

FORM 37.

(Section 730.)

Form of Order of Dismissal of an Information or Complaint.

Canada,
Province of
County of

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Be it remembered that on _____, information was laid (or complaint was made) before the undersigned, _____, a justice of the peace in and for the said county of _____, for that (etc., as in the summons of the defendant) and now at this day, to wit, on _____, at _____, (if at any adjournment insert here: 'to which day the hearing of this case was duly adjourned, of which the said C. D. had due notice.') both the said parties appear before me in order that I should hear and determine the said information (or complaint) (or the said A. B. appears before me, but the said C. D., although duly called, does not appear); [whereupon the matter of the said information (or complaint) being by me duly considered, it manifestly appears to me that the said information (or complaint) is not proved, and] (if the informant or complainant does not appear, these words may be omitted,) I do therefore dismiss the same, and do adjudge that the said C. D. do pay to the said A. B. the sum of _____, for his costs incurred by him in defence in his behalf; and if the said sum for costs is not paid forthwith (or on or before _____), I order that the same be levied by distress and sale of the goods and chattels of the said C. D., and in default of sufficient distress in that behalf, I adjudge the said C. D. to be imprisoned in the common gaol of the said county of _____, 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 sum for costs, and all costs and charges of the said distress and of the commitment and of the conveying of the said C. D. 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.)

55-56 V, c. 29, sch. 1, form BBB.