

Page 56, 1st col. line 22, before "except," add "within twenty days."

" 53, 1st col. line 6, after "87, 88," add "also note s to s. ccvii."

" 53, note a, line 17, after "upon him, (1b)" add "Upon an application by a defendant grounded on an affidavit of his attorney, stating that he had applied to plaintiff's attorney for particulars of plaintiff's residence, and was informed by the attorney that he did not positively know plaintiff's residence but believed it to be at Windsor, but that he, deponent, had good ground to believe and did believe that plaintiff's residence was not at Windsor but in the United States of America, an order for a stay of proceedings was made, no cause being shown.—Houghton v. G. W. R. Co., 3 U. C. L. J. 70."

Page 61, note f, line 31, before "D. & L." add "3." and after "513," add "Under the usual order on payment of the debt and costs to be taxed, the plaintiff's attorney cannot immediately after the taxation demand payment of the debt and costs, and on the Clerk or the defendant's attorney being unprepared with the amount, sign judgment.—Perkins v. National Assurance Co., 20 L. T. Rep. 65."

Page 72, at the end of note e, add "does not apply to actions of ejectment.—Handley v. Holdershot, 2 U. C. L. J. 214."

Page 77, at the beginning of note r, add "The section empowers the Court or Judge to allow the action to proceed, not in the event of the cause of action having arisen within the jurisdiction, but in the event of their being satisfied that it did arise within the jurisdiction.—Hutton v. Whitehouse, 20 Jur. 370, 4 W. R. 463, 1 H. & N. 32."

Page 77, at the end of note r, add "A writ of summons in the form given in the schedule, but with no indorsement on it, and nothing to show the defendant the cause of action, was issued in order to sue the defendant, who was a British subject residing out of the jurisdiction. An order to proceed was subsequently made by a Judge on an affidavit, which contained no statement that the cause of action arose within the jurisdiction. It appeared by the affidavit (inferentially at least) that the Judge's order had not been served. A declaration was filed, which the defendant according to English practice took out of the office. Held that by doing so, any previous irregularity on the part of the plaintiff was waived.—Hayne v. Stock, 6 W. R. 171."

Page 81, 1st col. line 15, after "1 El. & B." add "But where a defendant who had been arrested on a capias applied to set aside the arrest for irregularity, on the ground that a true copy of the writ had not been served on him, and on his application filed the copy served, in which it appeared that the variance consisted in the words 'fifty-six' in the words of the copy being omitted. Held, the copy having been filed and in the custody of the Court, that under this section, taken in connexion with s. ccxvi, it might be amended, which was done in this case on payment of costs.—Wilson v. Story, 3 U. C. L. J. 60."

Page 81, note i, line 8, at the end, add "Thus plaintiff's attorney may amend the writ of summons before service by correcting a mistake as to the name or number of defendants and may cause it to be resealed without altering the teste.—Gibson v. Varley, 28 L. T. Rep. 158."

Page 82, 2d col. line 7, after "1b. p. 463," add "Where a party makes an application to full Court in a vexatious and oppressive manner, when his object might have been more speedily obtained at a far less cost upon an application to a Judge in Chambers, the Court may discharge his rule with costs.—The Duke of Brunswick v. Slesman, 6 C. B. 218."

Page 82, 2d col. line 10, after "730," add "An application may be made to a Judge in Chambers to rescind his own order. If he refuse no appeal can be made to the full Court.—Thompson v. Decker, 4 Q. B. 750." Also, "A Judge in Chambers is for the purpose of all motions before him a Judge of all the Courts.—Palmer v. The Justice Assurance Co., 28 L. T. Rep. 120."

Page 82, 2d col. at the end of line 30, add "and if having the power he exercise his discretion, in doing so a difference of opinion between him and the Court in the particular case cannot avail against his order.—Bulford v. Tomlinson, 4 Q. B. 642."

Page 82, 2d col. line 7 from the bottom, after "373," add "The application should as a general rule be made in the course of the term next after the decision.—Orchard v. Moxey, 2 El. & B. 206; upheld in Collins et al v. Johnson, 16 C. B. 688."

Page 90, at the end of note r, add "So in an action on a guarantee, the writ may be specially indorsed.—Jones v. Greer, 3 U. C. L. J. 91." "See further, McKinty v. Arnold, U. C. L. J., March, 1868."

Page 97, 1st col., line 2, after "together," add "Where a warrant of attachment had been issued against an absconding debtor, under the practice that prevailed previous to this Act, and the notice thereby required had been duly given, a writ of attachment was granted under this Act without a new affidavit.—Ross et al v. Cooke, 3 U. C. L. J. 48; Buchanan v. Ferris, 3 U. C. L. J. 48."

Page 99, at the end of note k, add "Clarke v. Mackintosh, 2 U. C. L. J. 231." Also, "Application for leave to proceed under this section should show, 1. Where the defendant resided, and what was his business or occupation when in this Province; 2. What property he has (if any), and in whose hands it is; 3. Whether he has any (and if any, what) friends or relations residing in this Province; 4. That defendant has not put in special bail to the action; 5. What specific efforts have been made to effect personal service on the defendant and to discover his whereabouts.—Stephen et al v. Dennie, 3 U. C. L. J. 69."