

28. Where a defendant is to be served out of Ontario with a writ of summons or notice in lieu thereof, the statement of claim shall be served therewith unless the writ is specially indorsed. C.R. 166.

29.—(1) Where the defendant is to be served out of Ontario, and is neither a British subject nor in British dominions, notice of the writ and not the writ itself shall be served. Such notice shall, save as herein provided, be served personally, unless otherwise directed. C.R. 165.

30. Where service is to be effected in any foreign country to which this Rule is by direction of the Chief Justice of Ontario made to apply, upon any one other than a British subject, the following procedure shall be adopted:—

(1) The notice of the writ and statement of claim shall be transmitted by the Clerk of Records and Writs to the Secretary of State with a copy thereof, translated into the language of the country in which service is to be effected with a request for further transmission of the same to the Government of the country in which it is to be served, with the request that service, either personal or in such manner as is consistent with the practice and usage of that country when personal service cannot be made, be effected and that return be made shewing how such service has been effected.

(2) Any such official return shall be regarded as proof of the facts therein stated.

(3) The plaintiff's solicitor shall, before the papers are transmitted, pay or secure to the satisfaction of the Clerk of Records and Writs a sufficient sum to answer the fees and charges in connection with such service. *See Eng. Rule, 71. New.*

31. Where in any civil or commercial matter pending before a Court or Tribunal of a foreign country, a letter of request from such Court or Tribunal for service on any person in Ontario of any process or citation in such matter, is transmitted to the Supreme Court for Ontario, the following procedure shall be adopted:—

(1) The letter of request for service shall be accompanied by a translation thereof in the English language, and by two copies of the process or citation to be served, and two copies thereof in the English language.

(2) Service of the process or citation shall, by a direction of a Judge, be effected by any Sheriff or his authorized agent.