

767.

No. 9.—(Vide Section 152.)

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 on the roll in an action wherein the said A. B. was Plaintiff, and the said C. D., Defendant, and wherein the said A. B. obtained Judgment for £ , against the said C. D., 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 to the said A. B. the costs of this application to be taxed.

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

No. 10.—(Vide Section 153.)

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 entitled to have execution of the Judgment aforesaid, against the said C. D., (or against G. H., as 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 such executor as aforesaid, or as the case may be.)

No. 11.—(Vide Section 154.)

FORM OF WRIT OF REVIVOR.

VICTORIA, &c.,
To C. D., of

GREETING :

We command you, that within ten days after the service of this Writ upon you, inclusive of the day of such service, you appear in our Court of , to shew cause why 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,) should not have execution against you, (if against a representative, here insert, as executor of the last Will and Testament of , deceased, or as the case may be,) of a Judgment whereby the said A. B., (or as the case may be,) recovered against you, (or as the case may be,) £ and take notice that in default of your doing so, the said A. B., (or as the case may be,) may proceed to execution.

Witness, &c.,