

O. 42, r. 7(2)

ORDER OF ARREST /
ATTACHMENT OF PROPERTY
BEFORE JUDGMENT

(Title as in action)

(a) *Order to arrest before judgment.*

To the Sheriff,

Whereas [name] the claimant in the above action has shown to the satisfaction of the Court that the defendant [state the reasons for the order]:

You are hereby ordered to arrest the said [name of defendant] and to bring him/her before the Court immediately and if the Court is not sitting to deliver him/her to the officer-in-charge of the [name of prison] Prison to be kept there until the next sitting of the Court when you are to bring him/her before the Court immediately in order that he/she may show cause why he/she should not furnish security in the sum of \$ [sum] being the amount of the claim and costs for his/her personal appearance before the Court, while the above action is pending and until satisfaction of any order that may be made against him/her in the action.

(Seal of the Court and signature of the Registrar)

The claimant's address for service is [address].

Note: The defendant shall not be arrested if he/she pays to you the said sum of \$ [sum] to be deposited by you in Court to abide the trial of the action or further order of the Court.

(b) Order to attach property before judgment.

To the Sheriff,

Whereas [name] the claimant in the above action has shown to the satisfaction of the Court that the defendant [state the reasons for the order]:

You are hereby ordered to immediately seize all movable property liable to be seized under an order of attachment of property which shall be identified by or on behalf of [name] the claimant as belonging to the defendant up to the value of \$ [sum] being the amount of the claim and costs as a pledge or surety to answer the just claim of the claimant amounting to \$ [sum] and costs estimated at \$ [sum] until the trial of this action and satisfaction of any judgment that may be given against the defendant herein.

(Seal of the Court and signature of the Registrar)

The claimant's address for service is [address].

Note: The property shall not be seized if the defendant pays you the sum of \$ [sum] to be deposited by you in Court to abide the trial of the action or further order of the Court.
