

previous to the return ; and when such residence may be from five to ten leagues, the service shall be made four whole days previous to the return ; and when such residence may be from ten to fifteen leagues, the service shall be made five whole days previous to the return.

4.—And when such residence may be from fifteen to twenty leagues distance, the service shall be made six whole days previous to the return.

5. And where from twenty to thirty leagues, the service shall be made eight whole days previous to the return.

6. And where the defendant's residence may exceed thirty leagues, then such service shall be made conformably to the special order of one of the Judges of this Court, upon due consideration of the season of the year and situation of the defendant's residence.

7. That the Sheriff or Coroner to whom any process or writ may be directed for service, and which may express a declaration to be thereunto annexed, do not make any return into this Court upon such writ, unless the declaration or writing, therein referred to, be annexed to the same. And if any such return be made, the same shall be taken from the Records of this Court, and no proceeding had thereupon.

8. On the service of any writ of *capias ad respondendum*, the plaintiff shall be bound, at the time of serving the defendant with copy of such writ, to serve a notice in writing upon the said defendant, informing him that a copy of the plaintiff's declaration will be left at the Prothonotaries' office for the said defendant in such case, within five days from the service of such writ, and that the plaintiff making due service of a copy of his declaration, conformably to such notice, the same shall be taken and considered as sufficient, unless the defendant, before the expiration of the five days, do notify the plaintiff, or his attorney, of his, the defendant's, elected domicile, within the city of Montreal, where a copy of the plaintiff's declaration may be served upon him, such defendant.