

"Affidavit" includes statutory declaration and affirmation; and the word

"sworn" includes affirmed:

"Certificate of judgment or order" includes a certified copy of order or judgment:

"Foreign Court" means the Court to which process is sent for service or execution from a Home Court:

"Home Court" means the Court from which process is issued.

Reference in these rules to numbered forms means the forms as numbered in Appendix A hereto.

2. Office Hours.

The Clerk shall keep his office, at the place where the Court of which he is Clerk is held, open to the public from 9.30 a.m. till 1 p.m., and from 2 p.m. till 4 p.m., except on Saturday, on which day the office shall be closed to the public at noon:

Provided that when the Clerk has to attend to more offices than one, situate at different places, or when the Clerk is also a police officer, he shall keep his office or offices open on such days and hours as the Magistrate shall from time to time appoint.

A notice of the office hours shall be posted in some convenient place accessible to the public:

Provided also that any office may from time to time be closed or opened by special order of the Magistrate.

3. Holidays.

The following days shall be holidays in the Courts and the offices thereof, that is to say: The days from Good Friday to Easter Tuesday, both inclusive; the days from Christmas Eve to the 3rd January, both inclusive; the birthday of the reigning Sovereign; the birthday of His Royal Highness the Prince of Wales; and, in each district, the anniversary of the establishment of the province, and all other public holidays prescribed by statute. A clerk will, however, attend at 9 a.m. on every holiday to transact any urgent business, unless the Magistrate shall specially dispense with such attendance. When any of the holidays hereinbefore mentioned falls on a Sunday, the following day shall be a holiday.

Where the time for doing any act or taking any proceeding expires on a Sunday, or other day on which the offices of the Court are closed, and by reason thereof such act or proceeding cannot be done or taken on that day, such act or proceeding shall, so far as regards the time of doing or taking the same, be held to be duly done or taken if done or taken on the day on which the offices are next open.

4. Plaintiff-book.

The Clerk shall keep the plaintiff-book in the Form No. 1. The names, last known places of abode, and occupations of both plaintiffs and defendants shall, in all cases where they are known, be entered in full.

The Clerk shall keep an alphabetical index to the plaintiff-book, and make the necessary entries in the said index at least once in each week.

5. Plaintiff-note.

The plaintiff-note shall be in one of the Forms Nos. 7, 8, or 9. No entry shall be made in the plaintiff-book until the plaintiff-note has been delivered to the Clerk, with the prescribed fee affixed thereon in stamps. The number of the plaintiff and the title of the action, together with the date of hearing, the several adjournments (if any), the particulars of the judgment when given, the name of the Magistrate or Justices by whom given, and the names of the solicitors appearing (if any), shall be endorsed thereon. The name of each witness and by whom summoned shall also be entered on the plaintiff-note opposite to the stamp denoting the fee for the subpoena.

The Clerk shall keep the plaintiff-note, together with all processes, notices, orders, and other documents relating to the action, in a separate bundle, properly secured and endorsed. All plaintiff-notes shall be filed in numerical order of each year.

6. Statement of Claim.

The full and explicit statement in writing of the particulars of plaintiff's claim, which he is to deliver to the Clerk, shall be headed "Statement of Claim," and forms similar to those in Appendix B hereto may be used. For goods sold and delivered, particulars of which have been already delivered in writing, it shall be a sufficient compliance with section 68 of the Act if that statement is in the form set out in the First Schedule to the Act, or in such similar form as is appropriate to the case. Where the plaintiff is entered by a solicitor his name and address shall appear at the foot of the statement of claim.

7. When Summons to be issued.

All summonses shall, if possible, be issued on the day upon which they are applied for, and forwarded or handed to the proper officer or person for service not later than the day after application.