

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, \_\_\_\_\_, Plaintiff [or Agent for Plaintiff].  
Peace for New Zealand [or Clerk of Court, or Solicitor].

[Debt Form 15.]

JUDGMENT SUMMONS ON AN ORDER OR JUDGMENT OF A MAGISTRATE'S COURT.

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

No. of plaint : /19 . No. of judgment summons : /19

In the Magistrate's Court holden at \_\_\_\_\_

Between \_\_\_\_\_, of [Address and description], plaintiff, and \_\_\_\_\_, of [Present address and description, and, if known, place of employment], defendant.

WHEREAS the plaintiff obtained a judgment [or, if no judgment has been obtained, or if a fresh order has been obtained upon a judgment, an order] against you, the above-named defendant, in the Magistrate's Court holden at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, for the payment of £ \_\_\_\_\_ for debt [or damages] and costs, and subsequent costs have been incurred in pursuance thereof amounting to £ \_\_\_\_\_:

And whereas it appears you have made default in payment of the sum payable in pursuance of the said judgment [or order], and that there is now due and owing thereunder to the plaintiff the sum of £ \_\_\_\_\_:

You are therefore hereby summoned to appear personally at the Magistrate's Court at [Place where Court holden], on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ in the \_\_\_\_\_ noon, to be examined on oath by the Court as to whether [Strike out paragraph No. 1 or 2 so as to follow application]—

- (1.) After providing for the reasonable maintenance of yourself and your family you have not since the date of the judgment [or order] had sufficient money to pay the debt; or
- (2.) You have not 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]; or
- (3.) [If fraud is alleged it must be specifically stated as in the application for judgment summons];

and also to show cause why you should not be committed to prison for such default.

Given under my hand, and the seal of the Court, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, Clerk of the Court.

		£	s.	d.
Amount of judgment [or order] and costs	.. .. .			
Costs of warrant against the goods, if any	.. .. .			
Costs of previous judgment summons	.. .. .			
Deduct {	.. .. .			
Paid on account	.. .. .			
Amounts which were not required to have been paid before the date of summons	.. .. .			
Sum payable	.. .. .			
Costs of the summons	.. .. .			
Amount upon the payment of which no further proceedings will be had until default in payment of next instalment	.. .. .			£

I, \_\_\_\_\_, Bailiff of the Magistrate's Court at \_\_\_\_\_, do swear that I have duly served the within-named \_\_\_\_\_ with a summons, a true copy of which is within written, by delivering the same to him personally at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

[Signature of Deponent.]

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