

# DISTRICT COURTS RULES. <sup>(1)</sup>

1. These Rules may be cited as the *District Courts Rules*.<sup>(1)</sup>

Short title.  
Sub. by Rules  
gazetted on  
31.1.1934, r. 1 ;  
re-sub. by 1936,  
No. 34, r. 1.

1A. Where, on an information being laid, a warrant is issued in the first instance for the apprehension of any person, and where such person being apprehended is brought before a court, and either by warrant committed to gaol or discharged on recognizance until the hearing of such information, the police officer who has executed such warrant shall forthwith transmit the original warrant of apprehension to the clerk of the court to which such person has been remanded or at which he has been bound by recognizance to appear.

Warrant to be  
transmitted.  
Ad. by Rules  
gazetted on  
31.1.1934, r. 1.

2. Where a recognizance has been entered into before a justice conditioned for the appearance of a person before a court, or for the doing of some other matter or thing in, to, or before a court, or in a proceeding in a court, such justice shall forthwith transmit the said recognizance to the clerk of such court.

Recognizance  
to appear, &c.,  
to be  
transmitted.

3. Where a recognizance conditioned to keep the peace, or to be of good behaviour, or to observe some forbearance has been entered into, such recognizance shall, if the same was directed by a court to be entered into, be forthwith transmitted by the person taking the same to the clerk of such court, and shall in all other cases be forthwith transmitted to the clerk of the nearest court in the district wherein the same was entered into.

Recognizance  
to keep the  
peace, &c., to  
be transmitted.

4. Where, on an information being laid or complaint made, a summons is issued for the attendance of any person at a court, the police officer or other person who serves such summons, whether the same be served, personally or otherwise, shall forthwith, after service has been effected, transmit such summons to the clerk of the court at which such summons is returnable.

Summonses to  
be transmitted.

5. Summonses shall be issued only on the application of the complainant in person or of his counsel or solicitor, or of any other person authorized in that behalf.

Application for  
summons.

5A. Where an order for substituted or other service or for the substitution for service of notice by advertisement or otherwise is made

Indorsement  
of order for  
substituted  
service.

Ad. by 1936,  
No. 34, r. 2.

(1) The *District Courts Rules* (made under the *District Courts Ordinance 1924-1933*) comprise the original *District Court Rules* as amended by the other Rules referred to in the following Table:—

### RULES MADE BY THE ADMINISTRATOR.

| Description ; and number and year (if any). | Date on which made by Administrator. | Date on which published in N.G. Gaz. | Date on which took effect.                       |
|---|--------------------------------------|--------------------------------------|--|
| <i>District Court Rules</i> .. .. .         | 14. 6. 1924                          | 16. 6. 1924                          | 1. 7. 1924 ( <i>N.G. Gaz.</i> of 16. 6. 1924)    |
| <i>Amending Rule</i> .. .. .                | 25. 8. 1925                          | 31. 8. 1925                          | 31. 8. 1925 ( <i>N.G. Gaz.</i> of 31. 8. 1925)   |
| <i>Amending Rule</i> .. .. .                | 25. 1. 1926                          | 1. 2. 1926                           | 1. 2. 1926 ( <i>N.G. Gaz.</i> of 1. 2. 1926)     |
| <i>Amending Rules</i> .. .. .               | 22. 1. 1934                          | 31. 1. 1934                          | 31. 1. 1934 ( <i>N.G. Gaz.</i> of 31. 1. 1934)   |
| <i>Amending Rules</i> (1936, No. 34) ..     | 23. 10. 1936                         | 13. 11. 1936                         | 15. 12. 1936 ( <i>N.G. Gaz.</i> of 13. 11. 1936) |

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under section 52A of the Ordinance, the order shall be endorsed on the original summons and shall be signed by the justice or one of the justices making the order.

Documents not stamped.

6. Where any document requiring a fee-stamp is issued by or acknowledged before a justice, such justice shall satisfy himself that the proper fee-stamp is affixed thereto, and shall cancel such stamp unless he shall satisfy himself that the same has been already cancelled by some proper officer.

Registers. Sub. by Rules gazetted on 1.2.1926.

7. Registers in Form 1 in the Schedule hereto shall be kept at such places in a district as the Administrator may by notice<sup>(2)</sup> in the *New Guinea Gazette* direct; and each Register shall be distinguished by the name of the District Court and by the name of the place at which it is kept.

Order of hearing informations and complaints. Sub. by Rules gazetted on 1.2.1926.

8. Before each sitting of the Court held at a place at which a Register is kept the Clerk of Court shall enter in such Register the various informations and complaints to be heard at such sitting in the order in which the summonses or warrants issued on such informations or complaints have reached his hands, and the said informations and complaints shall be called for hearing in the order in which they stand in the list; but the Court may, if it thinks fit, hear first in order the cases which may, in its opinion, be more conveniently so disposed of.

Suitors' Cash Book. Sub. by Rules gazetted on 1.2.1926.

9. At a place at which a Register is kept the Clerk shall keep a Suitors' Cash Book in Form 2 in the Schedule hereto, in which he shall enter all moneys received, from or on behalf of complainants or defendants, and all moneys paid to or on behalf of complainants or defendants.

Security Book. Sub. by Rules gazetted on 1.2.1926.

10. At a place at which a Register is kept the Clerk shall keep a Security Book in Form 3 in the Schedule hereto, and shall enter therein with respect to each security given in relation to any proceeding before the Court the name and address of each person bound, showing whether he is bound as principal or surety, the sum in which each person is bound, the undertaking or condition by which he is bound, the date of the security, and the person before whom it is taken.

(2) Pursuant to Rule 7, the Administrator, by the notices referred to in the following Table, directed that Registers in Form 1 to the *District Courts Rules* should be kept at the places set out in the fourth column of the Table :—

| Date on which notice made. | Date on which published in <i>N.G. Gaz.</i> | District.          | Places in the District at which Registers are to be kept. |
|----------------------------|---|--------------------|---|
| 9.10.1926                  | 15.10.1926                                  | New Britain .. ..  | Rabaul, Kokopo, Talasea, Gasmata                          |
| 9.10.1926                  | 15.10.1926                                  | Kavieng(a) .. ..   | Kavieng   |
| 9.10.1926                  | 15.10.1926                                  | Kieta .. ..        | Kieta   |
| 12.4.1930                  | 15.4.1930                                   | Kieta .. ..        | Buka Passage  |
| 9.10.1926                  | 15.10.1926                                  | Madang .. ..       | Madang  |
| 9.10.1926                  | 15.10.1926                                  | Namatanai(a) .. .. | Namatanai   |
| 9.10.1926                  | 15.10.1926                                  | Manus .. ..        | Manus   |
| 9.10.1926                  | 15.10.1926                                  | Aitape (a) .. ..   | Aitape  |
| 9.10.1926                  | 15.10.1926                                  | Sepik .. ..        | Ambunti   |
| 9.10.1926                  | 15.10.1926                                  | Morobe .. ..       | Morobe and Salamaus                                       |
| 3.12.1930                  | 15.12.1930                                  | Morobe .. ..       | Wau   |
| 28.6.1928                  | 30.6.1928                                   | New Ireland .. ..  | Kavieng and Namatanai                                     |

(a) This District was subsequently abolished. See footnote (4) printed on p. 1077.

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11. At a place at which a Register is kept the Clerk shall keep an Instalment Book in Form 4 in the Schedule hereto, in which he shall enter the register number and date of every order or conviction by which a sum of money is adjudged to be paid by instalments, the name of the person against whom the order or conviction is made, the manner of payment ordered, and each instalment as soon as it is paid.

Instalment Book.  
Sub. by Rules gazetted on 1.2.1926.

12. Where a court by whose conviction or order any sum is adjudged to be paid allows time for payment of the said sum, or directs payment to be made by instalments, the clerk to whom the said sum or instalments shall have been paid shall account for such sums as shall have been paid in the usual manner.

Accounting for sums paid by instalments.

13. The clerk or justice before whom a complaint is made shall in all cases where particulars are given by the complainant under the Ordinance or these Rules stamp or initial such particulars and likewise the copy of the defendant's particulars of set-off (if any).

Particulars to be stamped.

14. Moneys paid into court, and the moneys to which complainants and defendants are respectively entitled shall be paid out on demand on every day on which the office is open.

Payment into and out of court.

15. Whenever money is paid into court by or on behalf of the defendant or complainant, the clerk shall give to the person paying the money an acknowledgment in writing of such payment in Form 13 in the Schedule hereto; and where money is paid out of court to or on behalf of the complainant or defendant, the person receiving such money shall sign in the Suitors' Cash Book an acknowledgment thereof.

Form.

16. Any erasure or interlineation in a summons at the time of the issue thereof shall be stamped or initialled by the clerk or justice who issues the same, but failure to stamp or initial shall not invalidate the summons.

Erasures or interlineations.

16A. Where an application for an extension of the time for hearing any summons is made to a justice or a clerk and the justice or the clerk extends the time for hearing, the justice or the clerk shall alter the date on which the summons is made returnable and shall write his name and the date of making the alteration in the margin of the summons.

Extension of return date of summons.

Ad. by 1936, No. 34, r. 3.

17. A complaint may be made or an information laid, and a summons may be issued thereon, against two or more persons liable or chargeable, whether jointly, severally, or in the alternative; and orders or convictions may be made against such one or more of such persons as the court may find to be liable.

Complaint against two or more persons.

18. Where on the hearing of any such complaint as in the preceding Rule mentioned an order is made against two or more defendants jointly, such order may be enforced by distress or otherwise against any one of the defendants affected thereby in the same manner as if the order had been made against him separately. Provided that, after the order is satisfied by performance or payment by, or distress on the goods of, any of such defendants, no further steps shall be taken to enforce the same against the other defendant or defendants. Provided

Enforcement of order made against two or more defendants.

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also that nothing herein contained shall affect any right to contribution or other relief which may exist as between the defendants themselves.

Partners.

19. Any two or more persons claiming or being liable as co-partners may join in making a complaint, or may be joined as defendants in a summons, in the names of their respective firms (if any) and any person carrying on business in the name of a firm apparently consisting of more than one person may be sued in the name of such firm.

Special defences.

20. Where on any complaint for a civil debt recoverable summarily the defendant intends to rely upon any of the grounds of defence following, namely, set-off, infancy, coverture, any Statute of Limitations, discharge under any law relating to bankrupts or insolvent debtors, tender, or payment into court, he shall forward to the complainant and to the clerk a notice stating therein his name and address, together with a concise statement of such grounds. Such notice shall be delivered to the complainant and to the clerk respectively, or if sent by post shall be posted in such time and manner that it may in the ordinary course reach the hands of the complainant and clerk respectively twenty-four hours at least before the time at which the summons is returnable. Provided that in case of non-compliance with this Rule and the complainant not consenting at the hearing to permit the defendant to avail himself of such defence, the court may, on such terms as it thinks fit, adjourn the hearing to enable the defendant to give such notice.

Coverture.

21. Where a female defendant intends to rely on the defence of coverture, she shall in her statement set forth, so far as she is able, the place and date of her marriage, together with the name and surname of her husband, and his address and occupation, so far as known.

Infancy.

22. Where a defendant intends to rely on the defence of infancy, he shall in his notice set forth, so far as he is able, the place and date of his birth.

Statute of Limitations.

23. Where a defendant intends to rely upon the defence of any Statute of Limitations, he shall in his notice state the date from which he contends that the Statute began to run.

Insolvency.

24. Where a defendant intends to rely upon the defence of a release under any Ordinance relating to bankrupts or insolvent debtors, he shall in his notice set forth the dates of all material orders or certificates and the court by which they were made.

Payment into court.

25. Subject to these Rules, money may be paid into court, and such payment or tender of a sum of money may be relied upon as a defence to any complaint under the Ordinance for an assault or sum of money due or to any claim or set-off.

Notice of payment into court.

26. Where the defendant wishes to pay money into court he shall pay the same at least twenty-four hours before the time fixed for the return of the summons, together with the cost of issuing and serving the summons, and if the summons has been prepared and obtained by a solicitor together with a further sum of fifteen shillings for professional costs; and the defendant shall forthwith after such payment send to the complainant notice thereof in Form 5 in the Schedule hereto. But

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when the complainant does not receive notice of such payment having been made before the sitting of the court at which the summons is made returnable, it shall be lawful for the court to order the defendant to pay such additional costs as the complainant shall have in its opinion properly incurred in preparing for the hearing and in attending the court.

27. Where the defence to a complaint or claim of set-off is a tender, such defence shall not be available unless before the hearing, or by permission of the court at the hearing, the defendant pays into court the amount alleged to have been tendered.

Tender when an available defence.

28. Where money has been paid into court by the defendant with a defence of tender, or without a denial of liability, the money so paid in shall be paid out to the complainant at his request, unless the court otherwise orders.

Payment out of court when defence tender.

29. Where a defendant desires to pay money into court with a denial of his liability on the complaint, he shall lodge with the clerk, at the time of payment into court, a written notice in Form 5 in the Schedule hereto, and shall, in the notice which he sends to the complainant, state in that case that such payment is made with a denial of any liability.

Notice of payment into court with denial of liability.

30. If the complainant elect to accept in full satisfaction of his claim, including costs, such money as shall have been paid into court by the defendant under the last preceding Rule, he shall send or deliver to the clerk and to the defendant a written notice in Form 6 in the Schedule hereto stating such acceptance, such reasonable time before the return of the summons as the time of payment by the defendant has permitted, and upon his doing so no further proceedings in the said complaint shall be taken, and the complainant shall not be liable for any further costs. But in default of such notices the complaint may go on for hearing, and the defendant shall be entitled to an order for such costs as, in the opinion of the court, he shall have properly incurred after such payment into court, unless the complainant recover a sum larger than the amount paid into court.

Acceptance of money paid in.

31. Where under the last preceding Rules money has been paid into court with a denial of liability, and the complainant has accepted the same in full satisfaction of his claim and has sent the notices required under the preceding Rule, he shall be entitled to have the money paid out to him on request.

Money accepted to be paid out of court.

32. Where under the provisions of section one hundred and fifty-seven of the Ordinance a court adjourns the hearing of any complaint to another court, the justices constituting such court or one of them, shall sign a memorandum in Form 7 in the Schedule hereto; and the clerk shall transmit such complaint, if in writing, together with such memorandum to the clerk of the court to which the same is adjourned.

Memorandum of adjournment.

33. Where an application is made for a summons under section two hundred of the Ordinance the applicant or his solicitor shall sign an application in Form 8 in the Schedule hereto, and shall state therein the ground or grounds on which he relies to obtain the committal of the person making default, and shall lodge the same with the clerk.

Fraudulent debtors—Application for summons.

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Affidavit in support.

**34.** Every application for a summons under section two hundred of the Ordinance shall be supported by an affidavit verifying the same.

Certificate of payment.

**35.** The certificate of payment or satisfaction signed by the clerk, under section two hundred and three of the Ordinance, shall be in Form 9 in the Schedule hereto.

Security for payment.

**36.** Any security given under the Ordinance for the payment of any sum of money under any conviction or order shall be in the form of an undertaking, and may be in Form 10 in the Schedule hereto, or in any other form to the like effect.

Return of security.

**37.** Where any such security is not entered into before the court but before some person specified by the court, the person before whom such security is entered shall make a return of it showing the particulars required by Rule 10 to be entered in the Security Book to the clerk of the court at which the order directing security to be taken was made.

Notice of forfeiture.

**38.** Not less than four clear days before a warrant of execution is issued for a sum due by a principal, in pursuance of a forfeited security under the Ordinance, the clerk of the court issuing the warrant shall cause notice of the forfeiture in Form 11 in the Schedule hereto to be served on the principal. Service of the notice may be effected either personally or by letter sent to the address mentioned in the security.

Application for oral examination of debtor.

**39.** Every application under section one hundred and ninety of the Ordinance for an order for the oral examination of any person alleged to be indebted to the person against whom an order for the recovery or payment of money has been made, shall be supported by an affidavit in Form 12 in the Schedule hereto, or to the like effect.

Examination of persons against whom order is made.

**40.** When an order is made for the payment or recovery of money, or when by any conviction any person is ordered to pay any money, the court at the time of making such order or conviction may forthwith, on the application of the party entitled to enforce such order or receive the money, examine or cause to be examined on oath the person against whom such order is made or by whom the money is ordered to be paid as to whether any and what debts are owing to such person, and whether such person has any and what other property or means of satisfying the said order or conviction.

Non-compliance with Rules and departure from forms.

**41.** Non-compliance with any of these Rules or departure from the forms hereto shall not render any proceeding void unless the court before whom the same shall come shall so direct, but such proceedings may in the discretion of such court be amended or otherwise dealt with in such manner as to postponement, adjournment, or otherwise, and upon such terms as such court may think fit.

Right of audience.

Ad. by Rules gazetted on 31. 1. 1934, r. 2.

**41A.** A solicitor employed by a solicitor in actual practice in the Territory shall have the right of audience in a District Court when acting in the course of his employment.

Forms.

Sub. by 1936, No. 34, r. 4.

**42.** The forms in the Schedule to these Rules, or forms to the like effect, may be used for the purposes to which they are respectively applicable, and instruments in those forms, or in forms to the like effect, shall be deemed sufficient in law; but those forms, or any of them, may be varied for the purpose of adapting them to circumstances.

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43. The fees, costs, and charges respectively set forth in the Sixth, Seventh, and Eighth Schedules of the Ordinance are hereby repealed, and the following fees, costs, and charges inserted in their stead:—

Fees, costs and charges.  
Ad. by Rules gazetted on 31. 8. 1925; am. by 1936, No. 34, r. 5.

SIXTH SCHEDULE.

\* \* \* \* \* (3)

SEVENTH SCHEDULE.

\* \* \* \* \* (3)

EIGHTH SCHEDULE.

\* \* \* \* \* (3)

44. In these Rules, unless the contrary intention appears—  
“Ordinance” means the *District Courts Ordinance 1924-1935.*<sup>(4)</sup>

Definition.  
Ad. by 1936, No. 34, r. 6.

SCHEDULE.

REGISTER.

FORM 1.

Register of Decisions in the District Court at

| No. | Date. | Prosecutor, Complainant or Applicant. | Accused or Defendant. | How before the Court. | Fees. |    |    | Charge, cause or Proceedings. | Decision. | Remarks. |
|-----|-------|---------------------------------------|-----------------------|-----------------------|-------|----|----|-------------------------------|-----------|----------|
|     |       |                                       |                       |                       | £     | s. | d. |                               |           |          |
|     |       |                                       |                       |                       |       |    |    |                               |           |          |

SUITORS' CASH BOOK.

FORM 2.

Dr.

Cr.

| Date. | No. in Register. | Complainant. | Defendant. | Particulars. | Cr. Folio. | Amount. |    |    | Daily Total. | Date. | No. in Register. | Complainant. | Defendant. | Particulars. | Dr. Folio. | Amount. |    |    | Receipt of Payee. |
|-------|------------------|--------------|------------|--------------|------------|---------|----|----|--------------|-------|------------------|--------------|------------|--------------|------------|---------|----|----|-------------------|
|       |                  |              |            |              |            | £       | s. | d. |              |       |                  |              |            |              |            | £       | s. | d. |                   |
|       |                  |              |            |              |            |         |    |    |              |       |                  |              |            |              |            |         |    |    |                   |

(3) The Sixth, Seventh and Eighth Schedules are incorporated in the *District Courts Ordinance 1924-1938.*  
(4) Now the *District Courts Ordinance 1924-1938.*





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FORM 7.

MEMORANDUM OF ADJOURNMENT TO ANOTHER COURT.

In the District Court at  
A.B. Complainant  
C.D. Defendant

Date of complaint 192 .

Nature of complaint (state shortly)

The hearing of the complaint of (A.B.)  
wherein one (C.D.) is the defendant, is, by virtue of  
section one hundred and fifty-seven of the *District Courts Ordinance* 1924 now  
adjourned by the Court until next the day of  
at the hour of to the District Court at  
where the said parties and their respective witnesses are required again to  
appear.

Dated at the day of , 192  
J.P.

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FORM 8.

APPLICATION FOR SUMMONS FOR COMMITMENT.

In the District Court at  
A.B. Complainant  
C.D. Defendant

Date of Complaint (or information) 192

Nature of (state shortly)

I apply for the issue of a summons for commitment against the said  
defendant, and I state that I rely upon the following grounds for obtaining an  
order for committal of the defendant, that is to say:—

(set forth the ground or grounds)

Complainant or Solicitor for Complainant.

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FORM 9.

CERTIFICATE OF DISCHARGE.

In the District Court at  
To the Keeper of the Jail at

Whereas by virtue of a warrant issued out of the District Court at  
and dated the day of , 192

was committed to the jail at to be there kept by you according  
to the exigency of the said warrant. This is therefore to certify that the said  
has paid the moneys mentioned in the said warrant (or has  
made satisfaction as the case may be), and has paid all subsequent costs, and is  
now entitled to be discharged out of custody.

Dated the day of , 192  
Clerk of the District Court at

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FORM 10.

SECURITY FOR SUM ADJUDGED TO BE PAID.

In the District Court at

Whereas hereinafter called the defendant was this day  
(or on the day of 192 ) by a certain decision  
before the District Court at adjudged to pay the sum of  
(by instalments of the first instalment to be paid)  
forthwith (or on the day of 192 ), and to give  
security for the due payment thereof.

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Now therefore the defendant and his sureties of and of hereby undertake that the defendant will pay the sum adjudged at the time and in the manner thereby directed and hereby severally acknowledge themselves severally bound to forfeit and pay to the sum of in case the defendant fails to perform this undertaking.

Defendant. Sureties.

Taken before me the day of , 192

FORM 11.

NOTICE TO PRINCIPAL OF FORFEITED SECURITY.

In the District Court at A.B. Complainant C.D. Defendant

Take notice that the sum of due by you the said as principal under a security entered into by you with as sureties is unpaid and that the said security is forfeited and unless the said sum be paid to me on or before the day of , 192 , a warrant of execution may issue for the same without further notice.

Dated the day of , 192

To Clerk of District Court.

FORM 12.

In the District Court at A.B. Complainant C.D. Defendant

I, of the above-named complainant (or solicitor for the above-named complainant), make oath and say as follows:—

1. By a decision of the District Court at dated the day of 192 , it was ordered that I (or the above-named complainant) should recover against the above-named defendant the sum of £

2. The said still remains unsatisfied to the extent of

3. is indebted to the defendant in the sum of £ or thereabouts.

4. The said is within the Territory.

Sworn at the day of , 192

Before me,

FORM 13.

ACKNOWLEDGMENT OF MONEY PAID INTO COURT.

The day of , 192 In the District Court at . No.

Complainant Defendant

Received from the the sum of pounds shillings and pence. herein Clerk of District Court.

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Sec. 29.

TERRITORY OF NEW GUINEA.

FORM 14. Ad. by 1936,  
No. 34, r. 7.

*District Courts Ordinance 1924-1935.*

STATEMENT OF CAUSES OF COMPLAINT IN CIVIL CASES.

For that you assaulted \_\_\_\_\_ by [*state nature of assault*].  
For that certain goods of \_\_\_\_\_ are detained by you.  
For that you on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ in the said Territory were indebted to \_\_\_\_\_ in the sum of \_\_\_\_\_ [on balance of accounts].  
For goods then and there bargained and sold to you by \_\_\_\_\_ .  
For goods then and there sold and delivered to you by \_\_\_\_\_ .  
For money then and there lent to you by \_\_\_\_\_ and interest thereon.  
For money paid by \_\_\_\_\_ for you at your request.  
For money received by you for the use of \_\_\_\_\_ .  
For work and labour then and there done by \_\_\_\_\_ for you at your request.  
For the use and hire of divers chattels [*or beasts*] then and there let to hire and delivered to you at your request by \_\_\_\_\_ .  
For work and labour then and there done and materials for the same then and there provided by \_\_\_\_\_ for you at your request.  
For the use and occupation of certain land [*house or apartments*] of \_\_\_\_\_ by you at your request and by the permission of the said \_\_\_\_\_ then and there held and enjoyed.  
For board and lodging then and there provided and supplied by \_\_\_\_\_ for and to you at your request.  
For feeding and taking care of horses [*sheep or cattle*] by \_\_\_\_\_ then and there fed and taken care of for you at your request.  
For warehouse room then and there found and provided by \_\_\_\_\_ in and about the storing and keeping of goods and chattels by the said \_\_\_\_\_ for you at your request.  
For the carriage of goods and chattels by \_\_\_\_\_ then and there carried for you at your request.  
For the amount of a cheque drawn by you on the Bank of \_\_\_\_\_ dated the \_\_\_\_\_ day of \_\_\_\_\_ or for the amount of a bill of exchange dated the \_\_\_\_\_ day of \_\_\_\_\_ of \_\_\_\_\_ now overdue, and directed by the complainant to you, and requiring you to pay to the complainant \_\_\_\_\_ pounds \_\_\_\_\_ months after date, which was accepted by you, but was not paid, or for the amount of your promissory note dated payable \_\_\_\_\_ months after date, and interest thereon.  
For money due to \_\_\_\_\_ on account stated.  
For that certain of your cattle, to wit \_\_\_\_\_, trespassed on the land of \_\_\_\_\_ .  
For tax [*or money*] payable under the provisions of the \_\_\_\_\_ Ordinance [*or Regulations*] to the Administration of the said Territory [*or to* \_\_\_\_\_].

Sec. 34.

TERRITORY OF NEW GUINEA.

FORM 15. Ad. by 1936,  
No. 34, r. 7.

*District Courts Ordinance 1924-1935.*

COMPLAINT.

The complaint of \_\_\_\_\_ of \_\_\_\_\_, made this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before the undersigned, a Justice of the Peace for the said Territory, who says that on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ in the said Territory [*&c., stating the subject matter*].  
Made before me the day and year first above-mentioned, at \_\_\_\_\_ in the said Territory.

Justice of the Peace.

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Ad. by 1936,  
No. 34, r. 7.

Secs. 34, 41.

FORM 16.

TERRITORY OF NEW GUINEA.  
District Courts Ordinance 1924-1935.  
INFORMATION.

The information of \_\_\_\_\_ of \_\_\_\_\_, laid this day of \_\_\_\_\_, 19\_\_\_\_, before the undersigned, a Justice of the Peace for the said Territory, who [upon oath] says that on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ in the said Territory [*&c., stating the offence*].

Laid Sworn before me the day and year first above-mentioned, at \_\_\_\_\_ in the said Territory.

Justice of the Peace.

Ad. by 1936,  
No. 34, r. 7.

Secs. 47, 48, 50, 52.

FORM 17.

TERRITORY OF NEW GUINEA.  
District Courts Ordinance 1924-1935.  
SUMMONS TO A PERSON UPON INFORMATION.

Informant.  
Defendant.

To \_\_\_\_\_ of \_\_\_\_\_  
Whereas you have this day been charged by \_\_\_\_\_ of \_\_\_\_\_, before the undersigned, a Justice of the Peace for the Territory of New Guinea, for that on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ in the said Territory you did [*here state shortly the matter of the information*].

These are therefore to command you to appear before the District Court at \_\_\_\_\_ in the said Territory, on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, to answer the said information, and to be further dealt with according to law.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
Justice of the Peace  
or Clerk of the District Court.

PROOF OF SERVICE [*to be indorsed on summons*].

I, \_\_\_\_\_ of \_\_\_\_\_, make oath and say [*or affirm*] that I did on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_, serve the within-named defendant with the within summons by delivering a copy of it to him personally, and at the same time showing him the original summons.

Sworn [*or affirmed*] before me }  
at \_\_\_\_\_ in the }  
said Territory the }  
day of \_\_\_\_\_, 19\_\_\_\_. }  
Justice of the Peace.

Ad. by 1936,  
No. 34, r. 7.

Secs. 47, 48, 50, 52.

FORM 18.

TERRITORY OF NEW GUINEA.  
District Courts Ordinance 1924-1935.  
SUMMONS TO A PERSON UPON COMPLAINT.

Complainant  
Defendant.

To \_\_\_\_\_ of \_\_\_\_\_  
Whereas a complaint has this day been made before the undersigned, a Justice of the Peace for the Territory of New Guinea, for that you [*here state shortly the matter of the complaint*]:

*District Courts Rules.*

These are therefore to command you to appear before the District Court at the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, to answer the said complaint, and to be further dealt with according to law.

The complainant's address for service is \_\_\_\_\_, at which all notices or documents may be served.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_. \_\_\_\_\_ Justice of the Peace or Clerk of the District Court.

**PROOF OF SERVICE** [*to be indorsed on summons*].

I, \_\_\_\_\_ of \_\_\_\_\_, make oath and say [*or affirm*] that I did on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_, serve the within-named defendant with the within summons by delivering a copy of it to him personally, and at the same time showing him the original summons.

Sworn [*or affirmed*] before me }  
at \_\_\_\_\_ in the said }  
Territory the \_\_\_\_\_ day }  
of \_\_\_\_\_, 19\_\_\_\_ }  
Justice of the Peace.

Secs. 50, 51, 71.

FORM 19. Ad. by 1936, No. 34, r. 7.

**TERRITORY OF NEW GUINEA.**

*District Courts Ordinance 1924-1935.*

**SUMMONS TO A PERSON TO GIVE EVIDENCE.**

Informant [*or Complainant*].  
Defendant.

Date of information [*or complaint*]: \_\_\_\_\_, 19\_\_\_\_.  
Nature of information [*or complaint*] [*state shortly*]: \_\_\_\_\_

To \_\_\_\_\_ of \_\_\_\_\_  
These are to require you to appear before the District Court at \_\_\_\_\_ in the Territory of New Guinea, on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_

o'clock in the \_\_\_\_\_ noon, to give such evidence as you know concerning the matter of the above-mentioned information [*or complaint*]. [*Where documents are required to be produced add and also to bring with you and produce at the time and place aforesaid for examination at the hearing thereof the following accounts, papers, books, or other documents, that is to say: \_\_\_\_\_ or such of them as are in your possession or control.*]

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_. \_\_\_\_\_ Justice of the Peace or Clerk of the District Court.

Secs. 50, 51, 76.

FORM 20. Ad. by 1936, No. 34, r. 7.

**TERRITORY OF NEW GUINEA.**

*District Courts Ordinance 1924-1935.*

**SUMMONS TO A PERSON TO PRODUCE DOCUMENTS.**

Informant [*or Complainant*].  
Defendant.

Date of information [*or complaint*]: \_\_\_\_\_, 19\_\_\_\_.  
Nature of information [*or complaint*] [*state shortly*]: \_\_\_\_\_

To \_\_\_\_\_ of \_\_\_\_\_  
These are to require you to appear before the District Court at \_\_\_\_\_ in the Territory of New Guinea, on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, and to bring with you and produce for \_\_\_\_\_

COURTS—

examination at the hearing of the above-mentioned information [or complaint] the following accounts, papers, books, or other documents, that is to say: or such of them as are in your possession or control.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_  
 Justice of the Peace  
 or Clerk of the District Court.

Ad. by 1936,  
 No. 34, r. 7.

Secs. 53, 54.

FORM 21.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

WARRANT IN THE FIRST INSTANCE TO APPREHEND A PERSON CHARGED WITH AN INDICTABLE OFFENCE OR A SIMPLE OFFENCE.

To the officer-in-charge of the \_\_\_\_\_ Police District, and to all other members of the New Guinea Police Force.

Whereas an information has this day been laid upon oath before the undersigned, a Justice of the Peace for the Territory of New Guinea, for that A.B., on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_, at

[here state shortly the offence]:

These are therefore to command you forthwith to apprehend the said A.B. and as soon as practicable to bring him before some Justice of the Peace for the said Territory or before a District Court, to be dealt with according to law.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_  
 Justice of the Peace.

[For offences committed on the high seas the warrant may be the same as in ordinary cases, but describing the offence to have been committed "on the high seas out of any jurisdiction or place in the Territory of New Guinea, and within the jurisdiction of the Admiralty of England".

For offences committed abroad for which the parties may be indicted in this Territory the warrant also may be the same as in ordinary cases, but describing the offence to have been committed "on land of the Territory of New Guinea, to wit, at \_\_\_\_\_ in the Indian [or Pacific] Ocean" or as the case may be.]

Ad. by 1936,  
 No. 34, r. 7.

Sec. 58.

FORM 22.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

INDORSEMENT ON WARRANT WHERE BAIL IS ALLOWED.

I direct that the defendant be, on arrest, released upon <sup>his</sup> entering into a recognisance <sup>himself</sup> <sub>herself</sub> in the sum of \_\_\_\_\_ pounds and \_\_\_\_\_ surety sureties in the sum of \_\_\_\_\_ pounds [each] for <sup>his</sup> <sub>her</sub> appearance before the District Court at \_\_\_\_\_ in the Territory of New Guinea, at the hour of \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon of the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_  
 Justice of the Peace.

*District Courts Rules.*

Secs. 70, 104, 107.

FORM 23. Ad. by 1936,  
No. 34, r. 7.

TERRITORY OF NEW GUINEA.  
*District Courts Ordinance 1924-1935.*  
DEPOSITIONS OF WITNESSES.

The examination of \_\_\_\_\_ of \_\_\_\_\_, taken this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before the District Court at \_\_\_\_\_ in the said Territory, in the presence and hearing of A.B., who is charged this day before the said Court that he/she [etc., describing the offence].

C.D. upon oath [or affirmation] says as follows [etc., stating the deposition of the witness as nearly as possible in the words he uses; and when his deposition is complete let him sign it].

Taken and sworn [or affirmed] before the said Court at \_\_\_\_\_ in the said Territory, on the day and year first abovementioned.

By the Court,

Sec. 73.

FORM 24. Ad. by 1936,  
No. 34, r. 7.

TERRITORY OF NEW GUINEA.  
*District Courts Ordinance 1924-1935.*

WARRANT FOR APPREHENSION OF A WITNESS WHO HAS NOT OBEYED A SUMMONS.

In the District Court at \_\_\_\_\_ To the officer-in-charge of the \_\_\_\_\_ Police District, and to all other members of the New Guinea Police Force.

Whereas E.F. of \_\_\_\_\_ was duly summoned to appear before the District Court at \_\_\_\_\_ in the Territory of New Guinea, on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, to testify what he/she knew concerning a certain \_\_\_\_\_ information complaint against \_\_\_\_\_ of \_\_\_\_\_ [or (and) to produce documents (and especially \_\_\_\_\_)]:

And whereas proof has this day been made upon oath that such summons was duly served upon the said E.F.: And whereas the said E.F. neglected to appear at the time and place appointed by the said summons, and no just excuse has been offered for such neglect: These are therefore to command you forthwith to apprehend the said E.F. and bring him/her before the said Court at \_\_\_\_\_ in the said Territory, to testify what he/she knows concerning the matter of the said \_\_\_\_\_ information complaint [or (and) to produce such documents as aforesaid].

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

By the Court,

Sec. 74.

FORM 25. Ad. by 1936,  
No. 34, r. 7.

TERRITORY OF NEW GUINEA.  
*District Courts Ordinance 1924-1935.*

WARRANT FOR A WITNESS IN THE FIRST INSTANCE.

To the officer-in-charge of the \_\_\_\_\_ Police District, and to all other members of the New Guinea Police Force.

Whereas, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_, an information [or a complaint] was laid [or made] that A.B. [etc., as in the summons or warrant], and it being made to appear before me upon oath that E.F. of \_\_\_\_\_ in the \_\_\_\_\_

COURTS—

said Territory, \_\_\_\_\_, is likely to give material evidence on behalf of the prosecution [or as the case may be] in the matter, and it is probable that the said E.F. will not attend to give evidence without being compelled to do so: These are therefore to command you forthwith to apprehend the said E.F. and bring <sup>him</sup> <sub>her</sub> before the District Court at \_\_\_\_\_ in the said Territory, to testify what <sup>he</sup> <sub>she</sub> knows concerning the matter of the said information [or complaint].

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_  
Justice of the Peace.

Ad. by 1936,  
No. 34, r. 7.

Sec. 75.

FORM 26.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

WARRANT OF COMMITMENT OF A WITNESS FOR REFUSING TO BE SWORN OR TO GIVE EVIDENCE.

In the District Court at \_\_\_\_\_  
To all members of the New Guinea Police Force, and to the keeper of the gaol at \_\_\_\_\_ in the Territory of New Guinea.

Whereas, on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, upon the hearing of a certain <sup>information</sup> <sub>complaint</sub> against \_\_\_\_\_ before the District Court at \_\_\_\_\_ in the said Territory, E.F. of \_\_\_\_\_, being required to make oath [or affirmation] as a witness to testify what <sup>he</sup> <sub>she</sub> knew concerning the said <sup>information</sup> <sub>complaint</sub> refused to do so [or being duly sworn (or having duly affirmed) as a witness, refused to answer any (or a certain) question concerning the premises which were put to <sup>him</sup> <sub>her</sub> or (and) to produce any documents (and especially \_\_\_\_\_) ], without offering any lawful excuse for such refusal: These are therefore to command you, the said members of the New Guinea Police Force, to convey the said E.F. to the gaol at \_\_\_\_\_ in the said Territory, and deliver <sup>him</sup> <sub>her</sub> to the keeper thereof, together with this warrant, and to command you, the said keeper of the said gaol, to receive the said E.F. into your custody in the said gaol and keep <sup>him</sup> <sub>her</sub> there for the space of \_\_\_\_\_ days for <sup>his</sup> <sub>her</sub> contempt, unless in the meantime <sup>he</sup> <sub>she</sub> consents to be examined and to answer concerning the premises [or (and) to produce such documents as aforesaid].

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_  
By the Court,

Ad. by 1936,  
No. 34, r. 7.

Sec. 80.

FORM 27.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

WARRANT REMANDING A PERSON CHARGED WITH AN INDICTABLE OFFENCE.

In the District Court at \_\_\_\_\_  
To the officer-in-charge of the \_\_\_\_\_ Police District, and to all other members of the New Guinea Police Force, and to the keeper of the gaol at \_\_\_\_\_ in the Territory of New Guinea.

Whereas A.B. was this day charged before the said Court for that \_\_\_\_\_, and it appears to the said Court to be necessary to remand the said A.B.: These are therefore to command you, the said



*District Courts Rules.*

officer-in-charge of the said Police District and the said members of the New Guinea Police Force, forthwith to convey the said A.B. to the gaol at in the said Territory, and there to deliver <sup>him</sup> <sub>her</sub> to the keeper thereof together with this warrant, and to command you, the said keeper of the said gaol, to receive the said A.B. into your custody in the said gaol, and there safely keep <sup>him</sup> <sub>her</sub> until the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, or such earlier day as may be lawfully ordered in that behalf when you are hereby commanded to have <sup>him</sup> <sub>her</sub> at \_\_\_\_\_ in the said Territory, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, before the said Court, further to answer the said charge.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.  
By the Court,

Secs. 80, 94.

FORM 28. Ad. by 1936, No. 34, r. 7.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

RECOGNIZANCE FOR THE APPEARANCE OF A DEFENDANT, WHERE THE CASE IS ADJOURNED OR NOT TO BE AT ONCE PROCEEDED WITH.

Be it remembered that, on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, A.B. of \_\_\_\_\_ in the Territory of New Guinea, \_\_\_\_\_, and L.M. of \_\_\_\_\_ in the said Territory, \_\_\_\_\_, personally came before the undersigned, a Justice [or Justices] of the Peace for the said Territory, and severally acknowledged themselves to owe to the Administration of the said Territory the several sums following, that is to say, the said A.B. the sum of \_\_\_\_\_, and the said L.M. the sum of \_\_\_\_\_, to be made and levied of their several goods and chattels, lands, and tenements respectively to the use of the said Administration if the said A.B. shall fail in the condition endorsed.

Taken and acknowledged before <sup>me</sup> <sub>us</sub> the day and year first abovementioned at \_\_\_\_\_ in the said Territory.  
Justice [or Justices] of the Peace.

*Condition.*

The condition of the within-written recognizance is such that if the said A.B. charged upon the information of C.D. with [here insert briefly nature of charge, such as stealing, assault, &c.] shall personally appear at \_\_\_\_\_ in the said Territory on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, before the District Court sitting at that place, and at every time and place to which, during the course of the proceedings against the said A.B., the hearing may be from time to time adjourned, [further] to answer the said charge made by the said C.D. against the said A.B., then the said recognizance to be void, or else to stand in full force and virtue.

Secs. 80, 94

FORM 29. Ad. by 1936, No. 34, r. 7.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

NOTICE OF RECOGNIZANCE TO BE GIVEN TO THE DEFENDANT AND HIS SURETY.

Take notice that you, A.B. of \_\_\_\_\_ in the Territory of New Guinea, \_\_\_\_\_, are bound in the sum of \_\_\_\_\_, and you, L.M. of \_\_\_\_\_ in the said Territory, \_\_\_\_\_, in the sum of \_\_\_\_\_, that you, the said A.B., appear personally at \_\_\_\_\_ in the said Territory on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, before the District Court sitting at that place, and at every time

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and place to which, during the course of the proceedings against you the said A.B., the hearing may be from time to time adjourned, to answer further a certain charge made by C.D., the further hearing of which was adjourned to the said time and place; and unless you appear accordingly, the recognizance entered into by you, the said A.B., and the said L.M. as your surety, will forthwith be enforced against you and him.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_  
Justice of the Peace.

Ad. by 1936,  
No. 34, r. 7.

Sec. 92.

FORM 30.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

GAOLER'S RECEIPT FOR THE PRISONER.

I hereby certify that I have received from \_\_\_\_\_, a member of the New Guinea Police Force, the body of A.B. in good health [or as the case may be], together with a warrant of commitment under the hand of \_\_\_\_\_, Esquire, a Justice of the Peace for the Territory of New Guinea.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_  
Keeper of the Gaol at \_\_\_\_\_

Ad. by 1936,  
No. 34, r. 7.

Sec. 94.

FORM 31.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

WARRANT OF COMMITTAL FOR SAFE CUSTODY DURING AN  
ADJOURNMENT OF THE HEARING.

In the District Court at \_\_\_\_\_

To the officer-in-charge of the \_\_\_\_\_ Police District, and to all other members of the New Guinea Police Force, and to the keeper of the gaol at \_\_\_\_\_ in the Territory of New Guinea.

Whereas A.B. of \_\_\_\_\_ was this day brought before the said Court charged for that on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, at \_\_\_\_\_ in the said Territory <sup>he</sup> she did

\_\_\_\_\_ : And whereas the hearing of the charge is adjourned to \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, at \_\_\_\_\_ in the said Territory, and it is necessary that the said A.B. should in the meantime be kept in safe custody: These are therefore to command you, the said officer-in-charge of the said Police District and the said members of the New Guinea Police Force, forthwith to convey the said A.B. to the gaol at \_\_\_\_\_ in the said Territory, and there to deliver <sup>him</sup> her to the keeper thereof together with this warrant, and to command you, the said keeper of the said gaol, to receive the said A.B. into your custody in the said gaol, and there safely to keep <sup>him</sup> her until the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, when you are hereby required to convey and have <sup>him</sup> her the said A.B., at the time and place to which the said hearing is so adjourned as aforesaid before the said Court, to answer further the said information, and to be further dealt with according to law.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_  
By the Court,

District Courts Rules.

Sec. 99.

FORM 32. Ad. by 1936, No. 34, r. 7.

TERRITORY OF NEW GUINEA.

District Courts Ordinance 1924-1935.

CERTIFICATE OF INFORMATION BEING PRESENTED.

I hereby certify that, at the Criminal Sittings of the Supreme Court of the Territory of New Guinea, held at \_\_\_\_\_ in the said Territory, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, an information was presented against A.B., therein described as A.B., of \_\_\_\_\_, for that he, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ [state shortly the matter of the information], and that the said A.B. did not appear or plead to the said information.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_. Registrar of the Supreme Court.

Sec. 100.

FORM 33. Ad. by 1936, No. 34, r. 7.

TERRITORY OF NEW GUINEA.

District Courts Ordinance 1924-1935.

WARRANT.

To the officer-in-charge of the \_\_\_\_\_ Police District, and to all other members of the New Guinea Police Force.

Whereas it has been certified by the Registrar of the Supreme Court that [&c., stating the certificate (Form 32)]: These are therefore to command you forthwith to apprehend the said A.B. and to bring him/her before a District Court, to be dealt with according to law.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_. Justice of the Peace.

Sec. 101.

FORM 34. Ad. by 1936, No. 34, r. 7.

TERRITORY OF NEW GUINEA.

District Courts Ordinance 1924-1935.

WARRANT OF COMMITMENT OF A PERSON INDICTED.

In the District Court at \_\_\_\_\_ To all members of the New Guinea Police Force, and to the keeper of the gaol at \_\_\_\_\_ in the Territory of New Guinea.

Whereas, by warrant dated the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, after reciting that it has been certified by the Registrar of the Supreme Court [&c., as in the warrant], \_\_\_\_\_, a Justice of the Peace for the said Territory, commanded the officer-in-charge of the \_\_\_\_\_ Police District and all other members of the New Guinea Police Force forthwith to apprehend the said A.B. and to bring him/her before a District Court: And whereas, the said A.B. having been apprehended and brought before the District Court at \_\_\_\_\_, it is proved to the said Court upon oath that the said A.B. is the same person who is charged in the said information: These are therefore to command you, the said members of the New Guinea Police Force, forthwith to convey the said A.B. to the gaol at \_\_\_\_\_

in the said Territory, and there to deliver him/her to the keeper thereof together with this warrant, and to command you, the said keeper of the said gaol, to receive the said A.B. into your custody in the said gaol, and there safely keep him/her until he/she is thence delivered by due course of law.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_. By the Court,

COURTS—

Ad. by 1936,  
No. 34, r. 7.

Sec. 102.

FORM 35.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

WARRANT TO DETAIN A PERSON INDICTED WHO IS ALREADY IN CUSTODY FOR ANOTHER OFFENCE.

To the keeper of the gaol at \_\_\_\_\_ in the Territory of New Guinea.

Whereas it has been duly certified by the Registrar of the Supreme Court that [*&c., stating the certificate (Form 32)*]: And whereas <sup>I</sup> we <sup>am</sup> are informed that the said A.B. is in your custody in the said gaol at \_\_\_\_\_ in the said Territory, charged with some offence or other matter, and it is now proved upon oath before <sup>me</sup> <sup>us</sup> that the said A.B. so indicted as aforesaid, and the said A.B. in your custody as aforesaid, are one and the same person: These are therefore to command you to detain the said A.B. in your custody in the gaol aforesaid until <sup>he</sup> <sup>she</sup> is lawfully removed therefrom for the purpose of being tried upon the said information, or until <sup>he</sup> <sup>she</sup> is otherwise removed or discharged out of your custody by due course of law.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_  
Justice of the Peace.

Ad. by 1936,  
No. 34, r. 7.

Secs. 103, 133.

FORM 36.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

WARRANT TO APPREHEND DEFENDANT WHERE THE SUMMONS IS DISOBEYED.

In the District Court at \_\_\_\_\_  
To the officer-in-charge of the \_\_\_\_\_ Police District, and to all other members of the New Guinea Police Force.

Whereas, on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, an information was laid that A.B. [*&c., as in the summons*], and a summons was then issued to the said A.B. commanding <sup>him</sup> <sup>her</sup> to appear at \_\_\_\_\_ in the said Territory on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, before the said Court, to answer the said information: And whereas the said A.B. did not appear at the time and place appointed by the said summons, and it has been proved upon oath that the said summons was duly served upon the said A.B. a reasonable time before the time therein appointed for appearing to it: And whereas oath has been made before the said Court substantiating the matter of the information to its satisfaction. These are therefore to command you forthwith to apprehend the said A.B. and to bring <sup>him</sup> <sup>her</sup> before the said Court to answer the said information, and to be further dealt with according to law.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_  
By the Court,

District Courts Rules.

Sec. 104B.

FORM 37. Ad. by 1936, No. 34, r. 7.

TERRITORY OF NEW GUINEA.  
District Courts Ordinance 1924-1935.  
STATEMENT OF DEFENDANT.

charged before the District Court at \_\_\_\_\_ of \_\_\_\_\_ stands  
day of \_\_\_\_\_, 19 \_\_\_\_\_ he she [i.e., as in the caption of the  
depositions].

And the said charge having been read to the defendant and its nature explained in ordinary language, and the witnesses for the prosecution having been severally examined in his her presence, the defendant is now addressed by the said Court as follows:—"Having heard the evidence for the prosecution, do you wish to be sworn and give evidence on your own behalf, or do you desire to say anything in answer to the charge? You are not obliged to be sworn and give evidence, nor are you required to say anything, unless you desire to do so, but whatever evidence you may give upon oath, or anything you may say, will be taken down in writing, and may be given in evidence upon your trial. You are clearly to understand that you have nothing to hope from any promise of favour, and nothing to fear from any threat, which may have been held out to you to induce you to make any admission or confession of your guilt; but whatever you now say may be given in evidence upon your trial, notwithstanding any such promise or threat."

Whereupon the defendant said:—[Here state whatever the defendant may say, and in his very words as nearly as possible; get him to sign it if he will.]

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_  
By the Court,

Secs. 108, 111.

FORM 38. Ad. by 1936, No. 34, r. 7.

TERRITORY OF NEW GUINEA.  
District Courts Ordinance 1924-1935.

WARRANT OF COMMITTAL FOR TRIAL OR FOR SENTENCE.

In the District Court at \_\_\_\_\_

To all members of the New Guinea Police Force, and to the keeper of the gaol at \_\_\_\_\_ in the Territory of New Guinea.

Whereas A.B. of \_\_\_\_\_ was this day charged before the said District Court on the oath of C.D. of \_\_\_\_\_ in the said Territory, and others, that [i.e., stating shortly the indictable offence] [and the said A.B., being asked, said that he is guilty of the said offence], and thereupon it was ordered that the said A.B. should be committed for trial [or to be sentenced] for the said offence at the Criminal Sittings of the Supreme Court to be holden at \_\_\_\_\_: These are therefore to command you, the said members of the New Guinea Police Force, forthwith to convey the said A.B. to the gaol at \_\_\_\_\_ in the said Territory, and there to deliver him her to the keeper thereof together with this warrant, and to command you, the said keeper of the said gaol, to receive the said A.B. into your custody in the said gaol, and him her there safely keep until he she is tried for such offence or is otherwise removed or discharged by due course of law.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_  
By the Court,

COURTS—

Ad. by 1936,  
No. 34, r. 7.

Secs. 108, 113, 114, 115, 116.

FORM 39.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

RECOGNIZANCE OF BAIL ON COMMITTAL FOR TRIAL.

[Same as *Recognizance, Form 28.*]

*Condition.*

The condition of the within-written recognizance is such that if the said A.B. who was this day charged before the District Court at in the said Territory that [*state charge*] shall personally appear at the Criminal Sittings of the Supreme Court to be held at in the Territory of New Guinea on the day of , 19 , or, if a copy of a charge has been delivered to the said A.B. under the provisions of section 19 of *The Criminal Procedure Ordinance of 1889* of the Territory of Papua adopted as an Ordinance of the Territory of New Guinea, at the place and time notified in the notice indorsed on the charge, and surrender himself into the custody of the keeper of the gaol there, and plead to such indictment as may be filed against him in respect of the charge aforesaid, and take his trial upon the indictment, and not depart from the Supreme Court without leave, then the said recognizance to be void, or else to stand in full force and virtue.

Ad. by 1936,  
No. 34, r. 7.

Sec. 111.

FORM 40.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

RECOGNIZANCE OF BAIL ON COMMITTAL FOR SENTENCE.

[Same as *Recognizance, Form 28.*]

*Condition.*

The condition of the within-written recognizance is such that if the said A.B. who was this day charged before the District Court at in the said Territory that [*state charge*] shall personally appear at the Criminal Sittings of the Supreme Court to be held at in the Territory of New Guinea on the day of , 19 , or, if a copy of a charge has been delivered to the said A.B. under the provisions of section 19 of *The Criminal Procedure Ordinance of 1889* of the Territory of Papua adopted as an Ordinance of the Territory of New Guinea, at the place and time notified in the notice indorsed on the charge, and surrender himself into the custody of the keeper of the gaol there, and appear for sentence before the Supreme Court, and not depart from the Supreme Court without leave, then the said recognizance to be void, or else to stand in full force and virtue.

Ad. by 1936,  
No. 34, r. 7.

Sec. 111A.

FORM 41.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

STATEMENT OF PERSON DANGEROUSLY ILL AND NOT LIKELY TO RECOVER.

The examination and statement of (hereinafter called "the witness") taken on oath [*or affirmation*] this day of , 19 , at in the Territory of New Guinea, before the undersigned, a Justice of the Peace for the said Territory, it having been made to appear to me that the witness is dangerously ill and is not likely to recover from the illness, and that the witness is able and willing to give material

*District Courts Rules.*

information relating to a certain indictable offence, namely, the offence of \_\_\_\_\_, and that it is not practicable for any Court to take the deposition of the witness at the preliminary examination of the defendant.

The witness on his oath [or affirmation] says as follows:—

The above statement of the witness }  
was taken and sworn before me at }  
\_\_\_\_\_ in the said }  
Territory on the day and year first }  
above-mentioned, the following persons }  
being present at the taking thereof:— }

Justice of the Peace.

*Statement of Reasons for taking Statement of Witness.*

Justice of the Peace.

Sec. 111b.

FORM 42. Ad. by 1936, No. 34, r. 7.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

NOTICE OF INTENTION TO TAKE STATEMENT OF PERSON DANGEROUSLY ILL AND NOT LIKELY TO RECOVER.

To \_\_\_\_\_ of \_\_\_\_\_, hereby give you notice that I, \_\_\_\_\_ of \_\_\_\_\_, a Justice of the Peace for the Territory of New Guinea, intends on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ in the said Territory, to take the statement of \_\_\_\_\_ of \_\_\_\_\_, who is dangerously ill and is not likely to recover from the illness, and who is alleged to be able and willing to give material information relating to a certain indictable offence, namely, the offence of \_\_\_\_\_, it not being practicable to take the statement of the said \_\_\_\_\_ at the preliminary examination of you the defendant.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Sec. 111c.

FORM 43. Ad. by 1936, No. 34, r. 7.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

ORDER TO CONVEY A PRISONER TO PLACE OF TAKING DEPOSITION OF A WITNESS DANGEROUSLY ILL AND NOT LIKELY TO RECOVER.

To the keeper of the gaol at \_\_\_\_\_ in the Territory of New Guinea [or To \_\_\_\_\_, a member of the New Guinea Police Force].

Whereas it appears to me the undersigned, a Justice of the Peace for the said Territory, that \_\_\_\_\_ now in your custody has been duly served with [or has received from \_\_\_\_\_] a notice, pursuant to the *District Courts Ordinance 1924-1935*, that a certain Justice of the Peace for the said Territory intends [&c., as in Form 42]:

Now I do hereby, by virtue of the said Ordinance, direct you to convey the said \_\_\_\_\_ to the place mentioned in the said notice, for the purpose of being present at the taking of the statement of the said \_\_\_\_\_

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Justice of the Peace.

COURTS—

Ad. by 1936,  
No. 34, r. 7.

Secs. 113 &c.

FORM 44.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

CERTIFICATE OF CONSENT TO BAIL INDORSED ON THE  
COMMITMENT.

This is to certify that the District Court at \_\_\_\_\_ in the  
Territory of New Guinea consents to the within-named A.B. being bailed by  
recognizance <sup>himself</sup> in the sum of \_\_\_\_\_ pounds and <sup>surety</sup> <sub>herself</sub> in the  
sum of \_\_\_\_\_ pounds [each]. <sup>sureties</sup>

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

By the Court,

Ad. by 1936,  
No. 34, r. 7.

Secs. 115, 117.

FORM 45.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

CERTIFICATE OF CONSENT TO BAIL WHERE NOT GIVEN AT TIME OF  
COMMITAL FOR TRIAL.

Whereas A.B. was on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_,  
committed by the District Court at \_\_\_\_\_ in the Territory of  
New Guinea to the gaol at \_\_\_\_\_ in the said Territory, charged  
with [*&c.*, *naming the offence shortly*]:

This is to certify that we, the justices constituting the said Court, consent  
to the said A.B. being bailed by recognizance, <sup>himself</sup> in the sum of \_\_\_\_\_  
pounds and <sup>surety</sup> <sub>sureties</sub> in the sum of \_\_\_\_\_ pounds [each].

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

Justices of the Peace.

Ad. by 1936,  
No. 34, r. 7.

Sec. 118.

FORM 46.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

WARRANT OF DELIVERANCE ON BAIL BEING GIVEN FOR A PRISONER  
ALREADY COMMITTED.

To the keeper of the gaol at \_\_\_\_\_ in the Territory of New  
Guinea.

Whereas A.B., late of \_\_\_\_\_ in the said Territory, has, before  
the undersigned, a Justice [*or Justices*] of the Peace for the said Territory,  
entered into <sup>his</sup> own recognizance and found sufficient sureties for <sup>his</sup> appearance  
<sup>her</sup> before the Supreme Court, to answer a charge that [*&c.*, *as in the commitment*]  
for which <sup>he</sup> <sub>she</sub> was committed to your said gaol: These are therefore to command  
you that if the said A.B. is now in your custody for the said cause and for no  
other, you forthwith suffer <sup>him</sup> <sub>her</sub> to go at large.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

Justice of the Peace.



*District Courts Rules.*

Secs. 120, 121.

FORM 47. Ad. by 1936,  
No. 34, r. 7.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

RECOGNIZANCE TO GIVE EVIDENCE.

Be it remembered that, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, C.D. of \_\_\_\_\_ in the Territory of New Guinea, personally came before the District Court at \_\_\_\_\_, and acknowledged himself to owe to the Administration of the said Territory the sum of \_\_\_\_\_ to be made and levied of his goods and chattels, lands, and tenements to the use of the said Administration if he the said C.D. shall fail in the condition indorsed.

Taken and acknowledged before the said Court the day and year first above-mentioned at \_\_\_\_\_ in the said Territory.

By the Court,

*Condition.*

The condition of the within-written recognizance is such that whereas A.B. was this day charged before the District Court at \_\_\_\_\_, for that [*&c., as in the caption of the depositions*]. If therefore he the said C.D. shall appear at the next Criminal Sittings of the Supreme Court, to be holden at \_\_\_\_\_ in the Territory of New Guinea on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and there give evidence upon an indictment to be then preferred against the said A.B. for the offence aforesaid, then the said recognizance to be void, or else to stand in full force and virtue.

Sec. 121.

FORM 48. Ad. by 1936,  
No. 34, r. 7.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

NOTICE OF RECOGNIZANCE TO BE GIVEN TO THE WITNESSES.

Take notice that you, C.D., of \_\_\_\_\_ in the Territory of New Guinea, are bound in the sum of \_\_\_\_\_ to appear at the next [*as in the Condition in Form 47*], and then and there to give evidence against A.B., and unless you then appear and give evidence accordingly the recognizance entered into by you will be forthwith enforced against you.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
Justice of the Peace.

Sec. 122.

FORM 49. Ad. by 1936,  
No. 34, r. 7.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

WARRANT OF COMMITMENT OF WITNESS FOR REFUSING TO ENTER INTO RECOGNIZANCE.

In the District Court at \_\_\_\_\_  
To all members of the New Guinea Police Force, and to the keeper of the gaol at \_\_\_\_\_ in the Territory of New Guinea.

Whereas A.B. of \_\_\_\_\_, was, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, charged before the District Court at \_\_\_\_\_ that [*&c., as in the summons or warrant*]:  
And whereas E.F. of \_\_\_\_\_ in the said Territory, having been examined as a witness touching the premises, and being required to enter into a recognizance conditioned to give evidence against the said A.B.,

COURTS--

refused to do so: These are therefore to command you, the said members of the New Guinea Police Force, to convey the said E.F. to the gaol at \_\_\_\_\_ in the said Territory, and deliver <sup>him</sup> <sub>her</sub> to the said keeper thereof, together with this warrant, and to command you, the said keeper of the said gaol, to receive the said E.F. into your custody in the said gaol, there to keep <sup>him</sup> <sub>her</sub> until after the trial of the said A.B. for the offence aforesaid, unless in the meantime the said E.F. is duly released according to law or duly enters into such recognizance as aforesaid in the sum of \_\_\_\_\_, before a Justice of the Peace for the said Territory, conditioned to appear at the next Criminal Sittings of the Supreme Court to be held at \_\_\_\_\_ in the said Territory, and there to give evidence upon any information which may be then and there preferred against the said A.B. for the offence aforesaid, and also to give evidence upon the trial of the said A.B. for the said offence.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_  
By the Court,

Ad. by 1936,  
No. 34, r. 7.

Sec. 122.

FORM 50.

TERRITORY OF NEW GUINEA.  
*District Courts Ordinance 1924-1935.*  
ORDER TO DISCHARGE A WITNESS.

To the keeper of the gaol at \_\_\_\_\_ in the Territory of New Guinea. Whereas by a warrant dated the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_, under the hand of the District Court at \_\_\_\_\_ in the said Territory, reciting that upon the hearing of a charge against one A.B. for a certain offence therein mentioned, E.F., having been examined as a witness, refused to enter into a recognizance to give evidence against the said A.B., the said Court committed the said E.F. to your custody: And whereas the said A.B. has not been committed for trial or held to bail for the said offence [or the duly appointed officer has declined to lay a charge against the said A.B. for the said offence]: These are therefore to direct you to discharge the said E.F. out of your custody and suffer <sup>him</sup> <sub>her</sub> to go at large as to the said commitment.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_  
Justice of the Peace.

Ad. by 1936,  
No. 34, r. 7.

Sec. 122A.

FORM 51.

TERRITORY OF NEW GUINEA.  
*District Courts Ordinance 1924-1935.*  
WARRANT OF COMMITMENT OF NATIVE WITNESS FOR SAFE CUSTODY.

In the District Court at \_\_\_\_\_ To all members of the New Guinea Police Force, and to the keeper of the gaol at \_\_\_\_\_ in the Territory of New Guinea. Whereas A.B. of \_\_\_\_\_ was, on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_, charged before the District Court at \_\_\_\_\_ that [&c., as in the summons or warrant], and E.F. of \_\_\_\_\_ was examined as a witness touching the premises: And whereas in the opinion of the said Court it is desirable that the said E.F. should be kept in safe custody: These are therefore to command you, the said members of the New Guinea Police Force, to convey the said E.F. to the gaol at \_\_\_\_\_ in the said Territory, and deliver <sup>him</sup> <sub>her</sub> to the keeper thereof, together with this warrant, and to command you, the said keeper of the said gaol, to receive the said E.F. into your custody in the said gaol, there to keep <sup>him</sup> <sub>her</sub> until after the trial of the said A.B. for the offence aforesaid.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_  
By the Court,

*District Courts Rules.*

Sec. 122A.

FORM 52. Ad. by 1936.  
No. 34, r. 7.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

ORDER FOR DETENTION OF NATIVE WITNESS FOR SAFE CUSTODY.

In the District Court at

To \_\_\_\_\_, a member of the New Guinea Police Force [or To the officer-in-charge of \_\_\_\_\_ (describe compound or other place of security)].

Whereas A.B. of \_\_\_\_\_ was on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, charged before the District Court at \_\_\_\_\_ that [etc., as in the summons or warrant], and E.F. of \_\_\_\_\_ in the said Territory, \_\_\_\_\_, was examined as a witness touching the premises: And whereas in the opinion of the said Court it is desirable that the said E.F. should be kept in safe custody. These are therefore to command you to detain the said E.F. in your custody, so to keep him \_\_\_\_\_ until after the trial of the said A.B. for the offence aforesaid.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
By the Court,

Sec. 124.

FORM 53. Ad. by 1936.  
No. 34, r. 7.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

WARRANT TO CONVEY ACCUSED PERSON BEFORE A DISTRICT COURT AT THE PLACE IN WHICH THE OFFENCE IS COMMITTED.

In the District Court at

To the officer-in-charge of the \_\_\_\_\_ Police District, and to all other members of the New Guinea Police Force.

Whereas A.B. of \_\_\_\_\_, has this day been charged before the District Court at \_\_\_\_\_, that [etc., as in the summons or warrant]: And whereas the said Court has taken the deposition of C.D., a witness examined by the said Court in this behalf, but the said Court is informed that the principal witnesses to prove the said offence against the said A.B. reside at \_\_\_\_\_ in the Territory of New Guinea, where the said offence is alleged to have been committed: These are therefore to command you forthwith to convey the said A.B. to \_\_\_\_\_ in the said Territory, and take him \_\_\_\_\_ before some District Court in or near the place where the offence is alleged to have been committed, to answer further the said information before the said Court.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
By the Court,

Sec. 158.

FORM 54. Ad. by 1936.  
No. 34, r. 7.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

ORDER FOR PAYMENT OF COMPENSATION AND COSTS WHERE COMPLAINT MADE IN THE WRONG COURT.

In the District Court at

A.B., complainant.  
C.D., defendant.

Date of complaint: \_\_\_\_\_, 19\_\_\_\_.

Nature of complaint [state shortly]:

Be it remembered that the said A.B. has now here vexatiously and oppressively brought C.D. before this Court to answer a certain complaint of the said

COURTS—

A.B. there now being a place at which a District Court is held more easy of access than this place, not only from the place of abode of the said C.D. but also from the place where the subject-matter of the said complaint arose, and now at this day it is adjudged [*conclude as in ordinary cases*].

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_  
By the Court,

Ad. by 1936,  
No. 34, r. 7.

Sec. 163.

FORM 55,

TERRITORY OF NEW GUINEA.

District Courts Ordinance 1924-1935.

DEFAULT SUMMONS UPON A COMPLAINT FOR A CIVIL DEBT.

In the District Court at \_\_\_\_\_

To \_\_\_\_\_ of \_\_\_\_\_, Complainant.  
\_\_\_\_\_ Defendant.  
\_\_\_\_\_ defendant.

Whereas a complaint has this day been made to a Justice of the Peace for the Territory of New Guinea [*or the Clerk of the District Court at \_\_\_\_\_*] for that you were indebted to the said complainant in the sum of \_\_\_\_\_, particulars whereof are annexed.

You are hereby warned that unless you or your solicitor give notice [*the form of which is attached hereto—such notice to be filled in, dated, and signed by you or your solicitor*] of your intention to defend this complaint, by leaving or causing to be left such notice at least forty-eight hours before the hour of \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon of the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, for the complainant at his address set out below [*or with the complainant's solicitor at his address set out below*], and also for the Clerk of the District Court at \_\_\_\_\_, or by posting such notice to the complainant at his address set out below [*or to the complainant's solicitor at his address set out below*], and also to the Clerk of the District Court at \_\_\_\_\_, the proper postage rate being duly prepaid, in time to reach the complainant [*or his solicitor*], and also the said Clerk respectively in due course of post at least forty-eight hours before the hour, day, and time above-mentioned you will not be allowed on the hearing of this complaint to make any defence to the complainant's claim unless by permission of the said Court, and the complainant need not attend the said Court or prove his claim, and an order in his favour may be made against you by the said Court.

If in manner aforesaid and within the time aforesaid the said notices are so left or posted, you are then required to appear on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, at the District Court at \_\_\_\_\_, to answer to the said complaint and to be further dealt with according to law.

The complainant's address for service is \_\_\_\_\_ to which, or at which, all notices may be posted or left.

The complainant's solicitor is \_\_\_\_\_, whose address is \_\_\_\_\_, to which, or at which, all notices may be posted or left.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_  
Justice of the Peace  
or Clerk of the District Court.

PROOF OF SERVICE [*to be indorsed on default summons*].

I, \_\_\_\_\_ of \_\_\_\_\_, make oath and say [*or affirm*] that I did on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, at \_\_\_\_\_ in the Territory of New Guinea, serve the within-named defendant with the within default summons by delivering to him personally a true copy of it with true copies of the two notices of intention to defend attached, and at the same time showing him the

District Courts Rules.

original default summons with the two notices of intention to defend attached to it.

Sworn [or affirmed] before me }  
at in the }  
said Territory the }  
day of , 19 . }

Justice of the Peace.

Notice of intention to defend.

[To be sent to the complainant, filled in, dated, and signed by the defendant or his solicitor.]

In the District Court at

Complainant.  
Defendant.

Take notice that I intend [or the defendant intends] to defend this complaint.

Dated this day of , 19 .

(Signed)

Defendant  
or Defendant's solicitor.

To complainant's solicitor.

the complainant [or To

Notice of intention to defend.

[To be sent to the Clerk of the District Court, filled in, dated, and signed by the defendant or his solicitor.]

In the District Court at

Complainant.  
Defendant.

Take notice that I intend [or the defendant intends] to defend this complaint.

Dated this day of , 19 .

(Signed)

Defendant  
or Defendant's solicitor.

To the Clerk of the District Court at

Sec. 168.

FORM 56. Ad. by 1936,  
No. 34, r. 7.

TERRITORY OF NEW GUINEA.

District Courts Ordinance 1924-1935.

CONVICTION FOR A PENALTY, AND, IN DEFAULT OF PAYMENT IMPRISONMENT.

In the District Court at

A.B., informant.  
C.D., defendant.

Be it remembered that, on the day of , 19 ,  
at in the Territory of New Guinea, C.D. of  
in the said Territory,

before the District Court at , is convicted  
that he the said  
she  
C.D. [i.e., stating the offence and the time and place when and where it was  
committed], and this Court adjudges the said C.D. for his said offence  
to forfeit and pay the sum of [stating the fine], to be paid and applied  
according to law, and also to pay to the said A.B. the sum of for  
his costs in this behalf, and if the amount of the said several sums is not paid  
herewith [or as in conviction] this Court adjudges the said C.D. to be

COURTS—

imprisoned in the gaol at (a) in the said Territory [and there to be kept to hard labour] for the space of , unless the said amount is sooner paid.

Dated at the day of , 19

By the Court,

(a) See section 21A of the *Prisons Ordinance* 1923-1935.

Ad. by 1936,  
No. 34, r. 7.

Sec. 168.

FORM 57.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance* 1924-1935.

CONVICTION WHEN THE PUNISHMENT IS IMPRISONMENT.

In the District Court at

A.B., informant.  
C.D., defendant.

Be it remembered that, on the day of , 19 , at in the Territory of New Guinea, C.D. of in the said Territory, is convicted before the District Court at that he she the said C.D. [*&c.*, *stating the offence and the time and place when and where it was committed*], and this Court adjudges the said C.D. for his her said offence to be imprisoned in the gaol at (a) in the said Territory, and there kept to hard labour for the space of ; and this Court also adjudges the said C.D. to pay the said A.B. the sum of for his her costs in this behalf, and if the said amount be not paid forthwith [*or on or before next*] then the said C.D. to be imprisoned in the said gaol, and there kept to hard labour for the space of , to commence at and from the termination of his her imprisonment aforesaid, unless the said amount is sooner paid.

Dated at the day of , 19

By the Court,

(a) See section 21A of the *Prisons Ordinance* 1923-1935.

Ad. by 1936,  
No. 34, r. 7.

Secs. 168, 215.

FORM 58.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance* 1924-1935.

SUMMARY CONVICTION FOR INDICTABLE OFFENCE.

In the District Court at

Be it remembered that, on the day of , 19 , at in the Territory of New Guinea, A.B., being charged before the District Court at that he she the said A.B. [*&c.* *stating the offence and the time and place when and where it was committed*], and the age of the said A.B. on the [*date of offence*] having in the opinion of the said Court not exceeded sixteen [*or twelve*] years [*or and the value of the said goods not exceeding Forty shillings or as the case may be*], and the said A.B. [*or C.D.*, the parent (*or guardian*) of the said A.B.,] consenting to the said Court deciding upon the charge summarily, the said A.B. is therefore convicted before the said Court of the said offence, and the said A.B. is adjudged for his her said offence to be imprisoned in the gaol at (a) in the said Territory [there to be kept at hard labour] for the term of

Dated at the day of , 19

By the Court,

(a) See section 21A of the *Prisons Ordinance* 1923-1935.

*District Courts Rules.*

Sec. 168.

FORM 59. Ad. by 1936.  
No. 34, r. 7.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

ORDER FOR PAYMENT OF MONEY OR COSTS.

In the District Court at

A.B., complainant.  
C.D., defendant.

Date of complaint: , 19 .

Nature of complaint [*state shortly*]:

The parties above-named having appeared [or the said A.B. having appeared but the said C.D. although duly called not having appeared by himself or his her solicitor] and it now being satisfactorily proved on oath that the said C.D. has been duly served with a summons in this behalf [or that an order for notice in substitution for service of a summons in this behalf has been made and complied with] which required him her to be and appear here on this day before the said Court to answer to the said complaint and to be further dealt with according to law and now having heard the matter of the said complaint it is adjudged that the said C.D. do pay to the said A.B. the sum of forthwith [or on or before the day of next or as ordered] and also pay to the said

A.B. the sum of for his her costs in this behalf.

Dated at the day of , 19 .  
By the Court,

Secs. 168, 282.

FORM 60. Ad. by 1936.  
No. 34, r. 7.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

CONVICTION FOR CONTEMPT OF COURT.

In the District Court at

Be it remembered that, on the day of , 19 ,  
at in the Territory of New Guinea, A.B. of  
in the said Territory, , is convicted by  
the said Court for that he she the said A.B. [*here insert* wilfully interrupted  
the proceedings of the said Court or conducted himself herself disrespectfully to the  
said Court during the sittings thereof or obstructed or assaulted C.D., a person  
in attendance (or an officer of the said Court) or wilfully disobeyed an order  
made by the said Court to go and remain outside and beyond the hearing of  
the Court until required to give evidence or wilfully prevaricated in giving  
evidence] and this Court adjudges the said A.B. for his her said offence to forfeit  
and pay the sum of [*stating the fine*], to be paid and applied according to law  
and if the said sum is not paid forthwith [or on or before  
next] this Court adjudges the said A.B. to be imprisoned in the gaol at  
in the said Territory [and there kept to hard labour]  
for the space of , unless the said sum is sooner paid.

Dated at the day of , 19 .  
By the Court,

COURTS—

Ad. by 1936,  
No. 34, r. 7.

Sec. 169.

FORM 61.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

ORDER OF DISMISSAL OF AN INFORMATION OR COMPLAINT.

In the District Court at

A.B., informant [or complainant].  
C.D., defendant.

Date of information [or complaint]: , 19 .

Nature of information [or complaint] [state shortly]:

Be it remembered that, on the day of , 19 ,  
the abovementioned information was laid before the said Court for that [&c.,  
complaint was made as in the summons to the defendant]:

Now on this day, to wit, on the  
day of , 19 , at in the  
Territory of New Guinea, both the said parties having appeared in order that the  
said information should be heard and determined [or the said C.D. having  
complaint appeared before the said Court, but the said A.B., although duly called, not  
having appeared], whereupon the matter of the said information being duly  
considered it appears to this Court that the said information is not proved,  
complaint

the information is hereby dismissed and it is adjudged that the said A.B.

do pay to the said C.D. the sum of for his costs incurred  
her

by him in his defence in this behalf.  
her in her

Dated at the day of , 19 .

By the Court,

Ad. by 1936,  
No. 34, r. 7.

Sec. 169.

FORM 62.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

CERTIFICATE OF DISMISSAL.

A.B., informant [or complainant].  
C.D., defendant.

This is to certify that, on the day of , 19 ,  
an information [or complaint or claim by way of set-off] preferred by A.B.  
of in the Territory of New Guinea,  
against C.D. of in the said Territory,  
for that [&c., as in the summons or notice of set-off] was this day considered  
by the District Court at and was dismissed [with costs].

Dated at the day of , 19 .

By the Court,

Justice of the Peace  
or Clerk of the District Court  
at

Ad. by 1936,  
No. 34, r. 7.

Secs. 169, 215.

FORM 63.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

CERTIFICATE OF DISMISSAL ON SUMMARY HEARING OF INDICTABLE OFFENCE.

This is to certify that, on the day of , 19 ,  
at in the Territory of New Guinea, A.B., being charged



*District Courts Rules.*

before the District Court at \_\_\_\_\_, that <sup>he</sup> she the said A.B. [*&c., stating the offence charged, the time and place when and where it was committed, and the grounds of jurisdiction as in Form 58*], the information was thereupon dismissed.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
By the Court,  
Justice of the Peace  
or Clerk of the District Court  
at \_\_\_\_\_

Secs. 171, 173, 174, 176.

FORM 64. Ad. by 1936  
No. 34, r. 7.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

WARRANT OF COMMITMENT UPON A CONVICTION FOR A PENALTY  
IN THE FIRST INSTANCE.

To all members of the New Guinea Police Force, and to the keeper of the gaol at \_\_\_\_\_ in the Territory of New Guinea.

Whereas A.B., of \_\_\_\_\_ in the said Territory, was, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, convicted before the District Court at \_\_\_\_\_, for that [*stating the offence as in the conviction*], and it was adjudged that the said A.B. for <sup>his</sup> her said offence should forfeit and pay the sum of \_\_\_\_\_ [*&c., as in the conviction*], and should pay to the said C.D. the sum of \_\_\_\_\_ for costs, and it was further adjudged that if the amount of the said several sums or any part thereof is not paid as aforesaid the said A.B. should be imprisoned in the gaol at \_\_\_\_\_ in the said Territory [and there kept to hard labour] for the term of \_\_\_\_\_, unless the said amount [or the balance of the said amount] is sooner paid: And whereas the said A.B. has [paid part of the said amount, to wit, the sum of \_\_\_\_\_, but has] made default in payment [of a balance of \_\_\_\_\_]: These are therefore to command you, the said members of the New Guinea Police Force, to apprehend the said A.B. and convey <sup>him</sup> her to the gaol at \_\_\_\_\_ aforesaid, and deliver <sup>him</sup> her to the keeper thereof, together with this warrant, and to command you, the said keeper of the said gaol, to receive the said A.B. into your custody in the said gaol, there to imprison <sup>him</sup> her and keep <sup>him</sup> her to hard labour for the term of \_\_\_\_\_ unless the said amount [or balance] is sooner paid.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
Justice of the Peace.

Secs. 173, 181.

FORM 65. Ad. by 1936  
No. 34, r. 7.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

WARRANT OF EXECUTION UPON A CONVICTION FOR A PENALTY OF A  
CORPORATE BODY.

To the officer-in-charge of the \_\_\_\_\_ Police District, and to all other members of the New Guinea Police Force.

Whereas A.B. [*&c., describing the corporate body*] was, on the day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_, convicted before the District Court for that [*&c., as in the conviction*], and it was thereby adjudged that the said A.B. should for such offence forfeit and pay [*&c., as in the conviction*], [and also should pay to C.D. the sum of \_\_\_\_\_ for costs]:



*District Courts Rules.*

served upon the said A.B., either personally or by leaving the copy for <sup>him</sup> <sub>her</sub> at <sup>his</sup> <sub>her</sub> last known or usual place of abode <sup>he</sup> <sub>she</sub> should refuse or neglect to obey the said order, the said A.B. should be imprisoned in the gaol at in the said Territory [there to be kept to hard labour] for the term of , unless the said order should be obeyed: And whereas it is now proved to me that after the making of the said order a copy of the minute thereof was duly served upon the said A.B. but <sup>he</sup> <sub>she</sub> then refused [or neglected] to obey the said order, and has not as yet obeyed the said order: These are therefore to command you, the said members of the New Guinea Police Force, to apprehend the said A.B., and convey <sup>him</sup> <sub>her</sub> to the gaol at aforesaid, and deliver <sup>him</sup> <sub>her</sub> to the keeper thereof, together with this warrant, and to command you, the said keeper of the said gaol, to receive the said A.B. into your custody in the said gaol, there to imprison <sup>him</sup> <sub>her</sub> [and keep <sup>him</sup> <sub>her</sub> to hard labour] for the term of

Dated at                      the                      day of                      , 19 .  
By the Court,  
[or  
Justice of the Peace.]

Sec. 181.

FORM 68. Ad. by 1936.  
No. 34, r. 7.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

WARRANT OF EXECUTION UPON AN ORDER FOR THE PAYMENT OF MONEY.

To the officer-in-charge of the                      Police District, and to all other members of the New Guinea Police Force.

Whereas, on the                      day of                      , 19                      , at                      , upon the hearing of a complaint made by C.D., of                      , against A.B., of                      , the District Court at                      , adjudged that the said A.B. should pay to the said C.D. the sum of                      on or before the                      then next [or as the case may be], and also should pay to the said C.D. the sum of                      for costs: And whereas the said A.B. has made default in payment: These are therefore to command you forthwith to take the goods and chattels of the said A.B., except the wearing apparel and bedding of the defendant and <sup>his</sup> <sub>her</sub> family, and the tools and implements of the defendant's trade, the whole not exceeding in value the sum of Twenty pounds, and, if within the space of                      days after taking them the sum stated at the foot of this warrant together with the reasonable costs and charges of taking and keeping the said goods and chattels is not paid, that then you sell the said goods and chattels and pay the money arising from such sale to the Clerk of the said Court; and, if no goods and chattels can be found, that you so certify to me.

Dated at                      the                      day of                      , 19 .  
Justice of the Peace.

|                                       |    | £ | s. | d. |
|---------------------------------------|----|---|----|----|
| Amount adjudged .. .. .               | .. |   |    |    |
| Paid .. .. .                          | .. |   |    |    |
| Remaining due .. .. .                 | .. |   |    | £  |
| Costs of issuing this warrant .. .. . | .. |   |    |    |
| Amount to be levied .. .. .           | .. |   |    | £  |

COURTS—

Ad. by 1936,  
No. 34, r. 7.

Secs. 181, 268.

FORM 69.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

WARRANT OF EXECUTION FOR COSTS UPON AN ORDER FOR  
DISMISSAL OF AN INFORMATION OR A COMPLAINT.

To the officer-in-charge of the \_\_\_\_\_ Police District, and to all other members of the New Guinea Police Force.

Whereas, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_, upon the hearing of an information laid [or a complaint made] by C.D. of \_\_\_\_\_, against A.B., of \_\_\_\_\_, before the District Court at \_\_\_\_\_, the said Court dismissed the \_\_\_\_\_ information, \_\_\_\_\_ complaint, and adjudged that the said C.D. should pay to the said A.B. the sum of \_\_\_\_\_ for costs: And whereas the said C.D. has made default in payment: These are therefore to command you forthwith to take the goods and chattels of the said C.D., except the wearing apparel and bedding of the said C.D. and his \_\_\_\_\_ family, and the tools and implements of his \_\_\_\_\_ trade, the whole not exceeding in value the sum of Twenty pounds, and, if within the space of \_\_\_\_\_ days after taking them the sum stated at the foot of this warrant together with the reasonable costs and charges of taking and keeping the goods and chattels is not paid, that then you sell the said goods and chattels and pay the money arising from such sale to the Clerk of the said Court; and, if no goods and chattels can be found, that you so certify to me.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
Justice of the Peace.

|                                       | £ | s. | d. |
|---------------------------------------|---|----|----|
| Amount adjudged .. .. .               |   |    |    |
| Paid .. .. .                          |   |    |    |
| Remaining due .. .. .                 | £ |    |    |
| Costs of issuing this warrant .. .. . |   |    |    |
| Amount to be levied .. .. .           | £ |    |    |

Ad. by 1936,  
No. 34, r. 7.

Sec. 181.

FORM 70.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

RETURN TO A WARRANT OF EXECUTION.

I, of \_\_\_\_\_ in the Territory of New Guinea, a member of the New Guinea Police Force, hereby certify to \_\_\_\_\_, Esquire, a Justice of the Peace for the said Territory, that by virtue of this warrant I have made diligent search for the goods and chattels of the within-mentioned (a) \_\_\_\_\_, and that I can find no sufficient goods or chattels of the said (a) \_\_\_\_\_ whereon to levy the sum[s] within mentioned.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(a) Name of person against whom warrant issued.  
NOTE.—Return to be indorsed on warrant to which it refers.

District Courts Rules.

Sec. 187.

FORM 71. Ad. by 1936, No. 34, r. 7.

TERRITORY OF NEW GUINEA.

District Courts Ordinance 1924-1935.

SUMMONS IN CASE OF ADVERSE CLAIMS TO GOODS DISTRAINED.

A.B., complainant.  
C.D., defendant.  
G.H., applicant.

To A.B. of \_\_\_\_\_, and E.F. of \_\_\_\_\_, claimant.

Whereas application has this day been made by G.H. to the undersigned, a Justice of the Peace for the Territory of New Guinea, for that by a warrant under the hand of \_\_\_\_\_, a Justice of the Peace for the said Territory, dated the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and directed to [&c.], the said members of the New Guinea Police Force were commanded forthwith to levy execution against the goods and chattels of C.D., and that the said G.H., one of the said members of the New Guinea Police Force, had under the said warrant seized certain goods and chattels, namely \_\_\_\_\_, as and for the goods and chattels of the said C.D., and that you, the said E.F., have claimed them as your property: These are therefore to command you, the said E.F. and A.B., to be and appear before the District Court at \_\_\_\_\_ in the said Territory on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, in order that it may adjudicate upon the said claim and make an order thereupon according to law.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
Justice of the Peace.

Sec. 187.

FORM 72. Ad. by 1936, No. 34, r. 7.

TERRITORY OF NEW GUINEA.

District Courts Ordinance 1924-1935.

ORDER IN CASE OF ADVERSE CLAIMS TO GOODS DISTRAINED.

In the District Court at \_\_\_\_\_

A.B., complainant.  
C.D., defendant.  
G.H., applicant, and E.F., claimant.

Be it remembered that on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, application was made [as in Form 71] and that E.F. had claimed them as his property and now at this day the said E.F. and A.B. the party who obtained the said warrant appear before the said Court [if both do not appear, state the non-appearance and service of the summons] and now having heard the matter of the said application, it is hereby adjudged that [here state the adjudication in one of the following forms or to the like effect]:—

|  |   |
|--|---|
| the said goods and chattels were [not] at the time of the said seizure thereof the property of the said E.F. | part of the said goods and chattels to wit [one chair &c.] were at the time of the said seizure thereof the property of the said E.F. but that the residue of the said goods and chattels was not his property. |
|--|---|

And it is also adjudged that the said E.F. [or A.B.] do pay the said A.B. [or E.F.], forthwith [or on or before the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_], the sum of \_\_\_\_\_ for his costs in this behalf.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
By the Court,

COURTS—

Ad. by 1936,  
No. 34, r. 7.

Sec. 189.

Form 73.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

ATTACHMENT OF DEBT—SUMMONS FOR ORDER FOR ORAL  
EXAMINATION.

A.B., complainant [or informant].  
C.D., defendant.

Date of complaint [or information]:

Nature of complaint [or information] [state shortly]:

To the said C.D.

You are commanded to appear before the District Court [or X.Y. Esquire, a Justice of the Peace for the Territory of New Guinea] at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon on the hearing of an application on the part of the said A.B. that you attend and be orally examined before the District Court at \_\_\_\_\_ as to whether any and what debts are owing to you and as to any and what other property or means of satisfying the order made on the said complaint you may have and that you do produce your books of account, papers, and documents in any way relating to the said debts, property, or means before the said Court at the time of such examination.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
Justice of the Peace.

Ad. by 1936,  
No. 34, r. 7.

Sec. 189.

FORM 74.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

ORDER FOR ORAL EXAMINATION.

In the District Court at \_\_\_\_\_

A.B., complainant [or informant].  
C.D., defendant.

Date of complaint [or information]:

Nature of complaint [or information] [state shortly]:

Upon hearing \_\_\_\_\_, it is ordered that the above-named C.D. attend and be orally examined before the District Court at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon as to whether any and what debts are owing to <sup>him</sup> <sub>her</sub> and as to any and what other property or means of satisfying the order made on the said complaint <sup>he</sup> <sub>she</sub> may have and that the said C.D. produce [as ordered] before the said Court at the time of the examination and that the costs of this application be \_\_\_\_\_

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
By the Court,

Ad. by 1936,  
No. 34, r. 7.

Sec. 100.

FORM 75.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

ORDER EX PARTE FOR ATTACHMENT OF DEBT.

In the District Court at \_\_\_\_\_

A.B., complainant [or informant].  
C.D., defendant.

Date of complaint [or information]:

Nature of complaint [or information] [state shortly]:

M.P., garnishee.

*District Courts Rules.*

Upon hearing the affidavit of \_\_\_\_\_, 19 : \_\_\_\_\_ and upon reading the affidavit of \_\_\_\_\_ filed the \_\_\_\_\_ day of \_\_\_\_\_, 19 :

It is ordered that all debts owing or accruing due from the above-named garnishee to the above-named C.D., be attached to answer the order herein for the sum of \_\_\_\_\_ on which order the sum of \_\_\_\_\_ remains due and unpaid:

It is further ordered that the said garnishee attend before the District Court at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19 , at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon on an application of the said A.B. that the said garnishee pay to the said A.B. the debt due from him to the said C.D. or so much thereof as may be sufficient to satisfy her the order herein:

And that the costs of this application be \_\_\_\_\_ [if any order for special service is made add and it is further ordered that service of this order may be made by (as directed by the justice or Court)].

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 .  
By the Court,  
[or \_\_\_\_\_  
Justice of the Peace].

Sec. 192.

FORM 76. Ad. by 1936, No. 34, r. 7.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

**ORDER FOR PAYMENT BY GARNISHEE TO PERSON OBTAINING ORDER WHERE GARNISHEE DOES NOT DISPUTE HIS LIABILITY.**

In the District Court at \_\_\_\_\_

A.B., complainant [or informant].  
C.D., defendant.

Date of complaint [or information]: \_\_\_\_\_, 19 .

Nature of complaint [or information] [state shortly]: \_\_\_\_\_  
M.P., garnishee.

Upon hearing [all the said parties] and upon reading the order for attachment of debt dated \_\_\_\_\_, it is ordered that the said garnishee do forthwith pay the said A.B. the amount of the debt due from him to the said C.D., namely, £ \_\_\_\_\_

[or the sum of £ \_\_\_\_\_], and that in default a warrant of execution may issue for the amount hereby ordered to be paid and that costs of this application be \_\_\_\_\_

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 .  
By the Court,

Sec. 193.

FORM 77. Ad. by 1936, No. 34, r. 7.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

**ORDER WHERE GARNISHEE DISPUTES HIS LIABILITY AND ISSUE IS ORDERED.**

In the District Court at \_\_\_\_\_

A.B., complainant [or informant].  
C.D., defendant.

Date of complaint [or information]: \_\_\_\_\_, 19 .

Nature of complaint [or information] [state shortly]: \_\_\_\_\_  
M.P., garnishee.

Upon hearing [all the said parties] and upon reading the order for attachment of debt dated \_\_\_\_\_, it is ordered that the said A.B. and the said M.P. do proceed to the trial of an issue in the District Court at \_\_\_\_\_ wherein the said A.B. shall \_\_\_\_\_

COURTS—

be complainant and the said M.P. shall be defendant; the question to be tried therein shall be whether the said M.P. was indebted to the said C.D. at the time the said order for attachment was made on the , and if so whether he she was so indebted to the amount of and that the costs of this application follow the event of such issue:

And it is further ordered that this order may be filed in the said Court at within days of the making of this order.

Dated at the day of , 19 . By the Court,

Ad. by 1936, No. 34, r. 7.

Sec. 195.

FORM 78.

TERRITORY OF NEW GUINEA.

District Courts Ordinance 1924-1935.

ORDER WHERE THE GARNISHEE SUGGESTS THAT A THIRD PERSON CLAIMS A LIEN OR CHARGE ON DEBT DUE FROM GARNISHEE TO DEBTOR.

In the District Court at

A.B., complainant [or informant]. C.D., defendant.

Date of complaint [or information]: , 19 .

Nature of complaint [or information] [state shortly]: M.P., garnishee. S.T., claimant.

Upon hearing the above-named A.B., C.D., and M.P. it is ordered that all the above-named parties, A.B., C.D., M.P., and S.T., attend before the District Court at , on the day of , 19 , at o'clock in the noon, and state the nature and particulars of their respective claims to such debts and maintain or relinquish them and abide such order as may be made herein: And it is further ordered that the above-named A.B. do serve a true copy of the order in the said complaint made the day of , 19 , upon the above-named S.T.

Dated at the day of , 19 . By the Court,

Ad. by 1936, No. 34, r. 7.

Sec. 200.

FORM 79.

TERRITORY OF NEW GUINEA.

District Courts Ordinance 1924-1935.

SUMMONS TO DEBTOR.

To A.B. of Whereas the District Court at did, on the day of , 19 , order that you should pay to C.D. the sum of £ and costs which by the said order were fixed at the sum of £ [or the sum of £ for costs] and the said sum[s] [or £ part of &c., as the case may be] are still wholly due and unpaid:

These are therefore to command you to appear personally before the District Court at , on the day of , 19 , at o'clock in the noon, to be examined by the said Court touching your estate and effects and as to the property and means you have or have had of paying and discharging the said sum[s] and as to the disposal you have made of your property and as to your intention to leave the Territory of New Guinea without paying the said sum[s] or to depart elsewhere within the said Territory with intent to evade payment thereof and as to the mode in which you incurred the liability [and as to your neglect or refusal to comply with an order for the delivery of goods detained without just cause after due notice and to pay the value thereof to the complainant].

Dated at the day of , 19 . Clerk of the District Court at



District Courts Rules.

Sec. 200.

FORM 80. Ad. by 1936, No. 34, r. 7.

TERRITORY OF NEW GUINEA.

District Courts Ordinance 1924-1935.

ORDER FOR COMMITMENT OF DEBTOR IN DEFAULT OF PAYMENT.

In the District Court at  
To A.B. of

Whereas the said Court did, on the \_\_\_\_\_ day of  
19\_\_\_\_, order that you should pay to C.D. the sum of £ \_\_\_\_\_  
and costs which by the said order were fixed at the sum of £ \_\_\_\_\_  
[or the sum of £ \_\_\_\_\_ for costs] and the said sum[s] [or £ \_\_\_\_\_  
part of £\_\_\_\_., as the case may be] are still wholly due and unpaid, and it  
has been proved against you that having been duly summoned [or summoned and  
examined] [here set out the specific offence found, e.g., it has been proved to the  
satisfaction of the said Court that you contracted the liability under false  
pretences or by means of fraud or breach of trust or it has been proved to the  
satisfaction of the said Court that you have or have had since the date of the  
order against you sufficient means and ability to pay the sum in respect of  
which you have made default and have refused or neglected (or refuse or neglect)  
to pay it or it has been proved to the satisfaction of the said Court that  
you have neglected or refused to comply with an order for the delivery of goods  
detained without just cause after due notice and have not paid the value thereof  
to the complainant]:

It is adjudged that unless you pay into the said Court immediately [or  
within \_\_\_\_\_ days or by the following instalments upon the  
following days that is to say:—here set out date and sums] the said sum  
together with the sum of £ \_\_\_\_\_ for costs of the summons  
[or summons and examination] you be committed to prison for the term of \_\_\_\_\_  
[or until you shall have paid or satisfied the said  
order and the sums hereinbefore ordered to be paid for costs, or until you shall  
be otherwise discharged by due course of law].

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
By the Court,

Sec. 200A.

FORM 81. Ad. by 1936, No. 34, r. 7.

TERRITORY OF NEW GUINEA.

District Courts Ordinance 1924-1935.

ORDER TO APPREHEND DEBTOR.

In the District Court at

To \_\_\_\_\_, a member of the New Guinea Police Force.

Whereas the said Court did, on the \_\_\_\_\_ day of  
19\_\_\_\_, order that A.B. should pay to C.D. the sum of £ \_\_\_\_\_ and  
costs which by the said order were fixed at the sum of £ \_\_\_\_\_  
[or the sum of £ \_\_\_\_\_ for costs] and the said sum[s] [or  
£ \_\_\_\_\_ part of £\_\_\_\_., as the case may be] are still wholly due or  
unpaid, and evidence has been given to the said Court that [here set out the  
specific offence, e.g. the said A.B. contracted the liability under false pretences  
or by means of fraud or breach of trust or the said A.B. has or has had since  
the date of the order against the said A.B. sufficient means and ability to pay  
the sum in respect of which the said A.B. has made default and has refused  
or neglected (or refuses or neglects) to pay it or the said A.B. has refused or  
neglected to comply with an order for the delivery of goods detained without  
just cause after due notice and has not paid the value thereof to the com-  
plainant]: These are therefore to command you to apprehend the said A.B.  
and to bring him before the said Court forthwith, to be further dealt with  
according to law.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
By the Court,

COURTS—

Ad. by 1936,  
No. 34, r. 7.

Sec. 201.

FORM 82.

TERRITORY OF NEW GUINEA.  
*District Courts Ordinance 1924-1935.*  
WARRANT OF COMMITMENT OF DEBTOR.

In the District Court at  
To \_\_\_\_\_, a member of the New Guinea Police Force, and  
to the keeper of the gaol at \_\_\_\_\_ in the Territory of New Guinea.

The said Court having ordered that A.B. against whom C.D. had in the said Court obtained an order for \_\_\_\_\_ should be committed to prison for [state time] unless <sup>he</sup> <sub>she</sub> did [as in order for commitment] and the said A.B. having made default by not [state shortly the default]:

You, the said member of the New Guinea Police Force, are commanded to take the said A.B. and convey <sup>him</sup> <sub>her</sub> to the gaol at \_\_\_\_\_ in the said Territory and deliver <sup>him</sup> <sub>her</sub> to the keeper thereof, and you, the said keeper of the said gaol, are hereby required to receive <sup>him</sup> <sub>her</sub> into your custody in the said gaol and <sup>him</sup> <sub>her</sub> there safely keep for the space of \_\_\_\_\_ or until you shall receive a certificate [signed by the Clerk of the said Court] that the said A.B. has paid or satisfied the said sums or until the said A.B. is otherwise discharged by due course of law.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_  
Clerk of the District Court at \_\_\_\_\_

Ad. by 1936,  
No. 34, r. 7.

Sec. 202.

FORM 83.

TERRITORY OF NEW GUINEA.  
*District Courts Ordinance 1924-1935.*  
WARRANT OF COMMITMENT OF DEBTOR ON EX PARTE APPLICATION.

In the District Court at  
To \_\_\_\_\_, a member of the New Guinea Police Force, and  
to the keeper of the gaol at \_\_\_\_\_ in the Territory of New Guinea.

The said Court having, in the special circumstances of the case, on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_, ordered that A.B. against whom C.D. had in the said Court obtained an order for \_\_\_\_\_ should be committed to prison for [state time] unless <sup>he</sup> <sub>she</sub> did [as in order for commitment] and the said A.B. having made default by not [state shortly the default]:

You, the said member of the New Guinea Police Force, are commanded to take the said A.B. and convey <sup>him</sup> <sub>her</sub> to the gaol at \_\_\_\_\_ in the said Territory and deliver <sup>him</sup> <sub>her</sub> to the keeper thereof, and you, the said keeper of the said gaol, are hereby required to receive <sup>him</sup> <sub>her</sub> into your custody in the said gaol and <sup>him</sup> <sub>her</sub> there safely keep for the space of \_\_\_\_\_ or until you shall receive a certificate [signed by the Clerk of the said Court] that the said A.B. has paid or satisfied the said sums or until the said A.B. is otherwise discharged by due course of law.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_  
Clerk of the District Court at \_\_\_\_\_

*District Courts Rules.*

Secs. 216, 217.

FORM 84. Ad. by 1936,  
No. 34, r. 17.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

INFORMATION TO REQUIRE SURETY OF THE PEACE OR FOR GOOD BEHAVIOUR.

The information of C.D. of \_\_\_\_\_ in the Territory of New Guinea, \_\_\_\_\_, laid this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, before the undersigned, a Justice of the Peace for the said Territory, who says that A.B. of \_\_\_\_\_ in the said Territory, \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, at \_\_\_\_\_ in the said Territory, declared and threatened [*here state the defendant's threats*], and that the said C.D. is therefore afraid that the said A.B. will do <sup>him</sup> [or the said <sup>her</sup> \_\_\_\_\_] some bodily injury [or commit a breach of the peace towards <sup>him</sup> (or the said <sup>her</sup> \_\_\_\_\_) or burn (or injure) <sup>his</sup> her house or procure some bodily injury to be done to <sup>him</sup> or as the case may be] [or that the said A.B. is a person of evil fame and character, making <sup>his</sup> her living by dishonest means or as the case may be]; and the said C.D. therefore prays that the said A.B. may be required to find sureties to keep the peace towards <sup>him</sup> [or the said <sup>her</sup> \_\_\_\_\_] [or be of good behaviour]: And the said C.D. says that <sup>he</sup> she does not lay this information from any malice or ill-will [*in case of surety of the peace add but merely for the preservation of <sup>his</sup> her life and person (and property) (or the life and person of the said \_\_\_\_\_) from injury*].

Laid before me the day and year first above-mentioned, at \_\_\_\_\_ Sworn \_\_\_\_\_ in the said Territory.

Justice of the Peace.

Sec. 219.

FORM 85. Ad. by 1936,  
No. 34, r. 7.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

WARRANT TO APPREHEND A PERSON REQUIRED TO GIVE SURETY OF THE PEACE OR FOR GOOD BEHAVIOUR.

[As in Form 36, and conclude as follows, instead of "and to be further dealt with" &c.:—] and to find sufficient sureties to keep the peace, and especially towards the said C.D. [or to be of good behaviour] for such term as shall be directed.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

Justice of the Peace.

Sec. 222.

FORM 86. Ad. by 1936,  
No. 34, r. 7.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

RECOGNIZANCE OF THE PEACE OR FOR GOOD BEHAVIOUR.

[Same as Recognizance, Form 28.]  
*Condition.*

The condition of the within-written recognizance is such that, if the said A.B. shall keep the peace, and especially towards C.D. of \_\_\_\_\_ [or be of good behaviour] for the term of [six months] now next ensuing, then the said recognizance to be void, or else to stand in full force and virtue.

COURTS—

Ad. by 1936,  
No. 34, r. 7.

Sec. 222.

TERRITORY OF NEW GUINEA.

FORM 87.

*District Courts Ordinance 1924-1935.*

WARRANT OF COMMITMENT FOR WANT OF SURETIES OF THE  
PEACE OR FOR GOOD BEHAVIOUR.

In the District Court at

To all members of the New Guinea Police Force, and to the keeper of the gaol at \_\_\_\_\_ in the Territory of New Guinea.

Whereas, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, upon the hearing of a charge before the District Court at \_\_\_\_\_ that

[&c., as in the information] the said A.B., being ordered to enter into his own recognizance in the sum of \_\_\_\_\_ with \_\_\_\_\_ sufficient

surety in the sum of \_\_\_\_\_ each to keep the peace [&c., or as the case may be—see condition of the recognizance to keep the peace, &c., Form 86], refused and neglected, and still refuses and neglects, to do so: These are therefore to command you, the said members of the New Guinea Police Force, to convey the said A.B. to the gaol at \_\_\_\_\_ in the said Territory,

and deliver him to the keeper thereof together with this warrant, and to command you, the said keeper of the said gaol, to receive the said A.B. into your custody, and there keep him for the term of \_\_\_\_\_, unless he in the

meantime enters into such recognizance with such surety as aforesaid to keep the peace, [&c., or as the case may be].

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

By the Court,

Ad. by 1936,  
No. 34, r. 7.

Sec. 223.

TERRITORY OF NEW GUINEA.

FORM 88.

*District Courts Ordinance 1924-1935.*

NOTICE OF RECOGNIZANCE OF THE PEACE OR FOR GOOD BEHAVIOUR  
TO BE GIVEN TO THE DEFENDANT AND HIS SURETIES.

Take notice that you, A.B. of \_\_\_\_\_ in the Territory of New Guinea, \_\_\_\_\_, are bound in the sum of \_\_\_\_\_, and you, L.M. and N.O., in the sum of \_\_\_\_\_

, that you, the said A.B., keep the peace, and especially towards C.D. of \_\_\_\_\_ [or be of good behaviour] for the term of \_\_\_\_\_ from the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and unless you so keep the peace [or as the case may be] accordingly,

the recognizance entered into by you, the said A.B., and the said L.M. and N.O. as your sureties, will forthwith be enforced against you and them.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
Justice of the Peace.

Ad. by 1936,  
No. 34, r. 7.

Sec. 224.

TERRITORY OF NEW GUINEA.

FORM 89.

*District Courts Ordinance 1924-1935.*

WARRANT TO DISCHARGE A PERSON COMMITTED FOR WANT OF  
SURETIES OF THE PEACE OR FOR GOOD BEHAVIOUR.

To the keeper of the gaol at \_\_\_\_\_ in the Territory of New Guinea.

Whereas A.B., late of \_\_\_\_\_

in the said Territory, \_\_\_\_\_, has, before the undersigned, a Justice of the Peace for the said Territory, entered into his own recognizance and found sufficient sureties to keep the peace [&c., as in the condition of the recognizance]: These are therefore to command you that if the said A.B. is now in your custody for the said cause and for no other, you forthwith suffer him to go at large.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
Justice of the Peace.

*District Courts Rules.*

Secs. 228, 229.

FORM 90. Ad. by 1936, No. 34, r. 7.

TERRITORY OF NEW GUINEA.  
*District Courts Ordinance 1924-1935.*

NOTICE OF APPEAL.

In the District Court at

A.B., informant [*or complainant*].  
C.D., defendant.

To A.B. [*or C.D.*] of \_\_\_\_\_ and to E.F.,  
the Clerk of the said District Court.

I, the above-named defendant [*or informant or complainant*], hereby give notice that it is my intention to appeal against a certain conviction [*or order or adjudication*] made by the said District Court, whereby the Court [*here set out the conviction, order, or adjudication*].

And take notice that the grounds of such appeal are:—

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 .

Appellant  
*or* Solicitor for the above-named appellant.

Secs. 228, 230.

FORM 91. Ad. by 1936, No. 34, r. 7.

TERRITORY OF NEW GUINEA.  
*District Courts Ordinance 1924-1935.*

RECOGNIZANCE ON APPEAL.

[*Same as Recognizance, Form 28.*]

*Condition.*

The condition of the within-written recognizance is such that whereas on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, an information was laid [*or a complaint made*] by \_\_\_\_\_ of \_\_\_\_\_

against \_\_\_\_\_ of \_\_\_\_\_ :  
And whereas the said information [*or complaint*] was heard by the District Court at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, and the said Court [*here set out conviction, order, or adjudication*]:  
And whereas the said \_\_\_\_\_ has given notice of

his intention to appeal from the said conviction [*or order or adjudication*] her \_\_\_\_\_ to the Supreme Court of the Territory of New Guinea: If therefore the said \_\_\_\_\_ shall duly prosecute without delay such appeal and abide the order of the Supreme Court thereon, and pay such costs as may be awarded by the Supreme Court, then the said recognizance to be void, or else to stand in full force and virtue.

Sec. 233.

FORM 92. Ad. by 1936, No. 34, r. 7.

TERRITORY OF NEW GUINEA.  
*District Courts Ordinance 1924-1935.*  
ENTRY OF APPEAL TO SUPREME COURT.

To The Registrar of the Supreme Court.

1. The name of the appellant is \_\_\_\_\_
2. The name of the respondent is \_\_\_\_\_
3. The cause or matter of the appeal is a conviction [*or order or adjudication*] of \_\_\_\_\_
4. I request that the appeal be set down for hearing before the Supreme Court on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 .

Appellant  
*or* Solicitor for the above-named appellant.

COURTS—

Ad. by 1936,  
No. 34, r. 7.

Sec. 234J.

FORM 93.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

WARRANT TO APPREHEND PERSON WHO HAS INSTITUTED APPEAL  
AND IS ABOUT TO LEAVE THE TERRITORY.

To all members of the New Guinea Police Force, and to the keeper of the  
gaol at \_\_\_\_\_ in the Territory of New Guinea.

Whereas on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, A.B. of  
\_\_\_\_\_ in the said Territory, \_\_\_\_\_, instituted  
an appeal to the Supreme Court of the said Territory against a conviction made  
by the District Court at \_\_\_\_\_ on the  
day of \_\_\_\_\_, 19\_\_\_\_, namely, that \_\_\_\_\_:

And whereas it has been made to appear on oath to me the undersigned, a Justice  
of the Peace for the said Territory, that the said A.B. is about to leave the  
said Territory: These are therefore to command you, the said members of the  
New Guinea Police Force, to apprehend the said A.B. and convey <sup>him</sup><sub>her</sub> to the  
gaol at \_\_\_\_\_ aforesaid, and there deliver <sup>him</sup><sub>her</sub> to the keeper  
thereof, and to command you, the said keeper of the said gaol, to receive the  
said A.B. into your custody in the said gaol there to keep <sup>him</sup><sub>her</sub> until the  
determination of the said appeal, unless <sup>he</sup><sub>she</sub> in the meantime enters into a  
recognizance with a surety or sureties sufficient, in the opinion of a justice, to  
secure <sup>his</sup><sub>her</sub> appearance to abide the judgment of the Supreme Court.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
Justice of the Peace.

Ad. by 1936,  
No. 34, r. 7.

Sec. 234J.

FORM 94.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

RECOGNIZANCE TO SECURE APPEARANCE TO ABIDE JUDGMENT OF  
SUPREME COURT ON AN APPEAL.

[Same as Recognizance, Form 28.]

*Condition.*

The condition of the within-written recognizance is such that whereas A.B.  
of \_\_\_\_\_ in the said Territory, \_\_\_\_\_,  
instituted an appeal [as in Form 93]: And whereas it was made to appear  
upon oath to \_\_\_\_\_, a Justice of the Peace for the  
said Territory, that the said A.B. was about to leave the said Territory:  
If therefore upon the determination of the said appeal the said A.B. shall  
appear to abide the judgment of the Supreme Court, then the said recognizance  
to be void, or else to stand in full force and virtup.

Ad. by 1936,  
No. 34, r. 7.

Sec. 278A.

FORM 95.

TERRITORY OF NEW GUINEA.

*District Courts Ordinance 1924-1935.*

SUMMONS TO SHOW CAUSE WHY RECOGNIZANCE SHOULD NOT BE  
ENFORCED.

To \_\_\_\_\_ of \_\_\_\_\_ in the  
Territory of New Guinea.

Whereas, by a recognizance made the \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_, A.B. [*&c.*, as in the recognizance]:

These are therefore to command you to appear before the District Court  
at \_\_\_\_\_ in the said Territory, on \_\_\_\_\_ the  
day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock in the

*District Courts Rules.*

noon, to show cause why an order should not be made adjudging the said recognizance to be forfeited and for payment of the amount due thereunder.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_  
Justice of the Peace.

PROOF OF SERVICE [to be indorsed on summons].  
[As in Form 17.]

Sec. 278A. TERRITORY OF NEW GUINEA. FORM 96. Ad. by 1936, No. 34, r. 7.  
*District Courts Ordinance 1924-1935.*

ORDER ADJUDGING A RECOGNIZANCE TO BE FORFEITED AND FOR PAYMENT OF THE AMOUNT DUE THEREUNDER.

In the District Court at \_\_\_\_\_  
Be it remembered that, on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, A.B. [and C.D. &c., as in recognizance,] [ , and, on the day of \_\_\_\_\_, 19 \_\_\_\_\_, it was certified that &c. or as the case may be], and the said A.B. [and C.D.] were <sup>was</sup> duly summoned to show cause why the recognizance should not be adjudged to be forfeited and for payment of the amount due thereunder and now at this day it is adjudged that the said recognizance be forfeited and that the said A.B. [and C.D.] do pay forthwith [or on or before \_\_\_\_\_ next] the sum of \_\_\_\_\_ the amount due thereunder.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_  
By the Court,

Sec. 278A. TERRITORY OF NEW GUINEA. FORM 97. Ad. by 1936, No. 34, r. 7.  
*District Courts Ordinance 1924-1935.*

WARRANT OF EXECUTION UPON AN ORDER ADJUDGING A RECOGNIZANCE TO BE FORFEITED AND FOR PAYMENT OF THE AMOUNT DUE THEREUNDER.

To the officer-in-charge of the \_\_\_\_\_ Police District, and to all other members of the New Guinea Police Force.

Whereas on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, the District Court at \_\_\_\_\_ adjudged that A.B. [or C.D.] should [ &c., as in the Order, Form 96 ]:

And whereas the said A.B. has [not paid the said sum of \_\_\_\_\_ ]:  
These are therefore to command you forthwith to take the goods and chattels of the said \_\_\_\_\_, except the wearing apparel and bedding of the said \_\_\_\_\_ and <sup>his</sup>her family, and the

tools and implements of <sup>his</sup>her trade, the whole not exceeding in value the sum of Twenty pounds, and, if within the space of \_\_\_\_\_ days after taking them the sum stated at the foot of this warrant together with the reasonable costs and charges of taking and keeping the said goods and chattels is not paid, that then you sell the said goods and chattels and pay the money arising from such sale to the Clerk of the said Court; and, if no goods and chattels can be found, that you so certify to me.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_  
Justice of the Peace.

|                               |         | £ | s. | d. |
|-------------------------------|---------|---|----|----|
| Amount adjudged               | .. .. . |   |    |    |
| Paid                          | .. .. . |   |    |    |
| Remaining due                 | .. .. . | £ |    |    |
| Costs of issuing this warrant | .. .. . |   |    |    |
| Amount to be levied           | .. .. . | £ |    |    |

COURTS—