

## N.

In the Supreme Court of New Zealand, Christchurch District.—Austin v. Ell: Libel Case.—  
Costs of Defendant on Judgment dated the 10th April, 1885, in Action for Libel.

1885.	£ s. d.	£ s. d.	1885.	£ s. d.	£ s. d.
Mr. Lynch's costs as follows:—			Brought forward .. ..	21 11 10	18 17 6
March 25.—Instructions to defend action for libel .. ..	0 6 8		Instructions for subpoenas for James Preece, T. G. Russell, Harry G. Ell, Edward Aslin, G. F. Gee, William Gale, H. E. Nathan, Harry Feast, Frederick William Delamain, James McHaffie, and Walter Gee ..		
Instructions to subpoena James McHaffie, Mrs. M. A. Atkins, Leonard Harper, Henry G. Ell, J. C. Martin, and Walter Gee	..		Drawing præcipe .. ..	0 7 6	
Preparing 6 subpoenas, at 3s. each .. ..	0 15 0		Engrossing same .. ..	0 5 0	
Attending to obtaining signature of Justice of Peace .. ..	(sic.) 0 6 8		Preparing subpoenas (10) ..	1 5 0	Disal- lowed;
Six copies for service .. ..	0 7 6		Attending to seal .. ..	0 6 8	not in- curred
Attending issuing subpoenas ..	0 6 8		Ten copies for service .. ..	0 12 6	
Service of 6 subpoenas, at 3s. each .. ..	0 18 0		Service of 10 subpoenas, at 3s. each .. ..	1 10 0	
March 30.—Copy of affidavit of J. C. Martin, 4 folios .. ..	0 4 0		Fee to counsel on brief .. ..	50 0 0	34 5 0
The like, L. Harper, 3 folios ..	0 3 0	18 17 6	Attending Supreme Court, Christchurch, when case dismissed	..	
Attending Resident Magistrate's Court on defence of criminal action for libel, when same adjourned till to-morrow .. ..	5 5 0		Paid witnesses' expenses as follows:—		
March 31.—Attending Resident Magistrate's Court herein, when accused committed for trial .. ..	5 5 0		H. G. Ell .. ..	0 10 0	
Paid witnesses' expenses as under:—			T. G. Russell .. ..	1 1 0	
J. McHaffie, 2 days .. ..	1 10 0		J. Preece .. ..	1 0 0	
Mrs. Atkins, 2 days .. ..	1 0 0		E. Aslin .. ..	0 10 0	Disal- lowed;
H. G. Ell, 2 days .. ..	1 0 0		F. C. Gee .. ..	1 0 0	not in- curred
W. Gee, 2 days .. ..	1 10 0		Mrs. Atkins .. ..	0 10 0	
Mr. Denniston's costs as follows:—			William Gale .. ..	0 10 0	
April 9.—Instructions to defend action in Supreme Court .. ..	0 13 4	Disal- lowed;	H. E. Nathan .. ..	1 0 0	
Long consultation re evidence ..	1 1 0	not in- curred	F. W. Delamain .. ..	1 0 0	
Instructions for copy of depositions; attending Court therefor; making copy of depositions, 20 folios .. ..	1 0 0		James McHaffie .. ..	1 1 0	
Carried forward .. ..	21 11 10	18 17 6	Walter Gee .. ..	1 0 0	
			Mr. Jellicoe's costs as follows:—		
			Drawing bill of costs, 6 folios ..	0 6 0	0 5 0
			Two fair copies .. ..	0 6 0	0 5 0
			Drawing affidavit of increase ..	0 5 0	0 3 6
			Fair copy .. ..	0 1 8	0 1 2
			Letter to Christchurch therewith, and explaining ..	0 3 8	0 3 8
				86 2 10	70 3 10
				70 3 10	
				15 19 0	

Taxed, and allowed at £15 19s.

1st March, 1886.

(Stamp.)

A. R. BLOXAM, Registrar.

## O.

In the Supreme Court of New Zealand, Christchurch District. The Queen on the prosecution of Henry Selwood Austin against George Waldock Ell, of Christchurch, stock-dealer.

THE above-named George Waldock Ell makes oath and says as follows:—

1. I appeared before the Resident Magistrate on the 13th day of March and on the 21st day of March, 1885, to answer a summons issued at the instance of the said Henry Selwood Austin for defamatory libel.

2. I caused subpoenas to be issued out on my behalf for James McHaffie, Mrs. M. A. Atkins, L. Harper, H. G. Ell, J. C. Martin, and Walter Gee, and all of them were severally subpoenaed on my behalf, at the hearing of the said summons.

3. On the 31st day of March, 1885, I was committed for trial, and I caused subpoenas to be issued for James Preece, T. G. Russell, Leslie J. Ell, Edward Aslin, C. T. Gee, William Gale, H. G. Nathan, Harry Feast, L. W. Delamain, and James McHaffie.

4. All the said witnesses were material and necessary for my case, and it would not have been safe or prudent for my defence to have been carried down for trial without their evidence; and the six persons mentioned in paragraph No. 2 attended at the investigation in the Magistrate's Court, and also at the trial of this indictment; and all the persons mentioned in paragraph No. 3 except Leslie J. Ell and Harry Feast were present at the trial of this indictment, and they were witnesses in no other matter or cause, as I verily believe.

5. The witnesses have claimed or I am liable to pay them the sums of money set opposite to their respective names in the schedule hereto annexed, and marked with the letter "A," for their loss of time, trouble, and expenses.

6. I have paid to Mr. Denniston, of counsel, on his brief for conducting the said trial, the sum of £50; and to Mr. Lynch for conducting the preliminary investigation before the Magistrates, and to Mr. Jellicoe, of Wellington, the proper charges debited in the bill of costs filed in this matter, for the charges of drawing up the order for costs and settling the said bill of costs, and preparing this affidavit and the costs for taxation.

G. W. ELL.

Sworn at Christchurch, in the said district, this 20th day of February, 1886.—W. H. EYES, Deputy-Registrar.