

yourself and your family, you have not since the date of the refusal to make an order had sufficient money to pay the debt [or the instalment so due], 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 summonses if allowed ..	..	..	..
Deduct {			
Paid on account .. .. .	..	..	..
Amounts which were not required to have been paid before the date of	..	..	..
summons .. .. .	..	..	..
Sum payable			
Cost of the summons .. .. .	..	..	..
Amount upon the payment of which no further proceedings will be had until default in pay-			
ment 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].

[Debt Form 20.]

ORDER ON A JUDGMENT SUMMONS.

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

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

In the Magistrate's Court holden at _____

Between _____, of _____, plaintiff, and _____, of _____, defendant.

WHEREAS the plaintiff obtained a judgment [or order] against the 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 the defendant hath made default in payment of the amount [or the instalment of £ _____] due and payable in pursuance of the said judgment [or order]:

And whereas a summons was at the instance of the plaintiff duly issued out of this Court, by which the defendant was required to appear personally at this Court on the _____ day of _____, 19____, to be examined on oath as to whether [Here quote the exact words stated in the summons]—

- (1.) After providing for the reasonable maintenance of himself and his family he had not since the date of the judgment [or order] had sufficient money to pay the debt; or
- (2.) He had 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 state specifically];

and to show cause why he should not be committed to prison for such default, which summons has been proved to this Court to have been duly served on the defendant.

And whereas at the hearing of the summons it has been proved to the satisfaction of the Court that [Here specify such of the matters stated in the summons as have been proved]—

- (1.) The defendant, after providing for the reasonable maintenance of himself and his family, has since the date of the judgment [or order] had sufficient money to pay the debt; or
- (2.) The defendant has since the date of the order to pay the debt by instalments had sufficient money to pay the instalment so due; or
- (3.) [If fraud is proved state specifically]; or
- (4.) [If defendant does not appear strike out the words in parentheses and paragraphs 1 and 2, and say] The defendant did not appear as required by such summons, nor allege a sufficient cause for not attending;

and the defendant has shown no cause why he should not be committed to prison: