

New Zealand.

CROWN SUITS.

1908, No. 34.

AN ACT to consolidate certain Enactments of the General Assembly relating to the Protection and Recovery of Crown Property and the Enforcement of Claims by and against the Crown.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. (1.) The Short Title of this Act is "The Crown Suits Act, 1908." Short Title.

(2.) This Act is a consolidation of the enactments mentioned in the First Schedule hereto, and with respect to those enactments the following provisions shall apply:— Enactments consolidated.

(a.) All appointments, rules, orders, warrants, records, instruments, and generally all acts of authority which originated under any of the said enactments, and are subsisting or in force on the coming into operation of this Act, shall enure for the purposes of this Act as fully and effectually as if they had originated under the corresponding provisions of this Act, and accordingly shall, where necessary, be deemed to have so originated. Savings.

(b.) All matters and proceedings commenced under any such enactment, and pending or in progress on the coming into operation of this Act, may be continued, completed, and enforced under this Act.

2. In this Act, if not inconsistent with the context,—

"Court" means the Supreme Court, and includes any Judge thereof: Interpretation.
1881, No. 3, sec. 3

"District" means a district constituted under "The Judicature Act, 1908":

"Law Officer" means the Attorney-General or Solicitor-General of New Zealand.

PART I.

RECOVERY OF PROPERTY AND DEBTS BY THE CROWN.

Mode of recovering
Crown debts.
1881, No. 8, sec. 4

3. (1.) All debts, damages, duties, sums of money, land, or goods, due, payable, or belonging to His Majesty shall be sued for and recovered by the means and in the manner hereinafter mentioned.

Saving of other
modes of recovering
such debts, &c.

(2.) Nothing herein shall prevent His Majesty from commencing and prosecuting proceedings for the recovery of any debt, damages, duty, sum of money, land, or goods, in any Court of competent jurisdiction, in accordance with the practice and procedure of that Court.

Act not to restrict
special powers.

(3.) This Act shall not be deemed to interfere with or restrict any special power or authority vested in His Majesty, or in any person on his behalf, with respect to all or any of the matters mentioned in this section.

Procedure to recover
fines imposed
otherwise than
by judgment or
conviction.
Ibid, sec. 5

4. (1.) Where a fine is imposed upon any person otherwise than by a judgment or conviction of some Court or Justice, a Judge of the Court by which or the Justice by whom such fine was imposed shall, if the same is not immediately paid, by writing under his hand in the form numbered (1) in the Second Schedule hereto or to the like effect, certify the fact, together with the name and place of abode or business of the person on whom such fine was so imposed, and the cause and amount of such fine, and shall deliver or send by post such writing to a Law Officer, who upon receipt thereof shall cause a final judgment to be signed in the Court for the amount of such fine, and a sum not exceeding five pounds for costs.

Duty of a Law
Officer thereon.

Form of judgment.

(2.) Every such judgment may be in the form numbered (2) in the Second Schedule hereto or to the like effect, and no appeal shall lie therefrom.

Debts due upon
recognisance to
be recoverable by
judgment.
Ibid, sec. 6

5. (1.) Where any person has entered into a recognisance to His Majesty, and such recognisance is forfeited, a Judge of the Court before which or the Justice before whom the same was forfeited may cause such recognisance to be estreated, and every such estreat shall be effected as hereinafter provided.

Procedure thereon.

(2.) Such Judge or Justice shall, by writing under his hand in the form numbered (3) in the Second Schedule hereto or to the like effect, certify that such forfeiture has taken place, and shall deliver or send by post the said recognisance and writing to a Law Officer, who upon receipt thereof shall cause a final judgment to be signed in the Court for the amount of such recognisance, and a sum not exceeding five pounds for costs.

Form of judgment.

(3.) Every such judgment may be in the form numbered (4) in the Second Schedule hereto or to the like effect, and no appeal shall lie therefrom.

Person may be
appointed in each
district to act in
certain cases.
Ibid, sec. 7

6. (1.) The Governor may from time to time appoint for each district a person, being a barrister or solicitor of the Court, to act in the district for which such person is appointed in the name and on behalf of a Law Officer in all such matters as by sections four and five hereof are to be done by a Law Officer.

(2.) On any such appointment being made and gazetted, all certificates under section four hereof of fines imposed within the district for which any such person is appointed shall be sent to him, instead of to a Law Officer, and he shall cause final judgment to be signed thereon in the form mentioned in that section.

Certificates of fines imposed to be sent to such person.

(3.) All recognisances forfeited within the district for which any such person is appointed shall, together with the certificate mentioned in section five hereof, be sent to him, and he shall cause final judgment to be signed thereon on behalf of a Law Officer in the form mentioned in that section.

Recognisances and certificates to be sent to such person.

7. Where final judgment has been signed under the provisions hereinbefore contained, the Court may order satisfaction to be entered upon the judgment, whether execution has been issued thereon or not :

Judgments may be vacated by Supreme Court.

1881, No. 8, sec. 8

Provided that such order shall not be made except upon a rule *nisi* or summons calling upon a Law Officer to show cause: nor unless it is proved by affidavit to the satisfaction of the Court either that the judgment has been satisfied, or that, according to equity and good conscience and the real merits and justice of the case, the defendant ought not to be required to satisfy the same.

8. (1.) Where any debt, duty, or sum of money is due to His Majesty otherwise than upon any recognisance, His Majesty may cause to be sued out of the Court a writ, to be called a writ of *capias ad respondendum*.

Mode of recovering other debts and duties.

Ibid, sec. 9

(2.) Every such writ may be in the form numbered (5) in the Second Schedule hereto or to the like effect, and shall be executed by the Sheriff or other officer or person to whom the same is directed, and shall be deemed and taken to be the commencement of a Crown suit.

9. His Majesty may order the Sheriff, or other officer or person to whom such writ is directed, not to arrest any one or more of the defendants, but only to serve a copy thereof on him or them, which order shall be duly obeyed by such Sheriff or other officer or person, and such service shall be of the same force and effect as the service of a writ of summons in any personal action between subject and subject.

Sheriff may be ordered not to arrest defendant.

Ibid, sec. 10

10. Such writ shall not be issued except upon a fiat under the hand of a Law Officer in the form numbered (6) in the Second Schedule hereto or to the like effect, stating the mode in which the same (so far as regards the execution or service thereof) is to be indorsed; and before signing any such fiat the Law Officer shall by due inquiry satisfy himself that such indorsement is reasonable and proper under the circumstances of the case.

Writ not to issue except upon fiat of a Law Officer.

Ibid, sec. 11

11. If any person is arrested under any such writ, and the Sheriff, or other officer or person to whom the same is directed, takes bail from such person, such Sheriff or other officer or person shall, at the request of a Law Officer, assign to His Majesty the bail-bond taken from such person by indorsing and attesting the same under his hand and seal in the presence of two or more credible witnesses, and if such bail-bond is forfeited such process shall issue thereupon as may issue on bonds originally made to His Majesty.

Bail-bonds in Crown suits may be assigned, to His Majesty.

Ibid, sec. 12

Proceedings
indorsed on writ
may be taken.
1881, No. 8, sec. 13

12. All such steps and proceedings as are mentioned in or upon any writ issued under this Part of this Act, or in any notice issued according to the course and practice for the time being of the Court, shall and may, *mutatis mutandis*, be had and taken in the same manner as if the same were expressly directed by this Act.

Information to be
filed in lieu of
declaration.
Ibid, sec. 14

13. (1.) In lieu of the statement of claim delivered in a civil suit between subject and subject, an information shall be filed or delivered, as the case may be, by a Law Officer for and on behalf of His Majesty; and in such information the cause of complaint shall be set forth in the same manner and form as nearly as may be as in any such statement of claim as aforesaid.

(2.) Every such information shall commence and conclude in the form numbered (7) in the Second Schedule hereto or to the like effect.

Proceedings in
Crown suits to be
same as in ordinary
actions.
Ibid, sec. 15

14. The time, form, and manner of process and proceeding in any Crown suit shall, except where otherwise provided by this Part of this Act, be the same as nearly as may be as by any law or rule of practice or pleading in force in the Court is directed in any civil action between subject and subject.

Title of cause and
proceedings.
Ibid, sec. 16

15. In all pleadings and proceedings under this Part of this Act, and in all affidavits, notices, consents, summonses, and rules to be used therein, the title of the cause or proceedings shall be stated to be "The King against [*the person sued, naming him*]," and no other title shall be necessary; and His Majesty shall be entitled to full costs of suit in all cases in which a plaintiff in any civil action between subject and subject would be entitled thereto.

Persons may defend
in *forma pauperis*.
Ibid, sec. 17

16. Where any person, against whom proceedings under this Part of this Act are instituted in the Court, is disabled by poverty from making defence thereto, such person may petition the Court on affidavit verifying such disability, and the Court, on being satisfied of the truth of the facts alleged, may assign counsel and solicitor to such person, and the counsel and solicitor so assigned are hereby required to act for such person without fee.

Practice in motions
for new trial, &c.
Ibid, sec. 18

17. A motion for a new trial, or to enter judgment, or in arrest of judgment, or for judgment *non obstante veredicto*, shall be allowed and be made and granted in the same manner and upon the same terms in all respects as, by any law or rule of practice in force, is directed in any civil action between subject and subject.

How possession of
land may be
recovered.
Ibid, sec. 19

18. (1.) The possession of land belonging to His Majesty may be recovered and obtained by proceedings in an action for possession of land in the same form as nearly as may be as in an action to recover possession of land between subject and subject.

Possession of goods,
&c., may be
recovered as other
debts due to the
Crown.

(2.) The possession of goods, or damages for detaining, taking, converting, or injuring them, or for trespassing upon land, may be recovered in the same manner as is hereinbefore directed with respect to any debt, duty, or sum of money due to His Majesty otherwise than upon a recognisance.

What writs of
execution may issue
in actions for
possession of land
or goods.
Ibid, sec. 20

19. In all Crown suits in the nature of actions to recover possession of lands or goods, such writs of execution as, by any law or rule of practice in force, can be issued in any civil action of the same nature between subject and subject for the recovery of land or goods may be issued on behalf of His Majesty, and,

where such writ or any part thereof is or may be a *feri facias*, in such case the writ next hereinafter mentioned may be issued.

20. (1.) All sums recovered by His Majesty by any judgment under this Part of this Act may be levied and recovered by a writ (to be called a *feri capias*) in the form numbered (8) in the Second Schedule hereto or to the like effect.

Execution in other cases.
1881, No. 8, sec. 21.

(2.) The Sheriff, on behalf of His Majesty, may levy the poundage fees and expenses of execution over and above the sum recovered, and shall have all such rights, powers, and remedies for obtaining and compelling satisfaction of any judgment as by any law now or hereafter to be in force are available in a civil action between subject and subject.

Recovery of fees and expenses thereon.

21. (1.) A memorandum of the commencement of any proceedings under this Part of this Act, in the form numbered (9) in the Second Schedule hereto, under the hand of a Law Officer, may be filed with the Registrar of Deeds or District Land Registrar in any one or more districts, without any map or plan thereon, and the particulars thereof shall be entered by such Registrar in a book to be called "The Register of Crown Debts."

Lien on real estate may be filed.
Ibid, sec. 22

(2.) A memorandum so filed shall create a lien upon and have priority over all unregistered claims against any land of the defendant, or beneficial interest of the defendant in land, in the district of the Registrar in whose office such memorandum is so filed, for the sum which shall be recovered in the course of such proceedings, together with the costs thereof.

Effect of lien.

22. (1.) A memorandum of the commencement of any proceedings under this Part of this Act in the said form numbered (9), under the hand of a Law Officer, may be filed in the office of the Registrar of the Court in any one or more district or districts.

Lien on personal estate may be filed.
Ibid, sec. 23

(2.) Every memorandum so filed shall create a lien upon and have priority over all other debts against the personal estate of the defendant within the district wherein such memorandum is filed, for the sum which shall be recovered in the course of the proceedings, together with the costs thereof.

Effect of lien.

23. In all informations, actions, and all other legal proceedings to be hereafter instituted before any Court or tribunal whatever, by any public officer or other person on behalf of the Crown, for the recovery of any fine, penalty, forfeiture, or sum of money which, under or by virtue of any Act now or hereafter to be in force, or provincial ordinance now in force, are authorised or directed to be imposed upon any person, the Court or tribunal may, when judgment shall be given for the Crown, order that such public officer or other person shall recover such costs for and on behalf of His Majesty as shall seem just and reasonable; and the amount of such costs shall in all cases be specified in the judgment or conviction, as the case may be.

Costs of recovery may be granted to Crown.
1888, No. 4, sec. 4

24. (1.) Whenever, under the authority of this or any other Act or law, a Law Officer or other public officer (howsoever designated) commences an action or other legal proceeding, either in the name of His Majesty or in the name of such officer (as may be authorised), in any Court of inferior jurisdiction for the recovery of any debt, duty, sum of money, or goods, and judgment is given

Costs to be recovered by Crown where successful.
1881, No. 8, sec. 24

for the Crown or such officer, such officer shall be entitled to recover costs for and on behalf of His Majesty in the same manner and under the same provisions and rules as may for the time being be in force for the payment and receipt of costs in such Court as between subject and subject.

(2.) All such costs shall be paid into the Public Account and form part of the Consolidated Fund.

Defendant entitled to costs where Crown unsuccessful.
1881, No. 8, sec. 25

(3.) If in any such action or proceeding judgment is given against the Crown or officer, the defendant shall be entitled to recover costs in like manner, and subject to the same provisions and rules, as if the action or proceeding had been between subject and subject; provided that no officer as aforesaid shall incur any liability for costs either in person or estate.

(4.) The Minister of Finance, upon the warrant of the Governor, which he is hereby authorised to issue, shall pay such costs out of any moneys which may be appropriated by Parliament for that purpose.

PART II.

MODE OF ENFORCING CLAIMS AGAINST THE CROWN.

Persons having claims against the Crown may proceed by petition.
Ibid, sec. 26

25. (1.) Where any person has any claim or demand against His Majesty within New Zealand, he may set forth in a petition the particulars of his claim or demand, in the same manner as nearly as may be as in a statement of claim in an ordinary action.

In what district petition to be filed.
Ibid, sec. 27

(2.) Such petition shall be filed in some office of the Court in the district wherein the cause of action, claim, or demand, or some material part thereof arose, in order that the Court may proceed to hear and determine the same as hereinafter mentioned, and the filing of such petition in the manner aforesaid shall be the commencement of the suit.

Notice of filing petition to be sent to the Attorney-General.
Ibid, sec. 28

26. No petition shall be so filed unless and until one month's previous notice in writing has been given to, or left at the office of, or forwarded by post to, a Law Officer, signed by the party intending to file the petition, or by his solicitor or agent, and stating explicitly the claim or demand, and the nature of the relief sought, and naming the office of the Court in which it is intended to file such petition.

How proceedings on a petition to be conducted.
Ibid, sec. 29

27. The proceedings on any petition filed under this Part of this Act shall be conducted in the same manner, and subject as nearly as may be to the same rules of practice, as an ordinary action between subject and subject; save that an office copy of such petition shall be delivered at the office of a Law Officer, and such delivery shall be equivalent to service of the writ and statement of claim in an ordinary action.

Time for pleading to petition.
Ibid, sec. 30

28. (1.) A Law Officer, or some solicitor from time to time appointed by him for the purpose, may, for and on behalf of His Majesty, appear to plead or demur to such petition at any time within twenty-eight days after delivery of a copy thereof as aforesaid, or such further time as the Court may allow.

(2.) And a Law Officer, or such solicitor as aforesaid, may plead and demur at the same time to any such petition or any other pleading thereon without leave of the Court, and a Law Officer shall have the right to select the place of trial of the issues raised.

A Law Officer may plead and demur at same time, and may select place of trial.

29. All pleadings after delivery of such petition shall be respectively delivered between the petitioner and a Law Officer or solicitor appointed as aforesaid, and every such petition and pleading respectively shall be in the forms numbered (1) and (2) in the Third Schedule hereto or to the like effect, and shall be entitled of the said Court, and of the date when the same is filed or delivered.

Form and date of petition and proceedings.
1881, No. 8, sec. 31

30. The Court shall give such judgment, order, or decree in any such petition as it would give and pronounce in any action between subject and subject, and an appeal shall lie from any such judgment, order, or decree of the said Court in like manner as in any action between subject and subject; and the costs of suit shall follow on either side as in ordinary cases between other suitors.

Court may give judgment on petition, and allow costs, as in ordinary action.

Ibid, sec. 32

31. Except as hereinafter mentioned, no execution or attachment, or process in the nature thereof, shall be issued in any such action; but, after any such judgment, order, or decree as aforesaid has been given or pronounced against the Crown, the Registrar of the Court shall give to the petitioner a certificate in the form numbered (3) in the Third Schedule hereto or to the like effect.

No execution to issue against Crown, but certificate of amount awarded to issue.

Ibid, sec. 33

32. On receipt of such certificate the Governor may cause to be paid, out of any money specially appropriated by Parliament to that purpose, such damages as are awarded to the petitioner, together with any costs allowed him by the Court, and may also perform any decree or order pronounced or made by the Court.

Effect of such certificate.

Ibid, sec. 34

33. Notwithstanding anything herein, where any such judgment, order, or decree as aforesaid has been given against the petitioner, His Majesty may enforce the same by execution, attachment, or other process in like manner as a defendant in any action between subject and subject could or might enforce the same.

Execution on behalf of His Majesty.

Ibid, sec. 35

34. So far as the same may be applicable, the laws, statutes, and rules in force, or that may hereafter be in force, as to pleading, evidence, hearing, and trial, security for costs, amendment, arbitration, special cases, the means of procuring and of taking evidence, set-off, limitations, appeal, and all other laws, statutes, and rules available as between plaintiffs and defendants in personal actions between subject and subject, and the practice and course of procedure of the Court in its legal and equitable jurisdiction respectively for the time being in reference to such suits and personal actions, shall, unless the Court shall otherwise order, be applicable and apply and extend to proceedings on a petition under this Part of this Act.

Ordinary rules to apply to proceedings on petition.

Ibid, sec. 36

35. No claim or demand shall be made under this Part of this Act upon or against His Majesty except in respect of some one of the causes of action hereinafter mentioned, and for which cause of action a remedy would lie if the defendant were a subject of His Majesty:—

What claims and demands are within Act.

Ibid, sec. 37

(a.) Breach of any contract entered into under the lawful authority of the Governor on behalf of His Majesty, or of His Majesty's Executive Government in New Zealand, whether such authority is express or implied:

(b.) A wrong or damage, independent of contract, done or suffered under any such authority as aforesaid, in, upon, or in connection with a public work, meaning thereby any railway, tramway, road, bridge, electric telegraph, or other work of a like nature used by the Government of New Zealand or constructed by such Government out of moneys appropriated by Parliament, and the revenues whereof form part of the general revenue.

Where claim within jurisdiction of inferior Court.

1881, No. 8, sec. 38

36. Where any person has any claim or demand that is within the jurisdiction of any inferior Court, he may apply to a Law Officer for his consent to the hearing and determination of such claim and demand in any such Court to be named in the application; and, if such consent is given, the claim or demand may be commenced, heard, and determined in such inferior Court, in like manner in all respects as in suits between subject and subject, and in all other respects, and, so far as applicable, the provisions of this Part of this Act shall apply to such suits.

Limitation of time within which petition may be filed.

Ibid, sec. 39

37. No person shall be entitled to prosecute or enforce any claim under this Part of this Act unless the petition setting forth the relief sought is filed within twelve months after the claim or demand has arisen.

PART III.

GENERAL PROVISIONS.

Rules of practice and procedure.

Ibid, sec. 41

38. Rules for regulating and conducting the practice and mode of procedure under any Part of this Act in all instances in which the practice and mode of procedure in civil actions between subject and subject is not applicable may be made from time to time by the Judges of the Court in the manner prescribed by "The Judicature Act, 1908."

Saving of certain enactments and rights.

Ibid, sec. 42

39. Nothing in this Act shall be deemed to interfere with or affect any Act that now is or hereafter may be in force whereby His Majesty, or any of his officers or servants, is exempt from liability for anything done under such Act; or to affect any power, authority, or liability vested in or imposed upon His Majesty or any of his officers or servants under any such Act.

SCHEDULES.

FIRST SCHEDULE.

ENACTMENTS CONSOLIDATED.

1881, No. 8.—"The Crown Suits Act, 1881."

1888, No. 4.—"The Penalties Recovery and Remission Act, 1888": Section 4.

SECOND SCHEDULE.

(1.) CERTIFICATE OF FINE.

Section 4 (1).
1881, No. 8,
Schedule.

This is to certify to the Law Officers of the Crown that, at the _____ this day held at _____, the several persons whose names and places of abode or business are specified in the Schedule below were fined the several sums therein set opposite to their respective names, and that the cause of each such fine is duly and truly set forth in the said Schedule.

SCHEDULE.

Full Name.	Place of Abode or Business.	Cause of Fine.	Amount.		
			£	s.	d.
		<i>Behaving and conducting himself in a disorderly manner in Court.</i>			
Total			£		

Given under my hand this _____ day of _____, 19____,
X. Y., Judge [or Justice].

(2.) JUDGMENT IN RESPECT OF FINE.

Section 4 (2).

No. _____

In the Supreme Court of New Zealand.)
to wit.)

BE it remembered that F. F., Esquire, Attorney- [or Solicitor-] General, for and on behalf of our Lord the King gives the Court here to understand and be informed that at the _____ of the _____, holden at _____, on the _____ day of _____, 19____, before X. Y., Esquire, _____, a fine of _____ was imposed and inflicted upon A. B., for that he the said A. B. [behaved and conducted himself in a disorderly manner in the said Court, or as the case may be] as by the certificate of the said X. Y. now filed of record appears. Therefore, on the _____ day of _____, 19____, it is considered by the Court here that our said Lord the King do recover against the said A. B. the said sum of _____, and also the sum of _____ pounds for costs, making together the sum of _____.

(3.) CERTIFICATE OF FORFEITURE OF RECOGNISANCE.

Section 5 (2).

This is to certify to the Law Officers of the Crown that, at the _____ this day held at _____, the recognisances hereunto annexed were forfeited, and were then and there caused to be estreated.

Given under my hand this _____ day of _____, 19____,
X. Y., Judge [or Justice].

(4.) JUDGMENT IN RESPECT OF RECOGNISANCE.

Section 5 (3).

In the Supreme Court of New Zealand.)
to wit.)

BE it remembered that F. F., Esquire, Attorney- [or Solicitor-] General, for and on behalf of our Lord the King gives the Court here to understand and be informed that at the _____ holden at _____, on the _____ day of _____, 19____, before X. Y., Esquire, _____ the recognisance of one A. B., by which he acknowledged to owe to our said Lord the King the sum of _____, was forfeited and estreated

(7.) INFORMATION.

In the Supreme Court of New Zealand.)
 , to wit.

Section 13.
 1881, No. 8,
 Schedule.

The day of , 19 .
 F. F., Esquire, Attorney- [or Solicitor-] General, for and on behalf of our Lord the King sues E. F. and G. H., who have been arrested to answer our said Lord the King by a writ issued on the day of , 19 .
 And also for, &c. [Proceed as usual with the second and subsequent counts if any.] And our said Lord the King claims pounds [or, if the suit is to recover specific goods, a return of the said goods or their value, and pounds for their detention].

(8.) WRIT OF HABEAS CORPUS.

Section 20.

No. .

EDWARD, by the Grace of God, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King, Defender of the Faith:

To the Sheriff of the , Greeting:

We command you that you take C. D., if he shall be found in your bailiwick, and him safely keep so that you may have his body before our Supreme Court at immediately after the execution hereof, to satisfy us pounds which lately in our said Court we recovered against the said C. D., whereof the said C. D. is convicted, together with the sum of for interest upon the said sum at the rate of eight pounds for every one hundred pounds by the year until this day. And we do further command you that of the real and personal estate of the said C. D., in your bailiwick, you cause to be made the said sums, and have the same before our said Court immediately after the execution hereof to be rendered to us, and in what manner you have executed this writ make appear to our said Court immediately after the execution hereof, and have there then this writ.

Witness, R. S., of our Supreme Court, at , this day of , one thousand nine hundred and .

Indorsements.

Levy the whole [or £] besides Sheriff's poundage, officers' fees, and other incidental expenses.

When the full amount is levied the defendant may be discharged without further authority, but if the full amount is not levied the defendant can be discharged only by the Court or a Judge, or by the written authority of the Attorney- [or Solicitor-] General.

The defendant is a , and resides at .

(9.) MEMORANDUM OF PROCEEDINGS.

Sections 21, 22.

The King against

PROCEEDINGS to recover the sum of £ [or certain goods, or the sum of £] have been commenced in the Supreme Court at , against , of , the defendant above named.

F. F.,
 Attorney- [or Solicitor-] General.

THIRD SCHEDULE.

(1.) PETITION.

Section 29.

In the Supreme Court }
 of New Zealand. }

The day of , 19 .

To the King's Most Excellent Majesty,
 Your faithful subject A. B., of , in the County [or Borough] of , humbly sheweth:—

That, &c. [Here set forth the grounds on which petitioner claims relief.] Your suppliant therefore most humbly prays that your Majesty will be most graciously

