

from other Counties or Divisions, I submit the case to you for an opinion, for I cannot presume to assert "I am right."

When I receive a summons from another County or Division (within this County) I enter all the particulars relating to it in the "Foreign summons Book," and deliver it forthwith to the Bailiff. If it be served, the service is proved and summons returned; if not served, a statement is written on the copy embodying the reason why service is not made, and any information the Bailiff has obtained regarding the defendant, such as "gone to the States," "absconded," "left the Township," "removed to the Township of ———," "temporarily absent," "had not time to serve," &c., &c., which statement is signed by the Bailiff, and summons sent back to the Clerk who issued it. It is then at the option of the plaintiff to have it sent out again on a risk, or wait till he knows where defendant can be found.

Since writing the foregoing, I have received, among others, returns upon three summonses, sent from here to Clerks in three different counties; one summons is returned served and service proven, 25 miles travelled—a memorandum on corner of summon "Costs, 15s. 6d.;" the next one is returned, not served, "Costs 2s." which must be 1s. for receiving and 1s. for sending back. The third is returned served, and memorandum of Costs thus: Clerk—Receiving 1s., Affidavit 1s., Return 3d.; Bailiff—24 miles 10s., Service 1s., Attendance 1s.—Total, 14s. 3d. You will perceive neither two of these Clerks agree in their practice in taxing costs; the first charges, 15s. 6d. for costs, being 1s. 3d. more than the third one, while there is only one mile more to charge for, and the third one has 3d. charged for entering return.

The last clause in the amended Tariff of Fees, passed 1855, reads, "Receiving papers from another County or Division for service, entering same in a book, handing the same to the Bailiff, and receiving his return, &c., &c., 1s., which shows that the fee of 3d. for "entering Bailiff's return to summons to defendant," is intended only for the Clerk who issued the summons.

The next preceding clause in the Tariff reads, "Transmitting papers for service to another County or Division, &c. &c., 1s." It is clear therefore, therefore, the Clerk cannot legally charge 1s. for transmitting papers which were sent him for service.

[The intelligent writer of the foregoing seems not merely desirous of being informed respecting his duties, but exhibits a laudable desire to give the benefit of his experience to others. If well-informed officers would generally do as he does, all would derive a larger benefit from the *Law Journal*.

The importance of a uniform practice cannot be overrated.

We certainly agree in the views of the writer; in our judgment he is correct in every particular; and having made enquiries, we may add that the practice of the Clerks in the County of Simcoe, sanctioned by the Judge, is similar to his own. The practice of sending summonses on a "hunting tour," as described, is very objectionable, and the cost attending the "tour" would not be taxable against the defendant.—Ed. L. J.]

APPOINTMENTS TO OFFICE, &c.

COUNTY JUDGES.

GEORGE S. JARVIS, of Osgoode Hall, Esquire, Barrister-at-Law, to be Judge of the County Court of the United Counties of Stormont, Dundas, and Glengary, in the room of William Ross, Esquire, resigned.—[Gazetted 8th Nov., 1856.]

ROBERT COOPER, of Osgoode Hall, Esquire, Barrister-at-Law, to be Judge of the County and Surrogate Courts of the United Counties of Huron & Bruce, in the room of John Strachan, Esquire, deceased.—[Gazetted November 8th, 1856.]

ASSOCIATE CORONER.

THEOPHILUS MACK, of St. Catharines, Esquire, M.D., to be an Associate Coroner for the County of Lincoln.—[Gazetted 8th November, 1856.]

NOTARY PUBLIC.

WILLIAM A. CAMPBELL, of Toronto, Esquire, Barrister-at-Law, to be a Notary Public in Upper Canada.—[Gazetted 8th November, 1856.]

THE DIVISION COURT DIRECTORY.

Intended to show the number, limits and extent, of the several Division Courts of Upper Canada, with the names and addresses of the Officers—Clerk and Bailiff,—of each Division Court.†

UNITED COUNTIES OF LANARK AND RENFREW.

Judge of the County and Division Courts, J. G. MALLOCH, Esq.—Perth P. O.

First Division Court.—Clerk, C. H. Sache—Perth P. O.; Bailiff, William Gill, Thomas Brook and Charles G. Sache—Perth P. O.; Limits—The townships of Drummond, Bathurst, Sherbrooke, Burgess, and all that part of the township of Elmsly north of the Rideau River within the county of Lanark, and west of Lot No. 12 in each concession.

Second Division Court.—Clerk, William Robertson,—Lanark P. O.; Bailiffs, Andrew Grimwell and John McEwen,—Lanark P. O.; Limits—The townships of Lanark, Dalhousie, Darling, Levant and North Sherbrooke.

Third Division Court.—Clerk, James Poole—Carlton Place P. O.; Bailiff, Geo. McPherson—Carlton Place P. O.; Limits—All that part lying between the 4th and 12th concessions (both inclusive) of the township of Beckwith and the township of Ramsay.

Fourth Division Court.—Clerk, Robinson Harper—Smith's Falls P. O.; Bailiff, John Richey—Smith's Falls P. O.; Limits—The township of Elmaley north of the Rideau River, from lot No. 1 to No. 12 in each concession, both inclusive; the 1st, 2nd and 3rd concessions of the township of Beckwith, and the township of Montague.

Fifth Division Court.—Clerk, William Taylor—Pakenham P. O.; Bailiff, Jas. Otterson—Pakenham P. O.; Limits—The township of Pakenham, and those parts of the townships of McNab, Bagot and Blythfield south of the River Madawaska.

Sixth Division Court.—Clerk, Geo. Ross—Renfrew P. O.; Bailiffs, John Smith and A. R. McDonald—Renfrew P. O.; Limits—The townships of Horton, Ross, the first three concessions of the township of Admaston, so much of the township of McNab as lies north of the River Madawaska, and those parts of the first five concessions of the township of Bagot north of the Madawaska River.

Seventh Division Court.—Clerk, George Brown—Douglas P. O.; Bailiff, Timothy McMahon—Douglas P. O.; Limits—Those parts of the 6th to the 12th (both inclusive) concessions of the township of Bagot north of the Madawaska River, that part of the township of Blythfield north of said River Madawaska; the township of Admaston, except the three first concessions; the townships of Bromley, Brougham, Grotton, and part of Wilberforce.

Eighth Division Court.—Clerk, Andrew Irving—Pembroke P. O.; Bailiff, Michael McNeil—Pembroke P. O.; Limits—Townships of Westmeath, Stafford, Pembroke, Fraser, Allan, and part of Wilberforce.

† Vide observations ante page 196, Vol. I., on the utility and necessity of this Directory.