacted and ordained, That it shall and may be lawful for the Governor of the said Colony, and he is hereby authorized and empowered, as often as he shall see fit, to nominate and appoint for each such General and Quarter Sessions as aforesaid some fit and proper person being a Justice of the Peace to act as the Chairman thereof; and in case no such nomination and appointment shall have taken place, or in the occasional absence of any such person so nominated and appointed to act as Chairman as aforesaid, the Justices assembled at any such General and Quarter Sessions shall nominate and appoint, by a majority of votes, from amongst themselves a Justice qualified to act as Chairman; and the person or persons so respectively nominated and appointed by the said Governor to act as Chairman of such Courts of General and Quarter Sessions respectively, or the person so elected under the circumstances as aforesaid, shall have and exercise such and the same power authority and jurisdiction as a Chairman of General and Quarter Sessions in England.

Chairman to be appointed by the Governor.

In case no such appointment, or in absence of such Chairman, the Justices at Sessions to appoint Chairman.

20. And be it further enacted and ordained, That fourteen days before the first General and Quarter Session shall be held under this Ordinance, it shall be lawful for any two of the Justices of the Peace of the said Colony, and at each of the future General and Quarter Sessions aforesaid for the Chairman thereof, and they and he are and is hereby authorized and required to issue a precept under the hand and seal of each of such Justices, and afterwards of such Chairman, to the Sheriff of New Zealand or Deputy Sheriff aforesaid, requiring him to summon so many jurors to attend at the next following Court of General and Quarter Sessions for each district at such time and place as shall be therein mentioned and appointed, and such precept shall not require more than forty nor less than twenty-four persons duly qualified to serve as jurors to attend the said Court at any one Session thereof.

Chairman to issue precept for summoning jurors.

21. And to the end that all persons liable to serve on any such juries as aforesaid may bear an equal share of the public duty imposed upon them: Be it further enacted and ordained, That as often as any such precept as aforesaid shall be delivered to the said Sheriff or Deputy Sheriff requiring him to summon jurors for the trial of such issues as aforesaid, the Sheriff or Deputy Sheriff shall and he is hereby required to summon so many persons duly qualified as aforesaid to serve as jurors, and who shall reside within the distance of fifty miles, to attend the said Court of General and Quarter Sessions at such time and place as shall be specified in such precept, according to the alphabetical order in which such names shall successively be placed, until every such person shall have been summoned in his turn; and in case any such person shall make default, every such defaulter shall be summoned a second time, or oftener, until he shall have served for such default or defaults, and such order shall be observed in each succeeding year, the Sheriff or Deputy Sheriff beginning with the names in the new book next after the names of the persons in the last book who were last summoned to attend such juries as aforesaid: Provided always that every such precept shall be issued and delivered to the Sheriff or Deputy Sheriff in this present year at least twenty clear days and in each succeeding year at least two months before the attendance of such jurors shall be required, and ever such summons shall be in writing, and signed by the Sheriff or Deputy Sheriff to the following effect:—

Jurors to be summoned in alphabetical order.

Precept to be delivered to Sheriff two months before attendance of jurors required.

Mr. A.B. [*Naming the juror*]: You are hereby required to appear as a Juror at the Court of General Quarter Sessions, to be holden on the                    day of                    next, and there to attend from

Form of summons.

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from day to day until you are discharged by the said Court. And hereof fail not at your peril.

C.D., *Sheriff, or Deputy Sheriff.*

Sheriff's Office, of , 184 .

Service personally or left at abode ten clear days before attendance required.

Penalties for jurors not attending when summoned.

Names of jurors to be drawn from a box.

Talesmen.

Allowance to jurors.

Fines or penalties for neglect of duty or influencing jurors.

And the said summons shall be served personally upon or left at the place of abode of the said jurors respectively full ten clear days before their attendance shall be required as aforesaid.

22. And be it further enacted and ordained, That if any person being duly summoned to attend any General and Quarter Sessions as aforesaid shall make default and fail to attend the same, such person shall upon proof on oath of having been duly summoned as aforesaid be fined and forfeit a sum of not more than ten pounds at the discretion of the Justices sitting in the said Courts, to be sued for recovered and appropriated as hereinafter directed, unless some just cause for such defaulter's absence shall be made to appear by oath or affidavit.

23. And be it further enacted and ordained, That at the sitting of the said Courts for the trial of any such issue as aforesaid, the name condition and place of abode of each juror summoned as aforesaid shall be written on a separate piece of card or paper and put into a box, and when such issue is called on to be tried the Clerk of the Peace or other ministerial officer of the said Court shall in open Court draw therefrom until twelve men appear who are not objected to or challenged, and after the trial such names shall be returned into the box to be kept with the other undrawn names, and so *toties quoties*, as long as any issue remain to be tried.

24. And be it further enacted and ordained, That when any issue so to be tried by such a jury be called on, and a sufficient number of jurors summoned to attend such Court shall not be in attendance, it shall be competent for the Attorney-General, or such other person prosecuting as aforesaid, or for the party in whose case such issue is about to be tried as aforesaid, to pray a tales; and the Court may then command the Sheriff or Deputy Sheriff forthwith to summon, *viva voce*, as many good and lawful men of the by-standers as shall be sufficient to make up a full jury for the trial of such issue as aforesaid.

25. And be it further enacted and ordained, That every juror who shall attend at any General and Quarter Sessions as aforesaid, being duly summoned, shall be entitled to receive for every day during his attendance a compensation for his expenses at and after the following rates, that is to say,—If such person shall reside within the town or place in which such Court shall be holden or within five miles thereof the sum of three shillings for every day such juror shall attend the said Court, and if such juror shall reside at the distance of more than five miles the sum of five shillings for every day such juror shall be so in attendance, and the further sum of sixpence per mile for every mile he shall travel for that purpose; and the Clerk of the Peace or other ministerial officer of the said Courts respectively shall keep an account of the number of days each juror shall duly attend the Court, and after the expiration of the time appointed by the Court for the attendance of such jurors respectively, the said Clerk or proper officer shall thereupon pay to such juror the sum of money to which he may be entitled.

26. And be it further enacted and ordained, That any Sheriff, or Deputy Sheriff, Justice of the Peace, Clerk of the Peace, or any other ministerial or other officer, who shall refuse neglect or fail to do and perform all and every the acts matters and things hereby required to be by him or them respectively done and performed, shall forfeit for every such offence a sum not exceeding fifty pounds at the discretion of



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of the Court; and if any person shall be guilty of the offence of corrupting or influencing or attempting to corrupt or influence any such juror or any such juror shall consent thereto, every such person so offending shall incur and become liable to and may be punished with fine and imprisonment on proof being adduced before the Court.

27. And be it further enacted and ordained, That all penalties fines and forfeitures incurred or imposed under and by virtue of this Ordinance shall be recovered levied enforced and applied in the form and manner hereafter directed.

Penalties fines and forfeitures to be recovered &c. as after directed.

28. And be it further enacted and ordained, That a registry or record in writing shall be kept by each and every Clerk of Petty Sessions of all acts or orders and proceedings done at such Petty Sessions, whether in civil or criminal cases, in the manner and form set forth in the Schedule B to this Ordinance annexed, such registry or record to be signed on each day on which such Petty Sessions shall be holden by all the Justices present, and that no summons warrant conviction committal information recognizance or any other magisterial act or order of any kind be issued or signed at such Petty Sessions without the making an entry thereof in the said registry or record.

A registry of all acts and proceedings to be kept.

29. And be it further enacted and ordained, That every warrant information conviction committal recognizance or order of the Justices at Petty Sessions shall be signed by two Justices at the least, and not by any one person as Chairman and on the behalf of others; and that no summons warrant or order be signed by any Justice or Justices of the Peace unless the blanks in the same shall have been first duly filled up.

Warrant &c. at Petty Sessions to be signed by two Justices.

No summons &c. to be signed unless blanks filled up.

30. And be it further enacted and ordained, That it shall and may be lawful to and for any Justices at Petty Sessions to hear and proceed with and determine upon any case in which such Justices have jurisdiction, although the complaint may have been received and the summons or warrant for the same issued by any other Justice acting singly or by any other Justices at a previous meeting of such Petty Sessions, in such and the like manner as if the first complaint was made and the summons or warrant issued by the same Justices before whom the subsequent proceedings were had and taken.

Justices at Petty Sessions may determine cases, although complaint made before other Justices.

31. And be it further enacted and ordained, That in all cases in which it becomes necessary for a single Justice to act magisterially not being in Petty Sessions (save and except in the issue of summonses), such Magistrates do report such case together with the informations taken or recognizances acknowledged to the Petty Sessions then next ensuing to be holden for the district in which such case had arisen, and that a particular entry be made in the registry or record of such Petty Sessions of every such case.

Entry to be made of all cases where a single Justice acts.

32. And be it further enacted and ordained, That copies of the said registry or record and of all depositions and other evidence taken in relation thereto and all original informations depositions and other evidence and proceedings in every and any criminal case heard sworn taken and entered into before the said Courts of Petty Sessions or transmitted thereto, together with the recognizances therein, shall once in every month at the least be transmitted to the Attorney-General of the said Colony of New Zealand or other law officer of the Crown duly appointed for that purpose.

Copies of such registry and original informations depositions &c. taken at Petty Sessions to be transmitted to Attorney-General.

33. And whereas it is expedient that certain fees should be taken at the several Petty Sessions by the Clerks thereof and by Clerks of Police and other Magistrates acting singly or with each other within the said Colony of New Zealand, and that the same fees should be ascertained and fixed: Be it therefore further enacted and ordained,

Further preamble.

Clerks of Petty Sessions of Police and other Magistrates acting singly may demand certain fees.

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Clerks demanding a larger fee than specified to be fined not exceeding five pounds.

Mode of enforcing and recovering fees.

A printed table of fees to be affixed in every Court House &c.

Clerks to Justices acting singly to produce similar printed tables of fees, or liable to fine.

Such penalties only recoverable on complaint within one calendar month.

Clerks to make a return once in every month to Petty Sessions of all fees &c.

Return to be sent to Colonial Treasurer.

Clerks to pay to Treasurer amount of such fees.

Further preamble.

That from and after the passing of this Ordinance the said Clerks respectively shall and may demand receive and take the several fees specified in the Schedule C hereunto annexed for the business and services therein stated and by them performed; and if at any time hereafter any such Clerk or any person acting as such shall, under pretence of any matter or thing done transacted or performed by such Clerk or person acting as such, demand or receive any other or greater fee than such as are specified and set forth in the said Schedule C, he shall for every such offence forfeit and pay a penalty not exceeding the sum of five pounds, to be recovered in a summary way before any one of the said Justices of the Peace; and that it shall be lawful for any Justice of the Peace acting within the said Colony to refuse to do any act for which any of the said fees shall be demandable unless such fees shall be first paid; and that if any such act shall be done and the fee thereon due shall not be immediately paid on demand, it shall be lawful for any Justice of the Peace to summon the person from whom such fee shall be due and to make order for payment of the same with the costs of the proceedings, and in default of payment to levy the same with costs of the distress by warrant under his hand and seal.

**34.** And be it further enacted and ordained, That a printed table of the said fees shall be affixed or posted up in a conspicuous part within every Court House or public Justice Room or other place wherein such Petty Sessions are holden; and the said Clerks to each and every Justice acting singly as aforesaid shall produce and show if required to the person requiring to see the same a printed table of the said fees; and every such Clerk who shall neglect or refuse to show and produce such printed table on being reasonably required so to do, shall forfeit and pay the sum of ten shillings for every such offence, to be recovered in a summary way before any one Justice of the Peace: Provided always that the penalties herein imposed, so far as relates to the duties of such Clerks, shall not be recoverable unless upon complaint thereof made within one calendar month next after the alleged commission of the offence.

**35.** And be it further enacted and ordained, That the several Clerks of Petty Sessions, of Police, and other Magistrates acting singly or out of Sessions, shall once in every month make a return, in the form in Schedule D hereunto annexed, to the Courts of Petty Sessions of each district respectively, of all fees received by them in their offices or places for business or services done and performed therein, such return to be signed and sworn to by them; and such return after being copied and entered in such registry or record as aforesaid shall be transmitted in duplicate, as the voucher of their several accounts by and under the order of the said Justices in Petty Sessions assembled, to the Colonial Treasurer of the said Colony of New Zealand; and such Clerks shall forthwith transmit and pay to the said Colonial Treasurer the full amount of all such fees, to be appropriated and applied to the public uses of the said Colony and in the support of the Government thereof, and such Clerks shall enter the Colonial Treasurer's receipt for such fees in the registry or record.

**36.** And whereas, in order to avoid doubts and difficulties which might arise as to the recovery and application of all penalties forfeitures or fines, and the enforcement of forfeited recognizances imposed and entered into by and before any Justice or Justices of the Peace acting as such within and for the said Colony of New Zealand, it is expedient to make special provision in that behalf adapted to the present circumstances of the Colony: Be it therefore further enacted and

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and ordained, That each and every Justice of the Peace before whom any recognizance shall be entered into or taken shall and is hereby required to give, at the time of taking such recognizance, to the person or persons surety or sureties so entering into the same and to each of them, a written paper or notice in the form or to the effect stated in the Schedule E to this Ordinance annexed, adapting the same to the particular circumstances of the case; and each such Justice shall in such recognizance state and particularly specify not only the profession art mystery or trade of every person so entering into such recognizance, together with his Christian name and surname, but also his place of residence.

Notices to be given to persons entering into recognizances, and the sureties.

37. And be it further enacted and ordained, That from and after the passing of this Ordinance, all fines issues amerciaments forfeited recognizances sum and sums of money paid or to be paid in lieu or satisfaction of them or any of them (save and except the same are or shall be by virtue of any Act or Acts of the Parliament of Great Britain, or of the Governor and Council of the said Colony of New Zealand for the time being lawfully constituted, directed to be otherwise levied recovered appropriated or disposed of), which already are or hereafter shall be set imposed lost or forfeited by or before any Justice or Justices of the Peace of New Zealand, shall be and are hereby required to be certified by the Justice or Justices of the Peace by or before whom any such fines issues amerciaments forfeited recognizances sum or sums of money paid or to be paid in lieu or satisfaction of them or any of them, shall be set imposed lost or forfeited to the Clerk of the Peace acting for the nearest county district or place in the said Colony; and such certificate shall contain the names and residences trade profession or calling of the parties, the amount of the sum forfeited by each respectively, and the cause of each forfeiture, and be signed by such Justice or Justices of the Peace, and forwarded to the said Clerk of the Peace once in each month; and such Clerk of the Peace shall copy on a roll such fines issues amerciaments forfeited recognizances sum or sums of money paid or to be paid in lieu of them or any of them, together with all fines issues amerciaments forfeited recognizances sum or sums of money paid or to be paid in lieu or satisfaction of them or any of them imposed or forfeited at the Court of General or Quarter Sessions, and shall, within such time as shall be fixed and determined by such Court not exceeding one month after the adjournment or termination of such Court, send a copy of such roll, with a writ according to the form and effect in the Schedule F to this Ordinance annexed, to the Sheriff of the Colony or to any Sheriff or other officer who shall at the time being have lawful execution of process in the county district or place, and the same roll and writ shall be the authority to such Sheriff or other officer as aforesaid for proceeding to the immediate levying and recovering of all such fines issues amerciaments forfeited recognizances sum or sums of money paid or to be paid in lieu or satisfaction of them or any of them on the goods and chattels of such several persons, or for taking into custody the bodies of such persons in case sufficient goods and chattels shall not be found whereon distress or levy can be made for recovery thereof, and every person so taken shall be lodged in the common gaol until the next General or Quarter Sessions of the Peace, there to abide the judgment of the Court.

Statements of fines &c. to be forwarded to the Clerk of the Peace by the Justice by whom the same is imposed.

Clerk of the Peace to copy on a roll such fines &c. together with fines &c. at Quarter Sessions, and send copy to Sheriff with writ to levy on goods &c. or arrest of person.

38. Provided nevertheless and be it enacted and ordained, That in every case in which any person bound by recognizance for his or her appearance, or for whose appearance any other person shall be bound, to prosecute or give evidence in any case of felony or misdemeanour

Clerk of the Peace to prepare list of defaulters bound by recognizance to appear, and lay them before the Chairman and Justices of the

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Quarter Sessions, or any two Justices, without whose order Clerk of the Peace shall not estreat or put in process any such recognizance.

meanour, or to answer for any common assault, or to articles of the peace, shall therein make default, the Clerk of the Peace shall and he is hereby required to prepare a list in writing specifying the name of every person so making default, and the nature of the offence in respect of which every such person, or his or her surety, was so bound, together with the residence trade profession or calling of every such person or surety, and shall in such lists distinguish the principals from the sureties, and shall state the cause if known why each person has not appeared, and whether by reason of the non-appearance of such person the ends of justice have been defeated or delayed; and every such Clerk of the Peace shall before any such recognizance shall be estreated lay such list before the Chairman or two other Justices of the Peace who shall have attended such Courts, who are respectively required to examine such list and to make such order touching the estreating or putting in process any such recognizance as shall appear to them respectively to be just; and it shall not be lawful for the said Clerk of the Peace to estreat or put in process any such recognizance without the written order of the Chairman or two Justices of the Peace before whom respectively such lists shall have been laid.

Clerk of the Peace to make oath to all fines &c. which shall be paid.

39. And be it enacted and ordained, That the Clerk of the Peace shall, before he delivers the roll to the Sheriff or other officer as aforesaid containing the fines issues amerciements forfeited recognizances sum and sums of money paid or to be paid in lieu or satisfaction of them or any of them, and he is hereby required to make oath before any Justice of the Peace of the county district or place for which such Clerk of the Peace shall act, which oath shall be indorsed on the back of the writ or of the said roll attached thereto, such Clerk of the Peace stating therein all such fines issues amerciements forfeited recognizances sum or sums of money which shall have been paid or otherwise accounted for, and such oath shall be made in the form following:—

Form of oath.

I, \_\_\_\_\_, make oath that this roll is truly and carefully made up and examined, and that all fines issues amerciements recognizances and forfeitures which were set imposed or forfeited and in right and due course of law ought to be levied and paid, are to the best of my knowledge and understanding inserted in the said roll, with the exception of such as are now under reference to the Chairman of Quarter Sessions upon a list submitted to him by me according to law, as yet undetermined; and in the said roll are also contained and expressed all such fines as have been paid to or received by me either in Court or otherwise, without any wilful or fraudulent discharge omission misnomer or defect whatsoever. So help me God.

Sworn at \_\_\_\_\_, in the Colony of New Zealand, this  
day of \_\_\_\_\_, A.D. 184\_\_\_\_\_.

Persons may appeal to Quarter Sessions against fines &c. upon giving security.

40. Provided always and be it further enacted and ordained, That if any person upon whose goods and chattels such Sheriff or other officer as aforesaid shall be authorized to levy any such forfeited recognizance or sum of money to be paid in lieu or satisfaction thereof, shall give security to the said Sheriff or other officer as aforesaid for his appearance at the next General or Quarter Sessions then and there to abide the decision of the Court, and also to pay such forfeited recognizance or sum of money to be paid in lieu or satisfaction thereof, together with all such expenses as shall be ordered and adjudged by the said Court, it shall be lawful for the said Sheriff or other officer as aforesaid and he is hereby authorized and required to suspend the execution of the writ and discharge such person so giving

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giving security out of custody: Provided always that in case such party so giving security shall not appear in pursuance of his undertaking, it shall be lawful for the Sheriff or other officer as aforesaid to put the said writ so suspended into execution, and for the said Court of General or Quarter Sessions forthwith to issue a writ of *distringas* and *capias* or *fieri facias* and *capias* against the surety or sureties of the person so bound as aforesaid.

41. And be it further enacted and ordained, That the Court of General or Quarter Sessions before whom any person so committed to gaol or bound to appear shall be brought is hereby authorized and required to inquire into the circumstances of the case, and shall at its discretion be empowered to order the discharge of the whole of the forfeited recognizance or sum of money to be paid in lieu or satisfaction thereof or of any part thereof, and such order shall be made in the form or to the effect of the Schedule marked G to this Ordinance annexed and shall be signed by the Clerk of the Peace, which said order shall be a discharge to such Sheriff or other officer as aforesaid on the passing of his accounts before any auditor or other proper officer duly authorized to pass the same; and it shall and may be lawful for the said Court of General or Quarter Sessions to award such costs charges and expenses to be paid by either party to the other as to the said Court shall seem just and reasonable.

42. And be it further enacted and ordained, That it shall be lawful for the Justices assembled at any General or Quarter Sessions of the Peace, and they are hereby authorized and required at the following or any subsequent General or Quarter Sessions, to insert or cause to be inserted in any following roll all such fines issues americiaments forfeited recognizances sum or sums of money to be paid in lieu or satisfaction of them or any of them which have not been duly levied or recovered or properly accounted for by the Sheriff or other officer, or have not been discharged on appeal before the General or Quarter Sessions or by warrant or authority of his Excellency the Governor or other officer having lawful authority for the time being to remit or dispense with the enforcement of debts due to the Crown in New Zealand and its dependencies, and so to continue such process from Sessions to Sessions till it shall be duly ascertained that the party in default has not any goods or chattels lands or tenements upon which a levy can be made, and that he is not to be found, or that his body cannot be lodged in any of Her Majesty's gaols: Provided always that the said Sheriff or other officer to whom the writ of *distringas* and *capias* or *fieri facias* or other writ deemed necessary by the Justices at any such General or Quarter Sessions to meet the exigency of the case shall be sent by order of the said Court shall keep and detain in his possession the writ or writs so directed to him and the roll or rolls attached to such writ or writs, delivering to the said Court of General or Quarter Sessions a copy of such roll or rolls on the first day of the sitting of the said Court, and also a copy of any former roll or rolls where the fines americiaments forfeited recognizances sum or sums of money paid or to be paid in lieu or satisfaction of them or any of them shall not have been delivered, and such original writ and roll or writs and rolls shall continue in force and effect and shall be sufficient authority without any further writ or roll. And such Sheriff or other officer is hereby required, in the event of quitting his office or the division of the territory or district over which his office shall extend, to deliver over to his successor or to his successors in any particular district county or division of territory as the case may be, all rolls and writs in his possession relating to the office or duty of any such successor,

Justices at Quarter Sessions to hear and determine appeals.

Court may award costs.

Justices in Sessions may insert in following rolls all such fines &c. as have not been levied or accounted for by the Sheriff &c. or that have not been discharged.

Sheriff to detain the original writs in his possession, which shall continue in force and be authority to act upon.

Sheriff on quitting his office to deliver over rolls and writs to his successor.

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particularizing any fines issues amerciaments forfeited recognizances sum and sums of money paid or to be paid in lieu or satisfaction of them or any of them, in order that the Sheriff or other officer coming into office may use every means in his power for recovering the sums so unpaid and not charged to his predecessor on the passing of his accounts before the auditor or proper officer; and the officer or officers intrusted with the execution of the process in any county district or place, shall be duly and diligently examined on oath by the Court at the delivery of the roll or whenever thereunto required by the Court, as to the execution or the circumstances attending the non-execution of any such writ or writs as aforesaid; and every such examination shall be duly recorded by the Clerk of the Peace or other proper officer, in order that the Sheriff or other officer may be chargeable with all sums not satisfactorily accounted for on the passing of his accounts.

Sheriff may follow the party or his goods &c. into another jurisdiction if his own be too limited.

43. And be it further enacted and ordained, That in case by any means the Sheriff or other officer to whom any such writ or writs shall be directed as aforesaid shall not have or shall cease to have execution of process throughout the whole Colony, and in case any party incurring or subject to any fine issue amerciament forfeited recognizances sum or sums of money to be paid in lieu or satisfaction of them shall reside or shall have fled from or removed out of the jurisdiction of such Sheriff or other officer as aforesaid, it shall be lawful for such Sheriff or other officer and he is hereby required to issue his warrant together with a copy of the writ directed to the Sheriff or other officer acting for the county district or place in which such person shall then reside or be or in which any goods or chattels or other his property shall be found, requiring such last-mentioned Sheriff or other officer to execute such writ; and every such last-mentioned Sheriff or other officer is hereby authorized and required to act in all respects under such warrant in the same manner as if the original writ had been directed to him by order of a Court of General or Quarter Sessions held within the county district or division of territory within which he shall act, and the said last-mentioned Sheriff or other officer is hereby required within thirty days after the receipt of such warrant to return to the Sheriff or other officer from whom he shall have received the same what he shall have done in the execution of such process, and whether the party shall have given good and sufficient security to appear at the ensuing General or Quarter Sessions to be held for the county district or place from which the writ issued; and in case a levy shall have been made, to pay over all moneys received in pursuance of the warrant to the Sheriff or other officer from whom he shall have received the same.

Fees of Clerk of Peace and other officers.

44. And be it further enacted and ordained, That the Clerk of the Peace and other officers shall be entitled to their usual and legal fees on the discharge of any forfeited recognizance and other duties performed under this Ordinance, the amount thereof to be fixed where the same may not otherwise be ascertained by law by the said Courts of General or Quarter Sessions; and in case any Sheriff or other officer as aforesaid shall refuse or neglect to do and perform any duty act or thing imposed upon or required from him in manner by this Ordinance directed, then and in every case such Sheriff or other officer or Clerk of the Peace so refusing or neglecting shall forfeit the penalty of no less than ten nor more than one hundred pounds, to be recovered by any person or persons who will sue for the same, together with full costs of suit by action of debt or on the case in any competent Court in New Zealand wherein no essoign protection wager of law or any more than one imparlance shall

Penalty for neglect of Sheriff.

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shall be allowed: Provided that the party suing shall give sufficient surety at the discretion of such Court for payment of costs if a verdict be given against the suer.

45. And be it further enacted and ordained, That every Clerk of the Peace in New Zealand do and shall on or before the thirty-first day of January in each year make and deliver to the Colonial Treasurer, or at such other time and to such other officer as the Governor or the person administering the Government of the Colony for the time being shall direct and require, a true and perfect duplicate on certificate of all such fines issues amerciaments and forfeited recognizances and sum or sums of money and other forfeitures whatsoever paid in lieu or satisfaction of them or any of them as shall be contained in the several rolls or copies which shall be so sent out to the Sheriff or other officer as aforesaid for the purposes of levying as aforesaid during the year ending the thirty-first day of December then preceding, to the intent that the Sheriff or Sheriffs or other officer or officers respectively may be duly charged with the moneys levied by them in respect thereof; and all parties entitled to any share of such fines forfeitures or sum or sums of money may be at liberty to claim the same according to law.

Clerks of the Peace  
to make annual  
returns to the  
Colonial Treasurer.

46. And be it further enacted and ordained, That the Sheriff or Sheriffs or other officer or officers as aforesaid as the case may be having execution of any writ or writs to be sent to him by any Clerk of the Peace as aforesaid shall and he is hereby required to make up or cause to be made up annually on or before the thirty-first day of January in each year, or within one month after the expiration of his or their office if the same shall expire at any other time than the thirty-first day of December, an account in writing containing the names and residences of all persons incurring fines issues amerciaments forfeited recognizances sum or sums of money paid or to be paid in lieu or satisfaction of them or any of them which he has been authorized or required to levy by virtue of any writ or writs issued to him or to any predecessor in his office; and in case any fine issue amerciament forfeited recognizance sum or sums of money paid or to be paid in lieu or satisfaction of them or any of them shall not have been levied or paid, the causes of non-payment shall be fully and particularly stated; and such account every such Sheriff or other officer is hereby required to transmit on or before such thirty-first day of January in each year, or within one month after expiration of office as aforesaid (as the case may be), to the Colonial Treasurer of New Zealand, or at or within such other period or to such other officer as the Governor or officer administering the Government of the Colony for the time being shall require, in order that such may be duly examined checked and inspected in such manner as shall be from time to time lawfully appointed in that behalf.

Sheriff also to make  
an annual return.

47. Provided and it is hereby declared enacted and ordained, That nothing herein contained shall be intended or construed to prevent the application of the law of England to any matter except so far as such law is not by this Ordinance expressly modified to suit the circumstances of the Colony, but that such law shall be deemed and taken to apply except as aforesaid in like manner in all respects as before the passing of this Ordinance.

This Ordinance not  
to interfere with the  
operation of English  
laws except so far as  
the same is expressly  
modified to suit the  
Colony.

48. And be it further enacted and ordained, That all penalties fines and forfeitures incurred and imposed under and by virtue of this Ordinance, and for the recovery whereof no other or special provision is herein made, shall and may be sued for and recovered in a summary manner by information before any two or more Justices of the Peace for the said Colony in Petty Sessions, and such Justices shall have full

Recovery of penalties  
&c. by information  
order for payment  
warrant of distress  
or imprisonment not  
less than one nor  
exceeding three  
months.

power

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power to order immediate payment thereof, and in default of payment to levy the same with costs by warrant of distress under their hands and seals; but if upon the return of such warrant it shall appear that no sufficient distress can be had whereon to levy such penalties fines and forfeitures, it shall be lawful for such Justices and they are hereby authorized to commit such defaulter or defaulters to any common gaol or house of correction in the said Colony for any term not less than one calendar month and not exceeding three calendar months, unless such penalties fines and forfeitures and all reasonable charges shall be sooner paid and satisfied.

Chief and other constables shall attend and obey all warrants orders &c. of Justices.

49. And be it therefore enacted and ordained, That every chief and other constable shall attend and every such chief and other constable is hereby required when not engaged on other actual duty to attend at the several General, Quarter, and Petty Sessions, when and as the same shall be held within the district county or town or other respective place where such constable shall be stationed or in which he shall act; and every such chief and other constable shall obey and execute all warrants orders and commands of such Justices at General, Quarter, or Petty Sessions assembled in all cases, civil as well as criminal.

SCHEDULES.

SCHEDULE A.

FORM OF RETURN OR LIST REFERRED TO

THE LIST OF ALL MEN WITHIN THE DISTRICT, COUNTY, OR TOWN OF [as the case may be], IN THE COLONY OF NEW ZEALAND, LIABLE TO SERVE ON JURIES.

District, County, Town, or other Place.	Christian and Surname, at full length.	Residence, &c.	Title, Quality, or Calling.
District of	Adams, John	Manawa	Esquire
	Bowles, James	Matakana	Yeoman
	Carter, William	Waitemata	Labourer
County of	Dobson, James	Manakau	Carpenter
	Edwards, John	The same	Bricklayer
	Francis, Edward	Peroa	Clerk
Town of Auckland.	Gibson, Richard	Victoria-street	Druggist
	Harris, Samuel	Shortland Crescent	Merchant

A.B. }  
C.D. } Justices of the Peace.  
E.F. }

SCHEDULE B.

REGISTRY OF SUMMONSES ISSUED FROM PETTY SESSIONS HELD AT \_\_\_\_\_, IN THE COLONY OF NEW ZEALAND, OR BY JUSTICES ACTING THEREIN.

No.	Date of Complaint.	Complainant's Name and Residence.	Complaint.	Persons Summoned, Names and Residences.



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REGISTRY OF CIVIL PROCEEDINGS AT PETTY SESSIONS HELD AT \_\_\_\_\_, IN THE COLONY OF NEW ZEALAND.

No.	Date of Complaint.	Complainant's Name and Residence.	Complaint.	Name, Residence, and addition of Defendant.	Witnesses Examined.	Adjudication.

REGISTRY OF PROCEEDINGS IN CRIMINAL MATTERS AT PETTY SESSIONS HELD FOR \_\_\_\_\_, IN THE COLONY OF NEW ZEALAND, OR BY JUSTICES ACTING THERE.

No.	Date of Information.	Informant's Name, &c.	Offence.	Persons Discharged, Name and Residence.	Witnesses Examined.	Determination.

SCHEDULE C.

LIST OF FEES TO BE TAKEN BY THE CLERKS OF PETTY SESSIONS AND CLERKS TO POLICE MAGISTRATES AND OTHER JUSTICES OF THE PEACE ACTING SINGLY IN NEW ZEALAND.

For every information (in cases not felonious), each	...	...	...	...	...	s. d.
Swearing the same	...	...	...	...	...	1 6
Summons (to include only one name), each	...	...	...	...	...	1 0
Copy and service of each, where the service is within two miles	...	...	...	...	...	0 6
Above that distance, for every mile in addition	...	...	...	...	...	2 0
For every deposition in evidence, and swearing the same	...	...	...	...	...	0 8
For every other oath administered in cases within the jurisdiction of a Justice of the Peace (except Naval and Military Pensions), each	...	...	...	...	...	2 6
Ditto where the proceedings exceed a folio of ninety words, for each additional folio	...	...	...	...	...	1 0
For any document required in the discharge of the duties of Justice of the Peace, not enumerated in this Schedule, for each and every folio of ninety words	...	...	...	...	...	0 8
Copy of those proceedings per same, folio	...	...	...	...	...	0 4
Warrant to apprehend (in cases not felonious)	...	...	...	...	...	2 6
Recognizance with two sureties	...	...	...	...	...	5 0
Notices to principal of the two sureties	...	...	...	...	...	2 0
Warrant for distress under penal Acts	...	...	...	...	...	2 6
Order of a Justice or Justices	...	...	...	...	...	1 6

SCHEDULE D.

ACCOUNT OF ALL FEES RECEIVED BETWEEN THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 18\_\_\_\_, AND THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 18\_\_\_\_, BY THE UNDERSIGNED, AS CLERK OF \_\_\_\_\_.

Time when.	Parties Litigating.	From whom.	On what Account.	—
				£ s. d.

The above account verified on oath, the \_\_\_\_\_ day of \_\_\_\_\_, one thousand eight hundred and \_\_\_\_\_.

E.F., Clerk of  
SCHEDULE E.

## Sessions Courts.

## SCHEDULE E.

Colony of New Zealand } TAKE NOTICE, that you, A.B., of \_\_\_\_\_, in the Colony of New Zealand,  
 New Zealand } C.D., of \_\_\_\_\_, in the said Colony, and E.F., of \_\_\_\_\_, in the same  
 to wit. } Colony, are severally and respectively bound, you the said A.B., of \_\_\_\_\_,  
 in the sum of \_\_\_\_\_ pounds, and you [sureties], the said C.D. and E.F., in the sum of \_\_\_\_\_  
 pounds each, to appear at the next General or Quarter Sessions of the Peace, to  
 be holden at \_\_\_\_\_, in the said Colony of New Zealand, on the \_\_\_\_\_ day of \_\_\_\_\_ next,  
 or on such other day on which the same may be held by adjournment next, and unless  
 you personally make and continue your appearance accordingly, the recognizance  
 entered into by you and each of your sureties will be forthwith estreated, and the amount  
 thereof levied on your said sureties.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, one thousand eight hundred and forty \_\_\_\_\_  
 J.S., Justice of the Peace.

## SCHEDULE F.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and  
 Ireland, Queen, Defender of the Faith, and so forth, to the Sheriff of the Colony  
 of New Zealand [or the Sheriff or officer, as the case may be, of the County,  
 District, or Place, as the case may be], Greeting:

You are hereby required and commanded, as you regard yourself and all yours, that of  
 all the goods and chattels lands and tenements of all and singular the persons in the  
 several extracts to this writ annexed, you cause to be levied all and singular the debts  
 and sums of money upon them in the same extracts severally imposed and charged, so  
 that the money may be ready for payment at the next General or Quarter Sessions of  
 the Peace holden within and for the said Colony, to be paid over in such manner as is  
 or shall be lawfully appointed, and if any of the said several debts cannot be levied by  
 reason of no goods or chattels being to be found belonging to the parties, then in all  
 cases that you take the bodies of the parties refusing or being unable to pay the  
 aforesaid debts and lodge them in the proper gaol, there to await the decision of the  
 Justices assembled at the next General or Quarter Sessions of the said Colony, unless  
 the parties shall have given sufficient security for their appearance at such Sessions, for  
 which you will be held answerable, and have you then there this writ.

Witness, \_\_\_\_\_ Esquire, Chairman of the Quarter Sessions of the Peace for the  
 of \_\_\_\_\_, in the Colony of New Zealand, the \_\_\_\_\_ day of \_\_\_\_\_, in  
 the \_\_\_\_\_ year of our reign.

E.F., Clerk of the Peace.

## SCHEDULE G.

TO THE SHERIFF [or OFFICER, as the case may be].

WHEREAS \_\_\_\_\_ hath appeared before the Justices of the Peace assembled at the General  
 or Quarter Sessions [as the case may be], held at \_\_\_\_\_, having forfeited the sum of \_\_\_\_\_  
 [Here describe the nature of the fine or forfeiture], and having made it appear to  
 the satisfaction of the Justices so assembled that [he or she] should be relieved from the  
 payment of the said sum of \_\_\_\_\_, [or if the penalty is mitigated, state from part thereof],  
 you are hereby required to discharge the said sum of \_\_\_\_\_ from the estreat roll delivered  
 to you after the Quarter Sessions held at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, for which  
 discharge this warrant shall be your authority, and shall exonerate you from the said  
 charge on the passing of your accounts before the proper officer.

By order of the Court,

E.F., Clerk of the Peace.