

Action No. 30.

In the Supreme Court of New Zealand, Canterbury District: between George Waldoek Ell, plaintiff, and Leonard Harper and Humphrey Hanmer (sole executor of the will of Phillip Hanmer, deceased), defendants.

MR. GEORGE WALDOEK ELL, the plaintiff, in person, or counsel on his behalf, to move, on Wednesday, the 2nd day of September, at 11 o'clock in the forenoon, or so soon thereafter as they can be heard, for an order to set aside the certificate or report of the Registrar and accountant in this case, on the ground of mistake, notwithstanding judgment has been already given thereon.

Dated this 28th day of August, 1885.

G. W. ELL.

[Heard, 2nd September, 1885. Dismissed with costs, with leave to appeal, if appeal lies.—ELL. (See Registrar's Supreme Court records, No. 30.)]

No. 6.

MOTION TO SET ASIDE JUDGMENT (ACTION No. 353).

In the Court of Appeal of New Zealand.—An appeal from the Supreme Court, Canterbury District: between George Waldoek Ell, plaintiff, and Leonard Harper, defendant.

TAKE notice that the Court of Appeal will be moved at its next sittings by plaintiff, in person, or by counsel on his behalf, for an order varying the judgment obtained by the defendant on the 2nd September, 1885, in this action, on the ground that the certificate of the Registrar and William Henry Hargreaves in this action is erroneous, and entering judgment for such amount as may be found due under certificate when varied, as asked for, in an appeal now pending in the said Court from an order of Mr. Justice Johnston dated the 2nd day of September, 1885.

G. W. ELL. 17/11/85.

To the Defendant, or his Solicitor, Mr. J. C. Martin.

COURT OF APPEAL CERTIFICATE (ACTION No. 353).

No. 413.—Received 28th June, 1886.—A. R. Bloxam, Registrar.

In the Court of Appeal of New Zealand: G. W. Ell, appellant, and Leonard Harper, respondent.

I, JAMES PRENDERGAST, Knight, Chief Justice of Supreme Court of New Zealand, do hereby certify to the Registrar of the Supreme Court at Christchurch that at a sitting of the Court of Appeal, held at Wellington on Monday, the 10th day of May, 1886, at which I presided, it is adjudged that the judgment in the Court below, dated the 22nd day of September, 1885, be set aside, and the certificate of the Registrar dated the 11th March, 1885, be remitted to the Registrar and accountant for review; each party to pay his own costs of the appeal.

Given under my hand and under the seal of the said Court at Wellington, this 5th day of June, 1886.

JAMES PRENDERGAST.

(L.S.) Alex. S. Allan, Registrar.—I.—1589.

RECEIPT FOR PAPERS RETURNED TO REGISTRAR.

Court of Appeal, Wellington, 25th June, 1886.

SIR,—

Ell v. Harper (No. 30), and Ell v. Harper (No. 353).

I have the honour to return herewith all papers received from your office in the above actions, together with the certificate of the judgment of the Court of Appeal, No. 413, the fees tailing out, which have been paid here. Please acknowledge the receipt.

I have, &c.,

The Registrar, Supreme Court, Christchurch.

D. G. A. COOPER, Deputy Registrar.

(Received, 28th June, 1886.—A. R. B. Registrar.)