

deavits, add or say upon hearing the evidence of C.D.], and upon hearing E.F., of , in person [or Mr. , of counsel or solicitor for E.F., of], [and if the application be on notice and the other party appear, then add and upon hearing G.H. (the other party), of , in person (or Mr. , of counsel or solicitor for the said G.H.); or if the other party do not appear, say and upon service of notice of this application upon G.H. being proved to my satisfaction], I do hereby order that [State the matter in the words of the Act as near as may be].

Given under my hand and the seal of the above Court, this day of , 1

J.K.,
Warden.

Form 65 (Reg. 92).

Under "The Mining Act, 1898."

FORM OF FINAL DECISION AND ORDER.

No. of the year 1
In the Warden's Court of the Mining District, holden at

Between , plaintiff,
and , defendant.

A.B. and C.D., complainants; E.F. and G.H., defendants.

I FIND [If upon the decision of Assessors, insert upon the decision of Assessors] that [Set forth the decision]; and I order [State the Warden's order in full, as, for instance, that possession of the land (describing it as described in the Schedule to this order) be delivered to A.B. and C.D.]; and that the said E.F. and G.H. do pay to the said A.B. and C.D. the sum of pounds for damages, and pounds for costs. I also order that certain auriferous earth, metal, or mineral in the possession of the said A.B., and which has been valued by me [or by the said Assessors] at , shall be delivered to the said A.B. and C.D., in satisfaction [or in part satisfaction] of such damages and costs.

Dated this day of , 1

J.K.,
Warden.

[NOTE.—The statements in this form are by way of example only. The form must be filled up according to the nature of the case.]

Form 66 (Reg. 92).

Under "The Mining Act, 1898."

MEMORANDUM OF CONSENT BY PARTIES TO APPEAL.

No. of the year 1
In the Warden's Court of the Mining District, holden at

Between A.B., plaintiff, and C.D., defendant.

WE, the above-named plaintiff and defendant, do hereby consent that any appeal which may be made herein shall lie to the Supreme Court of New Zealand, sitting at , and not to the District Court.

Dated at , this day of , 1

A.B. [or A.B., by his Solicitor, E.F.],
Appellant.

C.D. [or C.D., by his Solicitor, G.H.],
Respondent.

Form 67 (Reg. 92).

Under "The Mining Act, 1898."

NOTICE OF APPEAL.

No. of the year 1

In the Warden's Court of the Mining District, holden at

Between A.B., plaintiff, and C.D., defendant.

TAKE notice that I, , the above-named plaintiff [or defendant], being desirous of appealing from the decision of the Warden's Court in this suit, which decision was as follows [Here copy out minute of same as recorded in the judgment-book], intend to appeal against such decision on matter of fact alone [or on matter of law alone, or on both fact and law, as the case may be], and that the following are briefly the matters of law forming the ground of appeal:—

[Here set same out substantially but concisely in distinct paragraphs].

The said appeal is made to the Supreme Court of New Zealand, District, holden at [or to the District Court of District, holden at , as the case may be].

You, the said plaintiff [defendant, applicant, or objector, as the case may be], are therefore called on to show why the said decision shall not be [Here state whether total or only partial reversal is sought, or what measure of relief the appellant deems himself entitled to].

Dated this day of , 1

A.B.

[Signature of party appealing, either by himself or his Solicitor].

SIXTH SCHEDULE.

Reg 93.

WARDEN'S COURT.

Table of Fees.

	£	s.	d.
Summonses	...	0	2 0
Summonses to witnesses	...	0	2 0
Service of summonses, if to be made by bailiff within one mile of the Court-house	...	0	3 0
For every extra mile, one way	...	0	1 0
Hearing	...	0	4 0
Adjournment of hearing, when made on application of plaintiff or defendant	...	0	2 0
Filing demand for Assessors	...	0	2 0
Notice of payment into Court...	...	0	2 0
Order of the Court or a Warden in a suit	...	0	2 0
Entering of judgment	...	0	2 0
Filing notice of ground of appeal	...	0	8 0
Distress warrant	...	0	4 0
Issuing warrant to bailiff to deliver possession to a plaintiff or defendant of premises recovered	...	0	4 0
Executing any distress warrant beyond one mile from the Courthouse, for every extra mile, one way	...	0	1 0
Poundage on the sum levied or received in execution, for every £1	...	0	1 0
Serving or executing any writ of arrest, injunction, writ of attachment, or any summons, order, warrant, precept, writ, or other process not hereinbefore provided for, if within one mile of the Courthouse	...	0	4 0
For every extra mile, one way	...	0	1 0