

## FORM 34.

(Section 727.)

*Order for Payment of Money to be Levied by Distress, and in Default of Distress, Imprisonment.*

Canada,  
Province of  
County of

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Be it remembered that on \_\_\_\_\_, a complaint was made before the undersigned, \_\_\_\_\_, a justice of the peace in and for the said county of \_\_\_\_\_, for that (*stating the facts entitling the complainant to the order, with the time and place when and where they occurred*), and now at this day, to wit, on \_\_\_\_\_, at \_\_\_\_\_, the parties aforesaid appear before me the said justice (or the said C. D. appears before me the said justice, but the said A. B., although duly called, does not appear by himself, his counsel or attorney, and it is now satisfactorily proved to me on oath that the said A. B. was duly served with the summons in this behalf, which required him to be and appear here on this day before me or such justice or justices of the peace for the county, as should now be here, to answer the said complaint, and to be further dealt with according to law); and now having heard the matter of the said complaint, I do adjudge the said A. B. to pay to the said C. D. the sum of \_\_\_\_\_ forthwith (or on or before \_\_\_\_\_ next, or as the Act or law requires), and also to pay to the said C. D. the sum of \_\_\_\_\_ for his costs in this behalf, and if the said several sums are not paid forthwith (or on or before \_\_\_\_\_ next), then,\* I hereby order that the same be levied by distress and sale of the goods and chattels of the said A. B. and in default of sufficient distress in that behalf \* I adjudge the said A. B. to be imprisoned in the common gaol of the said county, at \_\_\_\_\_, in the said county of \_\_\_\_\_, (and there kept at hard labour, if the Act or law authorizes this, and it is so adjudged) for the term of \_\_\_\_\_, unless the said several sums and all costs and charges of the said distress and of the commitment and of the conveying of the said A. B. to the said common gaol are sooner paid.

Given under (my) hand and seal, this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, at \_\_\_\_\_, in the county aforesaid.

\* J. S., [SEAL.]

J. P., (name of county.)

\* Or when the issuing of a distress warrant would be ruinous to the defendant and his family, or it appears that he has no goods whereon to levy a distress, then, instead of the words between the asterisks \* \* say, 'inasmuch as it is now made to appear to me that the issuing of a