

Court may in cases where no order is made allow the judgment debtor costs according to the scale for his solicitor, and may also allow him expenses as a witness in accordance with the scale of costs allowed to witnesses under this Act or the regulations made thereunder.

APPENDIX A.

JUDGMENT SUMMONS RECORD BOOK.

[Debt Form 1.

The Imprisonment for Debt Limitation Act, 1908.

(Being a Record of Judgment Summonses issued out of the Magistrate's Court at .)

Date 19 .	No. of Plaint.	No. of Judgment Summonses.	Plaintiff.	Defendant.	Amount.	Date of Hearing.	Initials of Bailiff, and Date of Receipt.
					£ s. d.		

[Debt Form 2.

APPLICATION FOR JUDGMENT SUMMONS.

The Imprisonment for Debt Limitation Act, 1908, and the Magistrates' Courts Act, 1908.

In the Magistrate's Court holden at

Between , of [Address and description], plaintiff, and , of [Address and description], defendant.

I APPLY for the issue of a judgment summons against the said defendant in respect of a judgment [or order, or decree] of this Court [or of (Here set forth the style or other sufficient description of the Court which gave the judgment or made the order or decree)] given [or made] on the day of 19 , for £ , including costs, on the grounds—

1. That I have just reason to believe that the defendant, after providing for the reasonable maintenance of himself and his family, has since the date of the judgment had sufficient money to pay the debt; or

2. That I have just reason to believe that the defendant has since the date of the order to pay the debt by instalments had sufficient money to pay the instalment so due [as the case may be].

3. And I undertake to prove to the satisfaction of the Court at the hearing that the debt [Set out specifically grounds of fraud if alleged].

And I am aware that if no order is made I shall have to pay the cost of this summons.

Witness to signature : , Plaintiff [or Agent for Plaintiff].

[Debt Form 3.

APPLICATION FOR JUDGMENT SUMMONS WHEN DEBT ORDERED TO BE PAID BY INSTALMENTS IN FIRST INSTANCE.

The Imprisonment for Debt Limitation Act, 1908, and the Magistrates' Courts Act, 1908.

In the Magistrate's Court holden at

Between , of [Address and description], plaintiff, and , of [Address and description], defendant.

I APPLY for the issue of a judgment summons against the said defendant in respect of a judgment [or order, or decree] of this Court [or of (Here set forth the style or other sufficient description of the Court which gave the judgment or made the order or decree)] given [or made] on the day of 19 , for £ , inclusive of costs, on the grounds—

1. That the Court ordered the said defendant to pay the said debt by instalments [State order as to payment].

2. That the defendant has made default in the payment of the instalment due and payable on [State default].

3. That I have just reason to believe that the defendant has since the date of the order to pay the debt by instalments had sufficient money to pay the instalment due on the [Specify which instalment].

4. And I undertake to prove to the satisfaction of the Court at the hearing that the debt [Set out specifically grounds of fraud if alleged].

And I am aware that if no order is made I shall have to pay the cost of this summons.

Witness to signature : , Plaintiff [or Agent for Plaintiff].