

3. You and the plaintiff may agree as to the amount due and mode of payment, and may at any time before the hearing sign a statement of such agreement in the presence of a Stipendiary Magistrate, a Clerk of Court, a Justice of the Peace, or a solicitor of the Supreme Court. On such statement being filed with the Clerk he will enter up judgment accordingly.

4. If you desire to defend this action you must, within five clear days after the service of the summons upon you, file in the Court a notice, signed by you or on your behalf, stating that you intend to defend the action. Form of "Notice to defend" can be obtained at any Magistrate's Court. No fee is payable for filing the notice.

5. If you rely on a set-off or counterclaim by way of defence, you must file a copy with the Clerk of the Court and serve a copy on the plaintiff or his solicitor two clear days before the time appointed for the hearing.

6. No plea of infancy, coverture, Statute of Limitations, or discharge in bankruptcy will be allowed unless notice thereof has been filed in the Court five clear days after the service of the summons upon you.

7. This summons was sued out by _____, of _____ Street, solicitor for the plaintiff.

8. Summonses for witnesses and for the production of documents will be issued on application at the office of the Clerk.

No. 19.

AFFIDAVIT OF SERVICE OF SUMMONS.

Secs. 40 and 82, s.s. 5 (c); Rule 17.

I, [Name, residence, and occupation], do swear that I served the within-named _____ (hereinafter called "the Defendant") with a summons, a true copy of which is within written, marked "A," together with a copy of the statement of claim hereunto annexed, marked "B," by delivering the same to him personally [If summons served otherwise than personally, state precisely mode of service] at _____ on _____ the _____ day of _____, 19____, or by sending the same to the said Defendant by registered letter (numbered _____) addressed to him at his last known or most usual place of abode—namely, [Set out address as on envelope]—on the _____ day of _____, 19____, and I attach hereto a receipt for such registered letter given to a Post officer and purporting to be signed by the said Defendant.

Sworn at _____, this _____ day of _____, 19____, before me—
 _____ Signature of Deponent.
 Justice of the Peace for New Zealand,
 [or Clerk of the Court, or Solicitor of Supreme Court].

No. 20.

GENERAL FORM FOR AFFIDAVIT OF SERVICE OF DOCUMENT.

Secs. 40 and 82, s.s. 5 (c).

I, _____ of _____, [Profession or calling], do swear that I duly served _____ with a _____, a true copy of which is attached hereto, marked "A" [or indorsed hereon], by delivering the same to him personally [or by leaving the same at his usual place of abode with some inmate thereof appearing to be above the age of fourteen years] [or by leaving the same at the office of _____, solicitor for the said _____] at _____ on _____ the _____ day of _____, 19____.

Sworn at _____, this _____ day of _____, 19____, before me—
 _____ Justice of the Peace,
 [or Clerk of the Court, or Solicitor not engaged in action].

No. 21.

PLAINT-SLIP.

Name of Plaintiff:
 Name of Defendant:
 Date of Hearing:
 Date of issue of Warrant of Distress:
 Date of Hearing of Judgment Summons:

No. 22.

New Zealand. }
 The Magistrates' Courts } AFFIDAVIT IN SUPPORT OF APPLICATION FOR SUBSTITUTED
 Act, 1928. } SERVICE. Plaintiff No. _____

Secs. 40 and 82; Rule 18.

In the Magistrate's Court, held at _____
 Between _____, plaintiff,
 and _____, defendant.

I, _____, of _____, [Calling], make oath and say I have made reasonable efforts to serve the summons issued against _____, the defendant, at the suit of _____, in that I have [State the facts, showing that the deponent has made inquiry at the defendant's place of abode more than once; that he could not be found; that there is just cause to believe he has absconded, or is keeping out of the way. Then state the deponent's means of knowledge of the facts deposed to].

Sworn at _____, this _____ day of _____, 19____, before me—
 _____ Justice of the Peace,
 [or Clerk of the Court, or Solicitor not engaged in the action].