

drawal within the meaning of the rule; and the action, having been entered for trial, and not having been tried or disposed of, remained to be tried, and under rule 671 might be set down for trial and notice thereof given for any subsequent court without payment of any further fee.

The plaintiff, before the January Assizes, filed and served a jury notice. R.S.O., c. 44, s. 78, s.s. 2, provides that a party to an action desiring to have it tried by a jury shall, "at least eight days before the sittings at which the action is to be tried," file and serve a notice therefor. R.S.O., c. 52, s. 148, provides that no record containing issues to be tried by a jury shall be entered for trial unless the fee of \$3 required by that section be first paid.

Held, that rule 671 was not intended to overrule s. 148, but was only aimed at protecting litigants from being required to pay a new fee for entering their actions for trial a second time, and not to relieve them from the payment of any other usual fees. The plaintiff had the right to give the jury notice for the January assizes, paying the jury fee and annexing the jury notice to the record at the time of setting down.

Order of Rose, J., striking out jury notice, reversed.

C. Millar, for plaintiff.

F. P. Galt, for defendants.

Appointments to Office.

DEPUTY CLERK OF THE CROWN AND PLEAS, ETC.

Frontenac.

A. McGill, of Kingston, to be Deputy Clerk of the Crown and Pleas, Clerk of the County Court, and Registrar of the Surrogate Court for the County of Frontenac, *vice* John Fraser, deceased.

CORONER.

Glengarry.

A. L. McDonald, M.D., of Alexandria, to be an Associate Coroner for the County of Glengarry.

DIVISION COURT CLERKS.

Wellington.

Lewis R. Adams, of Maryborough, to be Clerk of the Seventh and Twelfth Division Courts of the County of Wellington, *vice* Lucius R. Adams, resigned.

Lambton.

W. W. Stover, of Sombra, to be Clerk of the Fourth Division Court of the County of Lambton, *vice* Peter Cattanaach, deceased.

BAILIFFS.

Parry Sound.

A. McDonald, of Strong, to be Bailiff of the Seventh Division Court of the District of Parry Sound, *vice* D. Grummet, resigned.

Kent.

John M. Little, of Blenheim, to be Bailiff of the Fourth Division Court of the County of Kent, *vice* John Little, deceased.

John M. Burk, of Blenheim, to be Bailiff of the Fourth Division Court of the County of Kent, *vice* John Little, deceased.

Victoria.

G. Manning, of Fenelon, to be Bailiff of the Second Division Court of the County of Victoria, *vice* J. Austin, resigned.

Miscellaneous.

A NEW VOLUME.—The one hundred and eightieth volume of *Littell's Living Age* opens with the first number of January. During the long existence of this standard weekly magazine its value has constantly increased, and it can hardly be dispensed with by the American reader who wishes to keep informed in the work of the best writers and thinkers of the day.

The first number of the new year has the following table of contents:—Style, by Walter Pater, *Fortnightly Review*; The Future of Westminster Abbey, by Archdeacon Farrar, *Contemporary Review*; Irish House-keeping, and Irish Customs in the Last Century, *Blackwood*; The Beothuks of Newfoundland, by Lady Blake, *Nineteenth Century*; Society Poets, *Temple Bar*; My Ride to Sheshouan, *Blackwood's Magazine*; Which Wins? *Murray's Magazine*; The Circuits, *Spectator*; The Submission of Great Britain to Queensland, *Economist*; The Training of Kings, *Spectator*; with choice poetry and miscellany. This, the first weekly number of the new volume, is a good one with which to begin a subscription. For fifty-two numbers of sixty-four large pages each (or more than 3,300 pages a year) the subscription price (\$8) is low; while for \$10.50 the publishers offer to send any one of the American \$4.00 monthlies or weeklies with *The Living Age* for a year, both postpaid. Littell & Co., Boston, are the publishers.