

XVI. In all other cases the action shall be brought and tried in the County in which the parties or any of them shall reside at the commencement of the action, or if none of the parties shall reside in Upper Canada, the same may be brought and 5 tried in any County which the Plaintiff shall designate in his complaint; subject, however, to the power of the Court to change the place of trial in cases provided by Statute.

Other actions according to the residence of the parties.

XVII. If the County designated for that purpose in the complaint be not the proper County, the action may notwithstanding be tried therein, unless the Defendant, before the 10 time of answering expire, demand in writing that the trial be had in the proper County, and the place of trial be thereupon changed by consent of parties or by order of the Court, as is provided in this section.

Actions may be tried in any County, unless Defendant demand trial in proper County.

15 The Court may change the place of trial in the following cases:

When the Court may change place of trial.

1. When the County designated for that purpose in the complaint is not the proper County.

2. When there is reason to believe that an impartial trial 20 cannot be had therein.

3. When the convenience of witnesses and the ends of justice would be promoted by the change.

When the place of trial is changed, all other proceedings shall be had in the County to which the place of trial is 25 changed, unless otherwise provided by the consent of the parties in writing duly filed, or order of the Court, and the papers shall be filed or transferred accordingly.

Proceedings thereafter.

OF THE MANNER OF COMMENCING CIVIL ACTIONS.

Section 18. Civil actions how commenced. Requisites of summons.

19. Copy of complaint not to be served with summons. How obtained.

20. If Defendant make default in entering appearance, Plaintiff may sign interlocutory judgment. If Plaintiff make default in leaving copy of complaint after demand, Defendant may sign interlocutory judgment. Complaint need not be filed when summons issued. Proceedings in such cases.

21. Where a Defendant is served against whom Plaintiff has no personal claim, he may give notice thereof. Consequences if such Defendant unreasonably defend.

22. The determination of a suit is not to affect the interest of any person not made a party thereto.

23. Summonses, &c. by whom served, &c.

24. How Summons to be served.

25. Service by publication when Defendant cannot be found, and other special cases.

26. Proceedings where there are several Defendants and part only served.