

No. 11.

FORM OF A RULE OR SUMMONS WHERE A JUDGMENT CREDITOR APPLIES FOR EXECUTION AGAINST A JUDGMENT DEBTOR.

[Formal parts as at present.]

C. D., to shew cause why A. B. [or as the case may be] should not be at liberty to enter a suggestion in an action, wherein the said A. B. was Plaintiff, and the said E. F. was Defendant, and wherein the said A. B. obtained Judgment for £ , against the said E. F., on the day of , that it manifestly appears to the Court that the said A. B. is entitled to have execution of the said Judgment, and to issue execution thereupon, and why the said C. D. should not pay the said A. B. the costs of this application, to be taxed.

NOTE.—The above form may be modified so as to meet the case of an application by or against the representative of a party to the Judgment.

No. 12.

FORM OF SUGGESTION THAT THE JUDGMENT CREDITOR IS ENTITLED TO EXECUTION AGAINST THE JUDGMENT DEBTOR.

And now on the day of , it is suggested and manifestly appears to the Court, that the said A. B. [or 'E. F., as Executor of the last Will and Testament of the said A. B., deceased,' or as the case may be,] is now entitled to have execution of the Judgment aforesaid, against the said C. D. [or 'against G. H., as the Executor of the last Will and Testament of the said C. D.,' or as the case may be.] Therefore, it is considered by the Court, that the said A. B. [or 'E. F., as such Executor as aforesaid,' or as the case may be,] ought to have execution of the said Judgment against the said C. D. [or 'against G. H., as Executor as aforesaid,' or as the case may be.]

No. 13.

FORM OF WRIT IN EJECTMENT.

Victoria, by the grace of God, &c.

To the Sheriff of

We command you to summon G. H., J. K., and L. M., to appear in the Supreme Court at , on the Tuesday of next, at the suit of A. B., C. D., and E. F., who say that the said G. H., J. K., and L. M., withhold the possession to which the said A. B., C. D., and E. F., or some, or one of them, claim to be entitled, of a certain house and ten acres of land, situate at , in the county of , and described as follows: [describe the property with reasonable certainty,] and for the withholding of which they claim pounds damages.
Issued this day of , A. D, 185 .

Prothonotary.

N. O., Plaintiff's Attorney.