

1. That on the            day of            , 19            , I [or the said plaintiff] obtained a judgment [or order] in the Magistrate's Court holden at            , against the above-named defendant for the payment of the sum of £            by instalments of [State terms of order made].
2. That subsequent costs of execution have been incurred amounting to £            .
3. That the defendant has made default in the payment of the instalment due on the [State default].
4. That there is due on the said instalments the sum of £            , representing            instalments, ordered to be paid on the            respectively.
5. That I believe that the defendant has since the date of the order to pay the said debt by instalments had sufficient money to pay the instalment due on the            day of            , 19            , or [If fraud is alleged it must be specified].

Sworn at            , this            day of            , 19            , before me,            , a Justice of the Peace for New Zealand [or Clerk of Court, or Solicitor].

[Debt Form 10.

AFFIDAVIT WHERE JUDGMENT SUMMONS IS SOUGHT, UNDER SECTION 139 OF THE MAGISTRATES' COURTS ACT, 1908.

*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,            , the above-named plaintiff [or agent for the above-named plaintiff], make oath and say,—

1. That on the            day of            , 19            , I, the above-named plaintiff, obtained a judgment [or order, or decree] in this Court against            , the above-named defendant, for the payment of the sum of £            , including costs.
2. That subsequent costs of execution have been incurred amounting to £            .
3. That the defendant has not paid anything [paid the sum of £            ] in respect of the said debt.
4. That there is still due on the said judgment [or order, or decree] the sum of £            .
5. That the defendant resides [or carries on business] at            , a distance of            miles from the Magistrate's Court holden at            .
6. That I believe 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 [If fraud is alleged it must be specified].

Sworn at            , this            day of            , 19            , before me,            , a Justice of the Peace for New Zealand [or Clerk of Court, or Solicitor].

[Debt Form 11.

AFFIDAVIT WHERE JUDGMENT SUMMONS IS SOUGHT ON JUDGMENT REMOVED BY CERTIFICATE.

*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,            , the above-named plaintiff [or agent for the above-named plaintiff], make oath and say,—

1. That on the            day of            , 19            , I, the above-named plaintiff, obtained a judgment [or order, or decree] in [Here set forth the style of the Court in which judgment, decree, or order obtained] against            , the above-named defendant, for the payment of the sum of £            .
2. That the said judgment or order was removed by a certificate of judgment into the Magistrate's Court at            , on the            day of            , 19            .
3. That subsequent costs have been incurred amounting to £            .
4. That there is still due on the said judgment [or order, or decree] the sum of £            .
5. That I 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 [If fraud is alleged it must be specified].

Sworn at            , this            day of            , 19            , before me,            , a Justice of the Peace for New Zealand [or Clerk of Court, or Solicitor].