

1881.
NEW ZEALAND

LAW PROCEDURE COMMISSION

(SECOND INTERIM REPORT OF THE).

Presented to both Houses of the General Assembly by Command of His Excellency.

REPORT

To His Excellency the GOVERNOR.

WE, your Excellency's Commissioners to inquire into the constitution, practice, and procedure of the Supreme Court and other Courts of the colony, and to ascertain by what means the administration of justice therein may be rendered more speedy and efficacious, and generally for the purposes in the said Commission set forth, do respectfully submit to your Excellency the following interim report:—

Since the date of our previous report, the Committee appointed to prepare draft rules of procedure for local Courts has presented its report and the draft rules, a copy whereof is appended hereto. These have not been yet considered by the Commission.

Circumstances have, unfortunately, occurred which prevented the Commission making a final report before another meeting

The Commission proposes to report finally to your Excellency at its next meeting, to be held in November next.

All necessary documents to give effect to the final report will be prepared in time for submission to the General Assembly at its next session.

JAMES PRENDERGAST.
C. W. RICHMOND.
FRED. WHITAKER.

W S. REID.
W GISBORNE.
J N. WILSON.

4th August, 1881.

REPORT OF SUB-COMMITTEE APPOINTED TO PREPARE A CODE OF PROCEDURE FOR LOCAL COURTS IN NEW ZEALAND.

IN preparing the code of civil procedure in the local Courts the Sub-Committee have, in compliance with instructions, "adhered as closely as practicable to the language, method, and forms existing in the code of procedure in the Supreme Court." The Sub-Committee have thought it advisable to a great extent to exclude from the code matters of jurisdiction, and have only treated of jurisdiction where it was necessary for the sake of consistency, relying for general jurisdiction upon the forthcoming statute, and with which the code will be incorporated. Your Sub-Committee think it will be necessary in future legislation to consider the advisability of extending the powers now existing in the Resident Magistrates' Courts relative to the recovery of tenements, the examining of witnesses under "The Evidence Amendment Act, 1870," and "The Abolition of Imprisonment for Debt Act, 1874."