

47-1-3 Evidence -- Dismissal of action -- Costs.

In such action evidence of the general reputation of the place shall be admissible for the purpose of proving the existence of the nuisance. If the complaint is filed by a citizen, it shall not be dismissed except upon a sworn statement made by the relator and his attorney setting forth the reasons why the action should be dismissed, and the dismissal approved by the county attorney in writing or in open court. If the court is of the opinion that the action ought not to be dismissed, it may direct the county attorney to prosecute the action to judgment, and, if the action is continued for more than one term of court, any citizen of the county or the county attorney may be substituted for the relator and prosecute the action to judgment. If the action is brought by a citizen and the court finds there was no reasonable ground or cause therefor, the costs may be taxed to such citizen.

No Change Since 1953