

No. 92.

New Zealand. "The Magistrates' Courts Act, 1908." DISTRESS WARRANT UNDER SECTION 35 OF THE ACT. Sec. 35; Rule 45.
In the Magistrate's Court, held at . . . . .
Between . . . . . , plaintiff.
and . . . . . , defendant.

To . . . . ., Bailiff of the Magistrate's Court [or To . . . . .].
WHEREAS a certificate under the seal of the Supreme Court of New Zealand has been filed in this Court, setting forth that the plaintiff, on the . . . . . day of . . . . ., 19 . . . . ., obtained a judgment against the defendant for [or an order to pay to the plaintiff] the sum of . . . . . pounds . . . . . shillings and . . . . . pence, and the sum of . . . . . pounds . . . . . shillings and . . . . . pence for costs, and there is now due to the plaintiff for interest on such judgment the sum of . . . . . pounds . . . . . shillings and . . . . . pence, making together the sum of . . . . . pounds . . . . . shillings and . . . . . pence:

This is therefore to command you forthwith to levy the sum of . . . . . pounds, and the further expenses incurred therein, by distress and sale of the goods and chattels of and belonging to the said . . . . ., except the wearing-apparel and bedding of him or his family, and the tools and implements of his trade (if any), to the value in all of twenty-five pounds; and also to seize and take any money, cheques, bills of exchange, promissory notes, bonds, or securities for money of the said . . . . ., or such part or so much thereof as may be sufficient to satisfy this execution, and the costs of making and executing the same. And you are hereby commanded to pay what you shall so levy forthwith to the Clerk of this Court, and to make return of what you shall do by virtue of this warrant immediately on the execution thereof.

Given under my hand and the seal of the Court, at . . . . ., this . . . . . day of . . . . ., 19 . . . . .
Stipendiary Magistrate.

Table with 2 columns: Description and Amount. Rows include: Amount adjudged to be paid, Interest, Warrant, Costs of previous executions, Mileage, and Total.

The Bailiff is entitled to demand and levy one shilling per mile, reckoned one way only, for every mile beyond two from the Courthouse to the place where seizure is made, and the cost of keeping possession of goods seized, which is not to exceed ten shillings per day, commencing after the first hour.

NOTICE.—If the amount to be levied is paid to the Bailiff within one hour after entry, he is not to receive any further sum than the amount directed to be levied as stated above, with mileage. The goods and chattels are not to be sold until after the end of five days next following the day on which they were taken, unless they are of a perishable nature, or at the request of the defendant.

Application was made to the Stipendiary Magistrate for this warrant at . . . . . minutes past the hour of . . . . . in the . . . . . noon of the . . . . . day of . . . . ., 19 . . . . .

Hours of attendance at the office of the Clerk on . . . . ., from . . . . . till . . . . ., except on . . . . ., when the office will be closed at . . . . .

[Indorsement No. 97].

No. 93.

New Zealand. "The Magistrates' Courts Act, 1908." DISTRESS WARRANT AGAINST THE GOODS OF A MARRIED WOMAN. Sec. 112; Rule 45.
In the Magistrate's Court, held at . . . . .
Between . . . . . , plaintiff,
and . . . . . , defendant.

To . . . . ., Bailiff of the Magistrate's Court [or To . . . . .].
WHEREAS . . . . ., of . . . . ., in New Zealand, wife of . . . . ., was on the . . . . . day of . . . . ., 19 . . . . ., duly adjudged [or ordered] by the Magistrate's Court sitting at . . . . . to pay the sum of . . . . . pounds . . . . . shillings and . . . . . pence, claimed by one . . . . ., of . . . . ., for debt [or damages], together with the sum of . . . . . pounds . . . . . shillings and . . . . . pence for costs and expenses allowed by the said Court, making together the sum of . . . . . pounds . . . . . shillings and . . . . . pence, to the Clerk of this Court forthwith on the . . . . . day of . . . . ., or by instalments of . . . . . for every . . . . . days: And, further, it was ordered that the execution upon the judgment be limited to the separate property of the said . . . . . not subject to any restriction against anticipation, unless by reason of section 25 of "The Married Women's Property Act, 1908," such property should be liable to execution notwithstanding such restriction: And whereas default has been made in payment according to the said order: This is therefore to command you forthwith to levy the sum of £ . . . . ., and the further expenses incurred herein, by distress and sale of the goods and chattels of and belonging to the said . . . . . or her separate estate, except the wearing-apparel and bedding of her or her family, and the tools and implements of her trade (if any), to the value in all of twenty-five pounds; and also to seize and take away any money, cheques, bills of exchange, promissory notes, bonds, or other securities for money of the said . . . . ., or such part or so much thereof as may be sufficient to satisfy this execution, and the costs of making and executing the same. And you are hereby commanded to pay what you shall so levy forthwith to the Clerk of this Court, and to make return of what you shall do by virtue of this warrant immediately on the execution thereof.

Given under my hand and the seal of the Court, at . . . . ., this . . . . . day of . . . . ., 19 . . . . .

Stipendiary Magistrate
[or Justice of the Peace].

I certify that the amount of £ . . . . . remains unsatisfied on this judgment.