



No. of Plaintiff *712*

VANCOUVER ISLAND.

IN THE SUPREME COURT OF CIVIL JUSTICE,

HOLDEN AT VICTORIA.

SUMMARY SUIT.

Between *W W Higgins* Plaintiff,
and
Richard Brodick Defendant.

Issued by leave of the Court.

Richard Brodick You are hereby summoned
to appear at a *Court* to be holden at
Victoria
on the *15th* day of *July*, 18*61*
at the hour of *Ten* in the forenoon, to answer
the Plaintiff
to a claim, the particulars of which are hereunto annexed (*).

	£	s.	d.
Debt or Claim.....	<i>26</i>	<i>9</i>	<i>2</i>
Cost of Summons } and Service }	<i>1</i>	<i>3</i>	<i>4</i>
<i>Attw costs</i>	<i>1</i>	<i>9</i>	<i>2</i>
Paying in.....	-	<i>3</i>	<i>4</i>
Total Amount } of Debt and } Costs..... }	£ <i>29</i>	<i>5</i>	-

Dated the *3rd* day of *July*, 18*61*
Henry Motton

H Registrar of the Court.

(*). Where the amount of the claim does not exceed forty shillings, after "claim," strike out the words "the particulars of which are hereunto annexed," and state shortly the substance of the claim.

N. B.—See Notice at Back.

NOTICE.—If you are desirous of confessing the Plaintiff's claim, you must deliver your confession to the Registrar of the Court five clear days before the day of appearing to this summons; but you may enter your confession at any time before the day of appearing, subject to the payment of further costs.

If you and the Plaintiff can agree as to the amount due and the mode of payment, judgment may at any time before the Court-day be entered by the Registrar of the Court. In which case, you and the plaintiff must attend at the Registrar's office for that purpose, and no attendance by either of you will be necessary at the Court.

If you admit the whole or any part of the Plaintiff's demand, by paying into the office of the Registrar of the Court, at the Court House the amount so admitted, together with the costs, proportionate to the amount you pay in, five clear days before the day of appearance, you will avoid any further costs, unless in case of part payment, the Plaintiff, at the hearing, shall prove a demand against you exceeding the sum so paid into Court.

If you intend to rely on as a defence, a set-off, infancy, coverture, or a statute of limitations, you must give notice thereof to the Registrar of the Court five clear days before the day of hearing, and your notice must contain the particulars required by the rules of the Court. You must also, in any of the above cases, then deliver to the Registrar as many copies, as there are opposite parties, of the notice and particulars, and an additional one for the use of the Court. If your defence be a set-off, you must, within the same time, also deliver to the Registrar a statement of the particulars thereof. If your defence be a tender, you must pay into Court, before, or at the hearing of the cause, the amount you allege to have been tendered.

Notice of defence cannot be received unless the fees for entering and transmitting the same be paid at the time the notices are given.

If the debt or claim exceed five pounds, you may have the cause tried by a jury, on giving notice thereof in writing at the said office of the Registrar, two clear days at least before the day of trial, and on payment of the fees for summoning, and payable to such jury.

Summonses for witnesses and the production of documents may be obtained at the Office of the Registrar.

Hours of attendance at the Office of the Registrar from Ten till Four.

A Copy of this writ was served on the Defendant
Richard Produrik personally on
Wednesday the 3rd Day of July A.D. 1864
By Wm. H. H. Hester
Deputy!

Richard Brodick

To

W W Higgins

1861
July 2nd

To amount of Promissory
note made by you in favor
of James Finella dated June
24th 1858 payable ninety days
after the date thereof for the
sum of One hundred dollars
and by said Finella indorsed
to Plaintiff

100-00

Put in above sum from 2nd
Sept 1858 up to 1st July 1861, at
10 per cent per an^m

27-00

127-00

to equal to £26-9-2

George Peckham
Pepp ally

Costs £1-9-2

In the Supreme Court of Civil Justice
Summary Seat

Plaint No 712

Between W W Wiggins Plaintiff

and

Richd Broadrick Defendant

I confess this act and that I
am indebted to the Plaintiff to the amount
of £20.10. besides his costs and charges
to be taxed by the Registrar - which said
costs are to be paid on the — day of
— next and which said debt of
£20.10. - is to be paid by the instalments
following that is to say £ — on the
— day of — next £ — on the
— day of — next & £20.10. the
residue of the said debt is to be paid on
the 12th day of October A. D. 1861

And if default shall be made
in payment of the said costs or of either
of the said instalments or any part
thereof then execution may issue
for the whole of the said costs and debt
then remaining unpaid

Richd. Broadrick
Defendant

Signed by the parties hereto
the 16th day of July
A. D. 1861 in presence of
Henry Wootton
Clerk of the Court

Agreed to the conditions
George Peartles
Plaintiff's
Solicitor