

RICHARDSON *vs.* THE ENGLISH CHURCH, PRETORIA.*Suit Pro Deo.—Rule 63.—No means.*

Where, in an application to proceed pro deo a certificate of probabilis causa had been put in, and it was stated that plaintiff was a poor man, and had only means to support his wife and children, but none to enable him to sue, the Court held that the plaintiff should under Rule 63 specify his means of subsistence.

This was an application *pro deo* to have a rule *nisi* made absolute. A certificate had been put in which contained the following clause : “ Richardson is a poor man, and has only means to support his wife and children, but no means to sue.”

1891.
June 4.
Richardson
vs. The English
Church,
Pretoria

Cloete, for applicant.

Jeppe, for respondent : The certificates are insufficient. They do not say that Richardson has no means, but only no means to enable him to sue. The certificates must give the Court facilities and facts for judging as to what means he actually possesses (Rule 63).

Cloete, in reply.

KOTZÉ, C.J. : The Court is of opinion that, in view of the provisions of Rule 63, applicant must state or set out what his means of subsistence are. According to what is stated, he has at least some means of subsistence.

DE KORTE and JORISSEN, JJ., concurred.

 BRAND *vs.* KUYPERS, N.O.

Landdrost's jurisdiction.—Evidence must be heard to show that a claim above jurisdiction is bonâ fide.

Where, in a suit in a Landdrost's Court there was a claim in reconvention for £1,000, and the Landdrost, without hearing evidence, dismissed the whole case as being above