

No. 95.

Sec. 145 ; Rule 38.

New Zealand. } DISTRESS WARRANT AGAINST THE GOODS OF A SUB-DEBTOR.  
The Magistrates' Courts }  
Act, 1928. } Plaintiff No.

In the Magistrate's Court, held at .  
Between , judgment creditor,  
and , judgment debtor,  
and , sub-debtor.  
To , Bailiff of the Magistrate's Court [or To ].

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

WHEREAS on the day of , 19 , the judgment creditor obtained a judgment [or order] against the judgment debtor for the sum of pounds shillings and pence, and pounds shillings and pence for costs, making together the sum of pounds shillings and pence : And whereas it was on the day of , 19 , ordered by the Court that all debts owing or accruing from to the judgment debtor be attached to answer the judgment debt : And whereas the said has not paid into Court the amount due by him to the judgment debtor, or an amount equal to the judgment debt, and has not disputed the debt claimed to be due from him to the judgment debtor, and, further, has failed to appear on summons :

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 the said , except his personal and family clothing, furniture and household effects, and tools and implements of trade, not exceeding in all fifty pounds in value ; and also to seize and take away 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 cost 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, or the Clerk of Court at , 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.

|                              |      |   |   |
|------------------------------|------|---|---|
| Amount adjudged to be paid   | .. £ | : | : |
| Warrant                      | ..   | : | : |
| Costs of previous executions | ..   | : | : |
| Mileage                      | ..   | : | : |
| Total                        | .. £ | : | : |

NOTICE.—The Bailiff is entitled to demand and levy mileage according to scale from the Courthouse to the place where seizure is made, and the cost of keeping possession of goods seized, which is not to exceed twelve shillings per day, or six shillings only where possession continues for not more than three hours. 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 in writing 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 . Clerk of the Court.  
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. 96.

Sec. 131.

New Zealand. } WARRANT TO BAILIFF TO SEIZE SPECIFIC GOODS.  
The Magistrates' Courts }  
Act, 1928. } Plaintiff No.

In the Magistrate's Court, held at .  
Between , plaintiff,  
and , defendant.  
To , Bailiff of the Magistrate's Court [or To ].

WHEREAS , of , the defendant was on the day of , 19 , duly adjudged or ordered by the Magistrate's Court sitting at to return to [Here enumerate goods ordered to be returned], wrongfully detained by the said : And whereas the said goods have not been returned according to the said order : This is therefore to command you to demand of the said and seize the said goods, if they can be found by you, and to deliver them to the said , 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.

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