39
1925

The Royston Lumber Company Limited Vs. Horace Smith.

PAGE
OR 1949
BK 36 PG 36

IN THE COUNTY COURT OF NANAIMO. 30 — 1928.

HOLDEN AT CUMBERLAND.

39/1928

B E T W E E N ;

THE ROYSTON LUMBER COMPANY LIMITED,

Plaintiff,

- and -

HORACE SMITH,

Defendant.

P L A I N T.

1. The Plaintiff is a Company duly incorporated under the laws of the Province of British Columbia, and has its registered office at the Town of Cumberland, in the County of Nanaimo and in the Province of British Columbia.

2. The Defendant is a gentleman and resides at the Town of Merville, in the Province of British Columbia,

3. The Plaintiff's claim is against the Defendant for the sum of $20.09 for lumber supplied by the Plaintiff to the Defendant at his request and for which he promised and agreed to pay the Plaintiff but has refused and neglected and now still refuses and neglects to do so although requested to do so, and there is still due and owing from the Defendant to the Plaintiff the said sum. Particulars are as follows:

December 16th, 1922. To Lumber supplied the Defendant by the Plaintiff ----------$20.09.

4. The cause of action herein arose wholly within the jurisdiction of this Honourable Court.

WHEREFORE THE Plaintiff claims the sum of $20.09 and the costs of this action.

DATED at Vancouver, B. C. this 26th day of March, A. D. 1928.

Burton & Hodgson

SOLICITORS FOR THE PLAINTIFF.

THIS SUMMONS was issued and this Plaint filed by the Solicitors for the Plaintiff, Messrs. Burton and Hodgson, whose place of business and address for service is Suite 104-106 Royal Financial Building, 844 Hastings Street West, Vancouver, B. C.

FORM 3.

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

[SEAL.]

SUMMONS.

CUMBERLAND BRITISH COLUMBIA MAR 29 1928 REGISTRY

No. of Plaint, 39/1928

In the County Court of NANAIMO

holden at Cumberland, B. C.

Between THE ROYSTON LUMBER COMPANY LIMITED, Plaintiff,

and HORACE SMITH, Defendant.

TAKE NOTICE that, unless within eight days after the personal service of this summons on you, inclusive of the day of such service, you file with the Registrar of this Court, at Cumberland, B. C., a dispute note, dated and signed by yourself or your Solicitor, in answer to the claim which the Plaintiff makes on you, as per margin, the particulars of which are hereunto annexed, the Plaintiff may proceed in this action, and judgment may be given against you in your absence. If you file the dispute note with the Registrar within the time specified, the Registrar will send you by post notice of the day upon which the action will be tried.

	$	cts.
Claim	20	09
Fee for plaint	3	—
Solicitor's costs	4	50
Total	$27	59

Sealed by the Registrar with the Seal of the above County Court this 29th day of March A.D. 1928.

To the Defendant.

Hours of attendance at the office of the Registrar, from 10 a.m. till 4 o'clock p.m., except on Saturdays, when the office will be closed at 1 o'clock, and except during vacations.

(Cut here when Dispute Note is to be filed.)

Form No. 6.

DISPUTE NOTE.

In the County Court of * Nanaimo, No. of Plaint, 39/1928

holden at Cumberland, B. C.,

THE ROYSTON LUMBER COMPANY LIMITED,

versus

HORACE SMITH,

I intend to defend this action on the following grounds:—

1.

Dated this ..... day of ..... 19 .

.....

Defendant.

(Address for service is.....)

(To be filled in by Registrar previous to issue of summons.)*

★ 10M-228-910

NOTICE TO THE DEFENDANT.

If you pay into the Registrar's Office before the expiration of eight days from the date of service of this summons, inclusive of the day of service, the amount of claim and costs as per margin on the other side, and also the fee for service as allowed by the Registrar, you will avoid further costs, and no formal Judgment will be entered against you.

If you dispute the Plaintiff's claim on any ground whatsoever, you must, within such eight days, file with the Registrar a dispute note containing the particulars required by Rules of Court, and also pay to the Registrar ten cents for filing fee before your dispute note can be filed. Such dispute note, if filed by you in person, shall contain therein your address for service, which must be within three miles from the Registry out of which this summons is issued.

If the action be one that may be tried by, and you wish to have, a jury, you must give the Registrar notice in writing of demand for a jury four clear days at least before the day fixed for the trial and also at the same time deposit with the Registrar the proper fees for summoning and paying the jury.

COUNTY COURT.

THE ROYSTON LUMBER COMPANY LIMITED,
Plaintiff.

vs.

HORACE SMITH,
Defendant.

Summons.

BURTON & HODGSON
BARRISTERS, SOLICITORS, ETC.
844 HASTINGS ST. W.
VANCOUVER, B.C.

SHERIFF'S OFFICE RECEIVED APR 1 3 1929 VANCOUVER, B.C.

April 2nd, 1929.

The within Defendant cannot be located, in my county so as to be served.
The answer of

Sheriff, Nanaimo.

782

"A"

versus

This paper marked "A" is the paper referred to in the annexed affidavit of

.....

IN THE COUNTY COURT OF NANAIMO.

HOLDEN AT CUMBERLAND.

39/1928

B E T W E E N ;

THE ROYSTON LUMBER COMPANY LIMITED,

Plaintiff,

CUMBERLAND BRITISH MAR 29 1928 COLUMBIA REGISTRY

- and -

30 = 1928

MORACE SMITH,

Defendant.

P L A I N T .

Bl. L.S. $1.00

1. The Plaintiff is a Company duly incorporated under the laws of the Province of British Columbia, and has its registered office at the Town of Cumberland, in the County of Nanaimo and in the Province of British Columbia.

2. The Defendant is a gentleman and resides at the Town of Merville, in the Province of British Columbia,

3. The Plaintiff's claim is against the Defendant for the sum of $20.09 for lumber supplied by the Plaintiff to the Defendant at his request and for which he promised and agreed to pay the Plaintiff but has refused and neglected and now still refuses and neglects to do so although requested to do so, and there is still due and owing from the Defendant to the Plaintiff the said sum. Particulars are as follows:

December 16th, 1922. To Lumber supplied the Defendant by the Plaintiff ----------$20.09.

4. The cause of action herein arose wholly within the jurisdiction of this Honourable Court.

WHEREFORE THE Plaintiff claims the sum of $20.09 and the costs of this action.

DATED at Vancouver, B. C. this 26th day of March, A. D. 1928.

Burton & Hodgson

SOLICITORS FOR THE PLAINTIFF.

THIS SUMMONS was issued and this Plaint filed by the Solicitors for the Plaintiff, Messrs. Burton and Hodgson, whose place of business and address for service is Suite 104-106 Royal Financial Building, 844 Hastings Street West, Vancouver, B. C.

FORM

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

[SEAL.]

SUMMONS.

CUMBERLAND BRITISH COLUMBIA REGISTRY MAR 29 1928

No. of Plaint, 39/1928

In the County Court of NANAIMO

holden at Cumberland, B. C.

Between THE ROYSTON LUMBER COMPANY LIMITED, Plaintiff,

and HORACE SMITH, Defendant.

TAKE NOTICE that, unless within eight days after the personal service of this summons on you, inclusive of the day of such service, you file with the Registrar of this Court, at Cumberland, B. C., a dispute note, dated and signed by yourself or your Solicitor, in answer to the claim which the Plaintiff makes on you, as per margin, the particulars of which are hereunto annexed, the Plaintiff may proceed in this action, and judgment may be given against you in your absence. If you file the dispute note with the Registrar within the time specified, the Registrar will send you by post notice of the day upon which the action will be tried.

	$	cts.
Claim	20	09
Fee for plaint	3	-
Solicitor's costs	4	50
Total	$27	59

Sealed by the Registrar with the Seal of the above County Court this 29th day of March A.D. 19 28.

To the Defendant.

Hours of attendance at the office of the Registrar, from 10 a.m. till 4 o'clock p.m., except on Saturdays, when the office will be closed at 1 o'clock, and except during vacations.

(Cut here when Dispute Note is to be filed.)

Form No. 6.

DISPUTE NOTE.

In the County Court of * Nanaimo, No. of Plaint, 39/1928

holden at Cumberland, B. C.,

THE ROYSTON LUMBER COMPANY LIMITED,

versus

HORACE SMITH,

I intend to defend this action on the following grounds:—

1.

Dated this day of 19 .

..... *Defendant.*

(Address for service is.....)

(* *To be filled in by Registrar previous to issue of summons.*)

★ 10M-228-910

NOTICE TO THE DEFENDANT.

If you pay into the Registrar's Office before the expiration of eight days from the date of service of this summons, inclusive of the day of service, the amount of claim and costs as per margin on the other side, and also the fee for service as allowed by the Registrar, you will avoid further costs, and no formal Judgment will be entered against you.

If you dispute the Plaintiff's claim on any ground whatsoever, you must, within such eight days, file with the Registrar a dispute note containing the particulars required by Rules of Court, and also pay to the Registrar ten cents for filing fee before your dispute note can be filed. Such dispute note, if filed by you in person, shall contain therein your address for service, which must be within three miles from the Registry out of which this summons is issued.

If the action be one that may be tried by, and you wish to have, a jury, you must give the Registrar notice in writing of demand for a jury four clear days at least before the day fixed for the trial and also at the same time deposit with the Registrar the proper fees for summoning and paying the jury.

COUNTY COURT.

THE ROYSTON LUMBER COMPANY LIMITED,

Plaintiff.

vs.

HORACE SMITH,

Defendant.

Moved 2322 Cypress

Summons.

SHERIFF'S OFFICE RECEIVED APR 13 1928 VANCOUVER, B.C.

BURTON & HODGSON
BARRISTERS, SOLICITORS, ETC.
844 HASTINGS ST. W.
VANCOUVER, B.C.

782

"A"

versus

This paper marked "A" is the paper referred to in the annexed affidavit of