29/1933 Royston Lumber Co. Ltd. v. C. Webster

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THE GOVERNMENT OF THE PROVINCE OF BRITISH COLUMBIA

CUMBERLAND BRITISH COLUMBIA REGISTRY NOV 29 1933

FORM 166.

BRITISH COLUMBIA LAW STAMP NOV 29 1933 30 CENTS

Affidavit of Personal Service of Summons or Order.

No. of Plaint, 29/1933

In the County Court of Nanaimo.

Holden at Cumberland.

Between Royston Lumber Co. Limited, Plaintiff,

and C. Webster, of Cumberland, County of Nanaimo. , Defendant.

I, Fred Kato, Clerk

of Cumberland, County of Nanaimo Province of British Columbia,

make oath and say:—

That I am , and that

I am over sixteen years of age.

That I did on Tuesday, the 14th day of November, 1933,

at 10.30 o'clock in the fore noon, duly serve C. Webster ,

~~(one of)~~ the above-named Defendant , with a true copy of the Plaint and Summons

hereunto annexed, marked "A," by delivering the said copy to the said Defendant at* Cumberland, British Columbia,

That I actually and necessarily travelled (8) Eight, miles to serve said

Sworn at Cumberland,

in the County of Nanaimo ,

this 22 day of November ,

1933 , before me—

L. H. Carey

J.P. (or as the case may be.)

a Stipendiary Magistrate in & for the County of Nanaimo, Province of British Columbia

(*Endorse the original summons or other process thus:* This paper marked "A" is the paper referred to in the annexed affidavit.)

* Here insert place where service was made.

★ 5M-232-8463

IN THE COUNTY COURT OF NANAIMO.

HOLDEN AT CUMBERLAND.

CUMBERLAND BRITISH COLUMBIA REGISTRY NOV 10 1933

Plaint No. 29/1933

BETWEEN:-

ROYSTON LUMBER CO. LIMITED.....PLAINTIFF

AND

C.WEBSTER.....DEFENDANT.

PLAINT.

1. The Plaintiff is a limited company duly incorporated under the laws of British Columbia,with its registered office on Royston Road,near the City of Cumberland,and within the County of Nanaimo.

2. The Defendant resides at Cumberland,County aforesaid,and is variously employed.

3. The Plaintiff's claim against the Defendant is for the price of goods sold and delivered to the Defendant at the Defendant's request, whereof account has been rendered and payment demanded,but the same is not paid:-

PARTICULARS:-

November 22nd 1928. To shingles supplied.....$9.55

December 6th 1928.To shingles supplied.....14.41

$23.96.

WHEREFORE the Plaintiff claims the sum of $23.96 with costs of action

DATED at Duncan,B.C.,this 8th day of November 1933.

F. W. Galloway

Plaintiff's Solicitor.

The address for service of F.W.Galloway is Vidal Block,Duncan,B.C.

THE GOVERNMENT OF THE PROVINCE OF BRITISH COLUMBIA

CUMBERLAND BRITISH COLUMBIA REGISTRY NOV 10 1933

FORM 3.

[SEAL.]

SUMMONS.

No. of Plaint, 29/1933

In the County Court of Nanaimo

holden at Cumberland. B. C.

Between Royston Lumber Co. Limited Plaintiff,

and C. Webster Defendant.

TAKE NOTICE that, unless within eight days [*or* fifteen days *where the defendant resides in an unorganized district*] 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, 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, or the Judge will sit to fix a day for trial.

	$	cts.
Claim	23	96
Fee for plaint and Service	2	00
Solicitor's costs	4	50
Total	30	46

Sealed by the Registrar with the Seal of the above County Court this 10th

day of November A.D. 1933.

To the Defendant.

N.B.—This summons must be served personally on the defendant within a period of twelve months from the date thereof, or within such extended period as may be allowed.

Hours of attendance at the office of the Registrar, from 10 a.m. till 4 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, 29/1933

* holden at Cumberland. B. C.

Royston Lumber Co. Limited

versus

C. Webster.

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.)*

★ 20M-232-8462

NOTICE TO THE DEFENDANT.

If you pay into the Registrar's Office before the expiration of eight days [*or* fifteen days *as case may be*] 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 period, 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.

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.

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.

COUNTY COURT.

Royston Lumber Co. Ltd. Plaintiff.

vs.

C. Webster. Defendant.

Summons.

F. W. Galloway.
Barr. and Sol.
Duncan. B. C.

"A"

Royston Lumber Co. Limited
versus
C. Webster.

This paper marked "A" is the paper referred to in the annexed affidavit of Fred. Kato, Clerk,

L. H. Cary

a Stipendiary Magistrate in & for the County of Cowichan, Province of British Columbia,

IN THE COUNTY COURT OF NANAIMO.

HOLDEN AT CUMBERLAND.

CUMBERLAND BRITISH COLUMBIA REGISTRY NOV 29 1933

Plaint No. [illegible]

BETWEEN:-

Royston Lumber Comoany Ltd.....Plaintiff

AND

C.Webster.....Defendant.

BILL OF COSTS.

10th October '33. Letter before action.....50.

8th November '33. Insts to sue.....1.50

...Drawing Plaint and Summons.....2.00

Attding enter..... .50 and paid $1.00

27th Nov."33.Attding search Disp.Note... .50 ..... .20

..Drawing judgment..... .50

.Attding enter..... .50 .....1.10

Drawing Bill of costs..... .20

Attding tax..... .50 ..... .50

$6.70 $2.80

Disbs.... 2.80

Total... $9.50

Taxed off..... 1.70 Maximum.

$ 7.80

Taxed and allowed at $7.80 this 29th day of November 1933.

S B Hamilton

Registrar.

Enter judgment for $23.96 and $7.80 costs herein.

J. W. Galloway

Plaintiff's Solicitor.

Search for Dispute note

CUMBERLAND BRITISH COLUMBIA REGISTRY NOV 29 1933

THE GOVERNMENT OF THE PROVINCE OF BRITISH COLUMBIA

CUMBERLAND BRITISH COLUMBIA REGISTRY NOV 29 1933

FORM 64A.

B.C.L.D. $1.00

[SEAL.]

Judgment by Default for Plaintiff—Liquidated Demand.

No. of Plaint, 29/'33

In the County Court of Nanaimo.

holden at Cumberland.

Between Royston Lumber com pany Ltd, Plaintiff,

and C.Webster, Defendant.

The 29th day of November, 1933.

The Defendant C.Webster not having entered a dispute note, it is this day adjudged that the Plaintiff recover against the said Defendant

$ 23.96, and $ 7.80 costs,

amounting together to the sum of $ 31.76

By the Court.

S B Hamilton

Registrar.

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

★ 5M-1131-7491

Cumberland, B. C.,
November 10, 1933.

F. W. Galloway, Esq.,
Barrister and Solicitor,
Box 235, Duncan, B. C.

Dear Sir:

Re: Royston Lumber Co. Ltd. v. Webster.

As requested in yours of the 9th instant, I have issued Summons in the above case and have forwarded same to the plaintiff.

Yours obediently,

SBH:MH

S. B HAMILTON,
Registrar.

IN THE COUNTY COURT OF NANAIMO.

HOLDEN AT CUMBERLAND.

CUMBERLAND BRITISH COLUMBIA REGISTRY NOV 10 1933

Plaint No.

24/1933

BETWEEN:-

ROYSTON LUMBER CO. LIMITED.....PLAINTIFF

B.C.R.D. $1.00

AND

C.WEBSTER.....DEFENDANT.

PLAINT.

1. The Plaintiff is a limited company duly incorporated under the laws of British Columbia,with its registered office on Royston Road,near the City of Cumberland,and within the County of Nanaimo.

2. The Defendant resides at Cumberland,County aforesaid,and is variously employed.

3. The Plaintiff's claim against the Defendant is for the price of goods sold and delivered to the Defendant at the Defendant's request, whereof account has been rendered and payment demanded,but the same is not paid:-

PARTICULARS:-

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	$23.96.

WHEREFORE the Plaintiff claims the sum of $23.96 with costs of action

DATED at Duncan,B.C.,this 8th day of November 1933.

F.W.Galloway

Plaintiff's Solicitor.

The address for service of F.W.Galloway is Vidal Block,Duncan,B.C.